STATE OF CALIFORNIA – THE RESOURCES AGENCY
EDMOND G. BROWN,JR, Governor

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

Click here to go to original staff report

STAFF REPORT ADDENDUM

Item F7a

January 7, 2014

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: SOUTH CENTRAL COAST DISTRICT OFFICE

RE: **City of Santa Barbara Local Coastal Program Amendment No. 1-2012**

1. *Under section II on Page 7, the motion for Approval of the Land Use Plan Amendment As Submitted is incorrect and shall be replaced with the following revised motion:*

A. APPROVAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED

MOTION: ***I move that the Commission* certify *the City of Santa Barbara Land Use Plan Amendment SBC-MAJ-1-12, as submitted.***

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:

Staff recommends a **YES** vote. Passage of the motion will result in certification of the land use plan as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby certifies the Land Use Plan Amendment (SBC-MAJ-1-12) for the City of Santa Barbara, as submitted, and adopts the findings set forth below on grounds that the Land Use Plan, as amended, conforms with and is adequate to carry out the provisions of the Coastal Act, and certification of the Land Use Plan Amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Land Use Plan Amendment.

A. In order to correct inadvertent typographical errors, the following changes are made to the staff report for this item. Language deleted from the staff report and recommendation is shown as ~~line out~~. Language inserted into the staff report is shown **underlined,** as follows:

2. The second paragraph of the resolution on page 9 shall be revised as follows:

The Commission hereby certifies the ~~County~~ **City** of Santa Barbara Implementation Plan/Coastal Zoning Ordinance Amendment STB-MAJ-1-12-B, if modified as suggested, and adopts the findings set forth below on grounds that the Implementation Plan Amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan, as amended.

3. *The last sentence of the first paragraph of section B on page 12 shall be revised as follows:*

The standard of review for the proposed amendment to the Implementation Plan (IP) of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is whether the Implementation Plan, with the proposed amendment, would be in conformance with and adequate to carry out, the provisions of the Land Use Plan portion of Santa Barbara ~~County's~~ **City's** certified Local Coastal Program, as amended.

4. *On Page 19 the Appendix shall be modified as follows:*

A resolution of the Council of the City of Santa Barbara approving a Local Coastal Program Amendment for the property at 415 Alan Road-Parcel B, passed, approved, and adopted by the ~~Board of Supervisors~~ **City Council** October 9, 2013

5. *The second sentence of the last paragraph on Page 16 shall be revised as follows:*

The minimum lot size figure of 1.5 acres for the 1.03 acre portion of the subject site is generated by considering both the base minimum lot size of 1 acre, which requires the underlying minimum lot size to be multiplied by a factor of 1.5 due to the average ~~19.5%~~ **14.4%** slope of the site.

B. The specific changes described in further detail in #6 below are necessary in order to address concerns raised by the City in its letter (attached as an exhibit to this addendum) sent to Commission Staff dated January 2, 2014 (and included as part of this addendum).

6. *The second sentence on page 4 of the staff report, within the Summary of Staff Recommendation Conclusion section, shall be revised as follows:*

However, the City's IP amendment does not **go far enough, in that it fails to update the minimum lot size for the 1.03 acre portion of the site to match the revised LUP and the subdivision proposal. The net result would create IP provisions that could not be satisfied and that would not** conform with ~~and is inadequate to carry out~~ the

relevant provisions of the City's certified Land Use Plan, as proposed~~**, as the City's proposed minimum lot size for the proposed 0.34 acre parcel would still be too small to conform with the LUP, even as amended, and the existing minimum lot size for the proposed 1.03 acre parcel is too large to allow the subdivision**~~. Thus, only as modified pursuant to Suggested Modification One (1) will the proposed IP amendment conform with and be adequate to carry out the relevant provisions of the City's certified Land Use Plan.

C. 7. *In addition, Staff received three letters in support of this amendment and one letter in opposition, which have been attached as exhibits of this addendum. The points raised in the submitted letter of opposition have already been addressed in the staff report for this item.*

Received
JAN 07 2014
California
Coastal Commission

F7a

California Coastal Commission
89 South California St., Suite 200
Ventura, CA 93001

Agenda Item NO: Fr7a
Steve H Dougherty

I must object to the proposed changes submitted by the City of Santa Barbara on the grounds that subdivision of and new construction on the property at 415 Alan Road would contribute inordinately to neighborhood crowding and traffic noise. Because of nearby (three blocks) Hendry's beach, curb parking and traffic at this end of Alan Road is already a nightmare. Adding more dwellings (the owner has just completed construction of an addition annex to the existing dwelling complex) would only compound the problem. Indeed, in my opinion, traffic conditions in the area have already worsened significantly since the City of Santa Barbara approved the proposed changes – even without additional housing.

But crowding is not the only issue. There's also an aesthetic dimension. The property in question is on a rather steep grade, and three new structures situated on it would perforce resemble a precarious stack of dominoes crowded directly above the street – an affront to the aesthetics of the existing community.

I therefore strongly oppose the changes under discussion and urge the Commission to deny them.

Steve H. Dougherty
414 Alan Road
Santa Barbara, CA
93109

805-450-2435
synecdoche@hushmail.com

F7a

Received
JAN 07 2014
California
Coastal Commission

Silvia Danner
3 Wade Court
Santa Barbara, CA 93109

January 4, 2013

Mr. Steve Kinsey, Chair California Coastal Commission
South Central Coast Area
69 South California Street, Suite 200
Ventura, CA 93001

Reference: January 10, 2014 Agenda Item F7a
City of Santa Barbara LCP Amendment No. MAJ-1-12 - 415 Alan Road Project

Dear Chair Kinsey, Commissioners and Staff:

My property at 3 Wade Court (on the corner of Wade Court and Alan Road) is adjacent to Seybold's property at 415 Alan Road. The new lot and house will be adjacent to my back yard. Over the past years I have supported this project and still believe it is a good fit for the neighborhood and have no objections to the lot approvals being granted and the house being constructed on the proposed new lot.

The Seybolds have worked with me and all of the neighbors through the entire process, making sure that we fully understood their goals and objectives. As the closest neighbor to this pending new lot and house, I believe it will enhance the neighborhood and am convinced that the Seybolds have done everything within their power to minimize any impact to the neighborhood and the neighbors. Therefore I urge you to vote in favor of this project.

Sincerely,

Silvia Danner

Sylvia Danner

JAN 06 2014

Marion F. Gibson
11 Wade Court
Santa Barbara, CA 93109

January 5, 2014

Mr. Steve Kinsey, Chair California Coastal Commission
Commissioners and Staff
South Central Coast Area
69 South California Street, Suite 200
Ventura, CA 93001

Reference: January 10, 2014 Agenda Item F7a
City of Santa Barbara LCP Amendment No. MAJ-1-12 - 415 Alan Road Project

Dear Chairman Kinsey:

My property, located at 11 Wade Court, backs up to Andy and Linda Seybold's property located at 415 Alan Road. Several years ago, the Seybolds approached me regarding their desire to apply for a new lot and build a new house on that lot. The proposed lot is behind my house, and I would be one of the closest neighbors to the new house.

I have supported this project from the very beginning, writing letters to the City Planning Commission and attending City Council hearings to support this project. I still support it and hope the Coastal Commission will vote in favor of letting the project move forward.

Best regards,

Marion F. Gibson

Marion F. Gibson
Owner, 11 Wade Court

JAN 06 2014

Andrew and Linda M. Seybold
415 Alan Road
Santa Barbara, Ca 93109
Phone: 805-898-2460
Email: Aseybold@andrewseybold.com

January 9, 2014

Mr. Steve Kinsey, Chair California Coastal Commission
South Central Coast Area
69 South California Street, Suite 200
Ventura, CA 93001

RE: January 10, 2014 Agenda Item F7a
City of Santa Barbara LCP Amendment No. MAJ-1-12 - 415 Alan Road Project

Dear Chair Kinsey, Commissioners and Staff:

We are the owners of the property at 415 Alan Road in Santa Barbara that is the subject of the proposed Local Coastal Plan Amendment. We ask that the California Coastal Commission approve the staff's recommendation to certify the proposed LUP component of City of Santa Barbara LCP amendment as submitted and the IP/CZO amendment with staff's one suggested modification that the developed 1.03 acre portion of the property be rezoned from A-1 to A-2 to conform to the City's certified local coastal plan.

Since 1999, Linda and I have lived in our home on this property. The house is located at one end of the parcel, which is 1.37 acres. The parcels to the north are part of a 1950's subdivision called the Braemar Tract, and are all about 1/3 acre. The parcels to the south and west are one acre in size. As we have planned for our retirement, we have thought about splitting off the northernmost portion of our property in order to create a new lot and to build a modest-sized house on it. Both the new lot and the house would be compatible with the other homes in the neighborhood.

The proposed lot split would create two parcels. The smaller one will have approximately 0.34 acre. This new lot will meet the minimum lot size requirements for the proposed new E-3 zone (Three Dwelling Units per Acre), including the required increased lot size for lots with slopes over 10 percent (i.e., "slope density requirement"). The larger resulting lot, including our home, would be 1.03 acres in size with an average slope of 14.3 percent. Although this larger lot does not meet the minimum lot size required by the existing A-1 zoning for lots with slopes of 10 to 20 percent, it does meet all requirements of the A-2 zone district. As such, we support the staff recommendation to change the zoning on this remaining lot to from A-1 to A-2.

We have worked extensively with the City planners and the City Council to achieve our goal to construct one in-fill house with a maximum size of 2,000 square feet and an attached garage of 500 square feet. The new house, which will be restricted to a single story, will fit nicely within the existing neighborhood

in terms of size and density of surrounding development, will have no impact on scenic coastal resources, and has the support of a majority of the neighbors.

There would be no adverse impacts to coastal resources and public access with the approval of this LCP amendment as modified. The property is located within an existing developed area of the City with a public road, sidewalk, nearby transit, water and sewer. While Alan Road is used for beach parking when the parking lot at Arroyo Burro Beach is full, the addition of one new home would not impact on-street parking. The new home will comply with the City's IP/CZO requirements for two off-street parking spaces. Further, our existing home has a two-car garage and large driveway that accommodates all of our parking needs.

We believe that the addition of this one new lot within the residentially developed neighborhood will in fact enhance the community. The neighborhood has more than 100 homes of a similar style and appearance as the one we have planned for this new lot. Many of those living in these homes, which were built in the 1950s and 1960s, are upgrading and renovating their homes and this one new home will serve to further enhance the overall appearance of the neighborhood from the street.

If you have any questions regarding this matter, please feel free to contact us at the above address and contact information.

Thank you in advance for your positive vote on this request,

Andrew M. Seybold

Linda M Seybold

Linda M. Seybold

City of Santa Barbara

Community Development Department

www.SantaBarbaraCA.gov

Director's Office
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630 Garden Street
PO Box 1990
Santa Barbara, CA
93102-1990

January 2, 2014

Melissa Ahrens
California Coastal Commission
89 South California Street, Suite 200
Ventura, CA 93001-2801

RE: City of Santa Barbara LCP Amendment: MAJ-1-12, 415 Alan Road Project
Coastal Commission Agenda, Friday, January 10, 2014 Item 7.a.

Dear Ms. Ahrens – please forward this letter to the Commission as appropriate for the City of Santa Barbara comment on the proposed LCPA referenced above.

We appreciate your positive recommendation and are prepared to return to City Council to accept the suggested modification with respect to the implementing land use zone of A-2.

I reviewing the report we found a few minor errors and offer the following for correction:

1. Pages 9 section B. County should be changed to City
2. Page 12 – first paragraph – section B. last sentence change from County to City
3. Page 19 – states Board of Supervisors adopted Resolution it should be changed to acknowledge that the City Council adopted the resolution.
4. Page 4 Conclusion - first paragraph, second sentence: The City's proposed IP amendment for the proposed 0.34 lot meets the City's required minimum lot size. However, the City's IP amendment does not conform with and is inadequate to carry out the relevant provisions of the City's certified Land Use Plan, as proposed, as the City's existing ~~proposed~~ minimum lot size for the proposed ~~0.34~~ 1.03 acre parcel would ~~still~~ be too small to conform with the LUP, ~~even as amended~~ as ~~and~~ the existing minimum lot size for the proposed 1.03 acre parcel is too large to allow the subdivision.
5. Page 16 last paragraph, second sentence: The minimum lot size figure of 1.5 acres for the 1.03 acre portion of the subject site is generated by considering both the base minimum lot size of 1 acre, which requires the underlying minimum lot size to be multiplied by a factor of 1.5 due to the average ~~19.5%~~ 14.4% slope of the site.

Sincerely,
Bettie Weiss
City Planner/Acting Community Development Director

7

F7a

DATE: December 18, 2013

TO: Commissioners and Interested Persons

FROM: Jack Ainsworth, Senior Deputy Director
Steve Hudson, District Manager
Melissa Ahrens, Coastal Program Analyst

SUBJECT: City of Santa Barbara Local Coastal Program Amendment No. MAJ-1-12 (415 Alan Rd. Project) for Public Hearing and Commission Action at the January, 2014 Commission Meeting in San Diego.

DESCRIPTION OF THE SUBMITTAL

The City of Santa Barbara is requesting an amendment to the certified Coastal Land Use Plan (LUP) and Implementation Plan (IP) portions of its certified Local Coastal Program (LCP) to change the existing Land Use Plan designation from "One Dwelling Unit per Acre" (1du/ac) to "Three Dwelling Units per Acre" (3du/acre) and change the Implementation Plan zoning from "'One Family Residence Zone' (A-1)" to "'One Family Residence Zone' (E-3)" on a 0.34 acre portion of an existing 1.37 acre parcel at 415 Alan Road in the City of Santa Barbara. The proposed amendment would allow for a future subdivision of the existing 1.37 acre lot into two separate legal parcels pursuant to a coastal development permit.

The City of Santa Barbara submitted the subject Local Coastal Program Amendment to the Commission on August 6, 2012 and it was determined to be incomplete on August 20, 2012. The amendment proposal was determined to be complete on October 24, 2013, after the receipt of the required materials. Pursuant to Section 30512 of the Coastal Act and California Code of Regulations, Title 14, Section 13522, an amendment to the certified LCP that combines changes to the LUP and IP/CZO must be scheduled for a public hearing and the Commission must take action within 90 days of a complete submittal. As such, Staff has scheduled this item for January 10, 2014, which will be the 78th day.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission **APPROVE** the proposed LUP component of City of Santa Barbara LCP Amendment No. SBC-MAJ-1-12, as submitted, and **DENY** the proposed IP/CZO component of City of Santa Barbara LCP Amendment No. SBC-MAJ-1-12, as submitted, and **APPROVE** the IP/CZO amendment with one suggested modification. The modification is necessary because the IP/CZO amendment, as submitted, does not conform with and is inadequate to carry out the provisions of the Land Use Plan. The motions and resolutions for Commission action can be found starting on **page 7**. The suggested modification can be found starting on **page 9.**

The proposed LCP amendment is necessary in order to facilitate a future subdivision of the subject 1.37 acre lot into two separate legal parcels (1.03 acres and 0.34 acres in size) pursuant to

a separate coastal development permit. The subject 1.37 acre parcel located at 415 Alan Rd. is developed with an existing single family residence, permitted through a Coastal Development Permit issued by the Coastal Commission in 1976 (CDP No. 100-5). The current property owners of the 1.37 acre lot intend to subdivide the parcel into a 0.34 acre vacant lot and a 1.03 acre lot containing the home authorized through the Commission's 1976 approval. The City, at the request of the property owners, is proposing to modify the certified LUP and IP designations for only the 0.34 acre portion of the subject 1.37 acre parcel, in order to allow that portion of the site to be separated off as a distinct lot and to be able to find future residential development on that 0.34 acre lot consistent with the certified LCP. The current LUP designation for the 1.37 acre site would not allow for development on site to occur at a density greater than one unit per acre and thus would not allow the subdivision of the 1.37-acre parcel. Additionally, the current IP zoning designation for the 1.37 acre site requires a minimum lot size of 1.5 acres[1] and thus would not allow the subdivision of the 1.37-acre parcel.

There is no environmentally sensitive habitat areas on or adjacent to the subject site; thus, the proposed increase in density will not result in any potential adverse impacts to environmentally sensitive habitat areas. The future subdivision of the 1.37 acre lot into two separate lots and residential development of the 0.34 acre lot will require a coastal development permit, which will be processed by the City and will not be appealable to the California Coastal Commission. Further, the proposed modification of the Land Use Plan Designation and Zoning (IP) designation for the 0.34 acre area will allow for a residential density on the site that will be consistent with the pattern and density of development (three residential units per acre) in the residential neighborhood located immediately to the north of the subject site, which would abut the northern property line of the resultant 0.34 acre parcel.. Moreover, given the densely developed character of the area, the increase of density on the subject site will not result in any new adverse impacts to any scenic public views. Thus, the proposed amendment will not result in any potential adverse impacts to coastal resources.

Proposed Land Use Plan Amendment

The existing 1.37 acre parcel currently has a Land Use Plan designation restricting development on the site to one dwelling unit per acre (1du/ac). Therefore, while the proposed 1.03 acre lot would remain consistent with the LUP, the proposed 0.34 acre lot that would result from the planned future subdivision of the site would be too small to be developed legally and thus inconsistent with the 1 du/ac designation. As such, the City's LCP amendment proposal seeks to modify the LUP designation on the 0.34 acre portion of site from "1du/ac" to 3du/ac," which would ensure that the proposed 0.34 acre lot would be consistent with the minimum lot size requirement for the site pursuant to the certified LUP, as amended. The subject 1.37 acre site proposed for future subdivision is surrounded by residential development. The area immediately north of, and partially abutting, the subject site is developed with a residential neighborhood that has been built out at a density of approximately three dwelling units per acre (3du/acre). Thus, the proposed change for the 0.34-acre portion of the site and its independent development would be consistent with the density of adjacent developed areas to the north. In addition, approval of

[1] This minimum lot size figure of 1.5 acres is generated by considering both the base minimum lot size of 1 acre and the IP zoning for the subject site, which requires the underlying minimum lot size to be multiplied by a factor of 1.5 due to the average 14% slope of the subject 1.37 acre site. Staff notes that this means the existing lot is already a non-conforming lot due to its size.

the LUP amendment portion the City's proposed LCP amendment request would be consistent with all applicable Chapter 3 policies of the Coastal Act and would not create a conflict between any existing LUP policies. Additionally, the planned future subdivision of the 1.37 acre property into two parcels (1.03 acres and 0.34 acres in size) and the construction of a new residence on the 0.34 acre portion of the site would not be expected to result in any new significant impacts on coastal resources, due to the surrounding pattern of development and the specific site conditions discussed in further detail in the findings of this staff report.

Proposed Implementation Plan Amendment

Pursuant to the certified Implementation Plan, the subject 1.37 acre site is designated "A-1", which requires a base minimum lot size of 1 acre, and in this case, due to the topography of the site, a minimum lot size of 1.5 acres; The subject 1.37 acre lot is considered legally non-conforming with respect to the required 1.5 acre minimum lot size, as it was subdivided from an original 2.4 acre parent parcel [pursuant to a Coastal Development Permit issued by the regional Coastal Commission in 1976 (71-5)] prior to the establishment of the A-1 zoning certified for the Coastal Zone as part of the City's IP in 1986. Authorizing further subdivision of this lot would create two lots, each of which would be even more inconsistent with the certified A-1 zoning. Thus, the City's LCP amendment request seeks to modify the zoning designation on the .34 acre site from **"***One Family Residence Zone - A-1"*, which requires a minimum lot size of 1.5 acres in this case, to *"One Family Residence Zone, - E-3"*, which requires a minimum lot size of 11,250 sq. ft. at this site[2]. The proposed zoning change to the 0.34 acre portion of the site would be consistent with the denser "E-3" pattern of residential development in the adjacent neighborhood to the north and would be consistent with all applicable LUP policies.

However, as noted above, the City's plan would create not one lot, but two, each of which would be more inconsistent with the certified "A-1" zoning than the current parent lot is. The City's express plan is to divide the 1.37-acre lot into a 0.34 acre lot and 1.03-acre lot and rezone the 0.34 acre portion of the site to allow for the proposed higher density; however, the zoning for the 1.03-acre portion of the site must also be changed as well, in order to allow the creation of that 1.03-acre lot and to avoid exacerbating that lot's non-conformity with the IP. Therefore, in order to ensure that creation of the prospective 1.03 acre parcel can be found consistent with the certified IP zoning, Staff is recommending **approval** of the amendment with **one Suggested Modification** to also change the IP zoning on the 1.03 acre portion of the 1.37 acre parcel from "*One Family Residence Zone - A-1" (base minimum lot size of 1 acre, and minimum lot size in this case of 1.5 acres)* to "*One Family Residence Zone - A-2" (base minimum lot size of 25,000 sq. ft./0.57 acres, and minimum lot size in this case of 37,500 sq. ft./0.86 acres, due to the slope calculation factor required in the A-2 zoning*

[2] The A-1 zoning requires a minimum lot size of 1 acre (43,560 sq. ft.) and the E-3 zoning requires a minimum lot size of 7,500 sq. ft. However, as the subject site has an average slope of 14%, both the A-1 and E-3 underlying minimum lot sizes are required to be multiplied by a factor of 1.5 to determine the resulting final required minimum lot size of 1.5 acres and 11,250 sq. ft..

Conclusion

As discussed in the findings set forth in this report, the City's proposed LUP amendment conforms with the requirements of Chapter Three of the Coastal Act. However, the City's IP amendment does not conform with and is inadequate to carry out the relevant provisions of the City's certified Land Use Plan, as proposed,, as the City's proposed minimum lot size for the proposed 0.34 acre parcel would still be too small to conform with the LUP, even as amended, and the existing minimum lot size for the proposed 1.03 acre parcel is too large to allow the subdivision. Thus, only as modified pursuant to Suggested Modification One (1) will the proposed IP amendment conform with and be adequate to carry out the relevant provisions of the City's certified Land Use Plan. Although not part of this LCP amendment, the City of Santa Barbara will be required to process a coastal development permit application subsequent to Commission action on this LCP amendment request to authorize 1. The subdivision of the existing 1.37 acre parcel and 2. Residential development of the .34 acre parcel.

The standard of review for the proposed amendment to the LUP of the certified LCP is that it meets the requirements of, and is in conformity with, the Chapter 3 policies of the Coastal Act. The standard of review for the proposed amendment to the IP/CZO of the certified LCP is consistency with, and adequacy to carry out, the provisions of the Land Use Plan (LUP) portion of the certified City of Santa Barbara LCP, as amended. For the reasons above, and as described in this report, the proposed LUP amendment, as submitted, would meet the requirements of and be in conformity with the Chapter 3 policies of the Coastal Act. Likewise, for the reasons above, and as described in this report, the proposed IP amendment, as modified, would be consistent with and adequate to carry the provisions of LUP, as amended, with respect to the protection of coastal resources.

Additional Information: Please contact Melissa Ahrens at the South Central Coast District Office of the Coastal Commission at (805) 585-1800 or 89 S. California St., Second Floor, Ventura, CA 93001

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Exhibit 6. Letter from City Clarifying Resolution

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The Coastal Act provides:

> ***The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)… (Section 30512(c))***

The Coastal Act provides:

> ***The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...***
>
> ***The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken. (California Public Resources Code Section 30513)***

The standard of review that the Commission uses in reviewing the Land Use Plan Map designation changes, as proposed by the City, is whether the changes are consistent with, and meet the requirements of, the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the Zoning Ordinance and Map, which is part of the Implementation Plan of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is that the proposed amendment is in conformance with, and adequate to carry out, the provisions of the Land Use Plan (LUP) portion of the City of Santa Barbara's certified Local Coastal Program. In addition, all Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified City of Santa Barbara's LUP as guiding policies

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The City held Planning Commission hearings on 6/11/09, 11/10/09 and 3/3/11and City Council hearings on 1/31/12and October 8, 2013). Seven (7) comment letters were received regarding the project from concerned parties and members of the public. Five of the letters were in opposition to the proposed LCP amendment and 2 were in support. The hearings were noticed to the public consistent with Sections 13515 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551(b) of Title 14 of the California Code of Regulations ("14 CCR"), the City, by resolution, may submit a Local Coastal Program Amendment that will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. The Santa Barbara City Council submittal resolution specified that this amendment shall take effect automatically after Commission action. In this case, because this approval is subject to a suggested modification by the Commission, if the Commission approves this Amendment, the City must act to accept the certified suggested modifications within six months from the date of Commission action in order for the Amendment to become effective (Section 13544.5; Section 13537 by reference;). Pursuant to Section 13544, the Executive Director shall determine whether the City's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. If the Commission denies the LCP Amendment, as submitted, no further action is required by either the Commission or the City.

II. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LAND USE PLAN AMENDMENT

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. APPROVAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED

MOTION : ***I move that the Commission reject the City of Santa Barbara Land Use Plan Amendment SBC-MAJ-1-12, as submitted .***

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:

Staff recommends a **NO** vote. Following this staff recommendation with result in failure of this motion and certification of the Land Use Plan Amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby certifies the Land Use Plan Amendment (SBC-MAJ-1-12) for the City of Santa Barbara, as submitted, and adopts the findings set forth below on grounds that the Land Use Plan, as amended, conforms with and is adequate to carry out the provisions of the Coastal Act, and certification of the Land Use Plan Amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or

alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Land Use Plan Amendment.

III. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO) AMENDMENT

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. DENIAL OF THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE AMENDMENT AS SUBMITTED

MOTION I: ***I move that the Commission reject the City of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment SBC-MAJ-1-12, as submitted.***

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program Amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the City of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment SBC-MAJ-1-12, as submitted, and adopts the findings set forth below on grounds that the Implementation Program Amendment, as submitted, does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan, as amended. Certification of the Implementation Plan Amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan Amendment as submitted.

B. CERTIFICATION OF THE LOCAL IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE AMENDMENT WITH SUGGESTED MODIFICATIONS

MOTION II: ***I move that the Commission certify City of Santa Barbara Implementation Plan/Coastal Zoning Ordinance Amendment SBC-MAJ-1-12 if it is modified as suggested in this staff report.***

STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Plan Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the County of Santa Barbara Implementation Plan/Coastal Zoning Ordinance Amendment STB-MAJ-1-12-B, if modified as suggested, and adopts the findings set forth below on grounds that the Implementation Plan Amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan, as amended. Certification of the Implementation Plan Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

IV. SUGGESTED MODIFICATION ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO) AMENDMENT

Staff recommends the Commission certify the proposed IP/CZO amendment with the modification as shown below. The LCP number indicates the existing section in the certified Santa Barbara City LCP The existing language of the certified LCP is shown in straight type. Language recommended by Commission staff to be deleted is shown in bold **~~line out~~.** Language proposed by Commission staff to be inserted is shown as bold **underlined**. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in bold ***italics*. Suggested Modification 1:**

The certified Implementation Plan zoning map shall be revised to show that the 1.03 acre portion of the existing 1.37 acre parcel identified as APN 047-091-024 shall be redesignated from "A-1 One Family Residence Zone" to "A-2 One Family Residence Zone", as generally shown on Exhibit 3 of this staff report.

V. FINDINGS FOR APPROVAL OF THE LUP AMENDMENT, AS SUBMITTED, AND DENIAL OF THE IP/CZO AMENDMENT, AS SUBMITTED, AND APPROVAL OF THE IP/CZO IF MODIFIED AS SUGGESTED

The following findings support the Commission's denial of the LCP amendment as submitted, and approval of the LCP amendment if modified as indicated in Section III (*Suggested Modification*) above. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION

The City of Santa Barbara is requesting an amendment to the certified Coastal Land Use Plan (LUP) and Implementation Plan (IP) portions of its certified Local Coastal Program (LCP) to change the existing Land Use Plan designation from "One Dwelling Unit per Acre" (1du/ac) to "Three Dwelling Units per Acre" (3du/acre) and change the Implementation Plan zoning from "One Family Residence Zone" (A-1) to "One Family Residence Zone" (E-3) on a 0.34 acre portion of an existing 1.37 acre parcel located at 415 Alan Road in the City of Santa Barbara. The proposed amendment would facilitate the future subdivision of the existing 1.37 acre lot into two separate legal parcels of 0.34 acres and 1.03 acres.

Specifically, the proposed LCP amendment is project driven and will facilitate the residential development of a 0.34 acre site located in the western component of the city, immediately inland of Arroyo Burro county beach park. The 1.37 acre subject site is located within a relatively densely developed urban area and the increase in density on the subject site will be consistent with the character and density of the surrounding community. Moreover, the subject site does not contain, and is not adjacent to, any environmentally sensitive habitat area; thus, the proposed increase in density will not result in any potential adverse impacts to environmentally sensitive habitat areas.

The existing 1.37 acre parcel to be subdivided currently has a land use plan designation of one dwelling unit per acre "1 du/ac" and an IP/CZO designation of A-1. The IP/CZO designation is the more restrictive designation of the two, as it requires the minimum lot size for residential development to be 1.5 acres (due to the slope calculation requirements specified in the A-1 zoning). Any proposed subdivision or residential development on the site will be processed by the City pursuant to a Coastal Development Permit Application, which would not be appealable to the CCC. Therefore, as a subdivision of the 1.37 acre lot would be inconsistent with the existing certified LUP and IP designations, the City is proposing to amend both the LUP and IP to find the future subdivision and development of the .34 acre site consistent with the LCP.

Proposed Land Use Plan Amendment.

Specifically, the City of Santa Barbara is proposing to amend their LUP Map to reflect the proposed LUP designation modifications to the 0.34 acre site. The certified LUP Map identifies the subject site as "1dwelling unit/acre". Other certified LUP residential designations in the City's Coastal Zone consist of "2 dwelling units/acre", "3 Dwelling Units/acre", "5 Dwelling Units/acre", and "12 Dwelling Units/acre". The City's proposed LCP amendment seeks to modify the Land Use Plan Map to designate the 0.34 acre site as "3 Dwelling Units/Acre" which would allow for the development of the resultant 0.34 acre site with one single family residence.

Proposed Coastal Zoning Ordinance/Implementation Plan amendment

The City is also proposing to amend their Implementation Plan Maps to reflect the proposed IP designation modifications to the 0.34 acre site. The Certified IP/CZO maps designate the subject 1.37 acre site as "One Family Residence Zone" A-1. The "One Family Residence Zone" section of the zoning ordinance includes A-1, A-2, E-1, E-2, E-3, and R-1 zones. All of these zoning designations have different minimum lot requirements, which are all subject to increase based on the slope calculation of the subject lot. In the case of the subject 0.34 acre site, the percent average slope is 19.5%. The zoning ordinance for "one family residential zones" (including A-1, A-2, and E-3 zones) contains a slope calculation formula which can increase the required minimum lot size depending on the average slope of a subject site. For a site with an average slope of 10%-20% , the slope calculation formula requires the underlying minimum lot size to be multiplied by a factor of 1.5 . The City is proposing to redesignate the subject 0.34 acre site as "E-3", which has an underlying minimum lot size of 7,500 sq. ft.; however, pursuant tothe slope formula in the zoning ordinance, the minimum lot size for the 0.34 acre site would actually be 11,250 sq. ft. The proposed 0.34 acre lot would be much larger than this minimum lot size and, as such, could be found consistent with the IP, if amended, as proposed by the City herein.

Site Background

The subject 1.37 acre parcel was historically part of a larger 6 acre parcel that was subdivided into four separate parcels in 1976 through Coastal Development Permit No. 71-5. CDP No. 71-5 created four separate parcels with sizes of 1 acre, 1.1 acres, 1.2 acres and 2.4 acres. CDP No. 100-5, also approved in 1976, authorized construction of a single family residence on each of the four lots. Subsequently, in 1978, CDP no. 173-19 authorized the subdivision of the 2.4 acre parcel into a 1.0 acre vacant lot and a 1.37 acre lot with an existing residence (the subject site). The City approved the subdivision and Final Map No. 20,191through a planning Commission action on 5/4/78 subject to a condition requiring that there be no further subdivision of the 1.0 acre or 1.37 acre parcel. However, this condition was not implemented through a deed restriction or any other type of legally binding document. In their recent actions on this LCP amendment request, the City Council and City Planning Commission were both aware of this previous City condition. Moreover, the City determined through public hearings and discussions that the City's previously required condition was not applicable or enforceable and that further subdivision of the 1.37 acre property would be consistent with the pattern of residential development in the surrounding area and would not have potential to result in any impacts to coastal resources. None of the previous coastal development permits issued by the Coastal Commission had any conditions restricting future subdivisions of the subject properties.

The original 6 acre parcel bordered Cliff drive in the western area of the City, across the street and immediately northeast from Arroyo Burro County Beach Park (Exhibit 4). The 1.37 acre subject parcel that was split off from this 6 acre parent parcel did not maintain any frontage along Cliff drive and was located further inland, accessible only from Alan Road. The other parcels that were originally part of the 6 acre "parent" parcel are all currently designated as "1 Dwelling Unit/acre" in the LUP and as "A-1" (1 unit/acre) in the IP/CZO. However, the subject 1.37 acre site is located further inland of the other parcels and is situated directly adjacent to a pre-coastal subdivision, which was annexed by the City from the County in the late 1950's. Upon annexation the pre-coastal subdivision was zoned "One Family Residential - E-3". This development is considerably denser than the Hope ranch area located further to the west and supports approximately 115 built out residential parcels.

B. CONSISTENCY ANALYSIS AND FINDINGS

The standard of review for the proposed Land Use Plan (LUP) Amendment is whether the Land Use Plan, as amended, would remain consistent with, and meet the requirements of, the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the Implementation Plan (IP) of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is whether the Implementation Plan, with the proposed amendment, would be in conformance with and adequate to carry out, the provisions of the Land Use Plan portion of Santa Barbara County's certified Local Coastal Program, as amended.

The City of Santa Barbara's Land Use Plan (LUP) was approved and certified by the Commission in 1981. The City of Santa Barbara Implementation Program (Coastal Overlay Zone) was certified subsequently in November 1986 and the City assumed permitting authority at that time. The Implementation Plan included the addition of the S-D-3, Coastal Overlay Zone as a Special District codified in Section 28.44 of the City's Zoning Ordinance.

The subject LCP amendment includes both LUP and IP components. The proposed amendment's consistency with the Coastal Act and the certified LUP is detailed below. In addition, all Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified City LUP as guiding policies pursuant to Policy 1.1 of the LUP.

New Development and Cumulative Impacts

Coastal Act Policies

Section 30250 of the Coastal Act states in relevant part:

> ***(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.***

Section 30251 of the Coastal Act, relating to scenic and visual qualities, states:

> ***The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.***

Section 30253, of the Coastal Act, regarding minimization of adverse impacts, states**:**

> ***New development shall do all of the following:***
>
> ***(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.***
>
> ***(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.***
>
> ***(c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.***
>
> ***(d) Minimize energy consumption and vehicle miles traveled.***
>
> ***(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.***

Policy 5.3 of the City's Land Use Plan states:

> ***New development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or on-street parking resources of existing residential neighborhoods shall not be permitted.***

Policy 9.1 of the City's Land Use Plan states:

> ***The existing views to, and from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following:***
> ***(a) Acquisition of land for parks and open space***
> ***(b) requiring view easements or corridors in new developments;***
> ***(c) Specific development restrictions such as additional height limits, building orientation, and setback requirements fr new development;***
> ***(d) developing a system to evaluate view impairment of new developments in the review process.***

The City of Santa Barbara is requesting an amendment to the certified Coastal Land Use Plan (LUP) and Implementation Plan (IP) portions of its certified Local Coastal Program (LCP) to change the existing Land Use Plan designation from "One Dwelling Unit per Acre" (1du/ac) to "Three Dwelling Units per Acre" (3du/acre) and change the Implementation Plan zoning from "One Family Residence Zone" (A-1) to "One Family Residence Zone" (E-3) on a 0.34 acre portion of an existing 1.37 acre parcel located at 415 Alan Road in the City of Santa Barbara. The proposed amendment would facilitate the future subdivision of the existing 1.37 acre lot into two separate legal parcels of 0.34 acres and 1.03 acres.

If approved as submitted, the LUP amendment would maintain the overlying single family residential designation over the 0.34 acre portion of the subject site but would increase the amount of dwelling units authorized per acre on the 0.34 acre portion of the site (the "3 Dwelling units/Acre" designation implies authorization of a minimum lot size of 0.33 acres). The City's proposed Land Use Plan amendment seeks to facilitate residential development on the vacant 0.34 acre portion of the site with a new single family residence, which would be consistent with the requirements of the proposed "3 Dwelling Units/acre" LUP designation for the site.

The Commission is not reviewing the direct approval of a subdivision or residential development of the 0.34 acre site, although this amendment request would facilitate both of these actions at a local level. Staff's recommendation is based on the consistency of the LUP, as amended, with the Chapter 3 policies of the Coastal Act and IP/CZO will be adequate to carry out the provisions of the certified Land Use Plan. The applicable Chapter 3 policies of the Coastal Act, included above, require new development to be sited in an existing developed area where it would avoid or minimize impacts to coastal resource, will be visually compatible with the character of the surrounding area, and will not obstruct existing coastal views.

In this case, there is no native vegetation or environmentally sensitive habitat areas on or adjacent to the subject site; thus, the proposed increase in density will not result in any potential adverse impacts to environmentally sensitive habitat areas. Further, the subject site is located within a relatively densely developed urban area and the increase in density on the subject site will be consistent with the character and density of the surrounding community. Moreover, given the densely developed character of the area, the increase of density on the subject site will not result in any new adverse impacts to any scenic public views. Thus, the proposed amendment will not result in any potential adverse impacts to coastal resources and will serve to locate and cluster new residential development within an existing developed area able to accommodate it, consistent with the Sections 30250 and 30251 of the Coastal Act. However, although the proposed amendment to the certified Land Use Plan (LUP) is consistent with the Chapter 3 policies of the Coastal Act, as proposed, it would also allow for the potential creation of a new lot in non-conformance with the provisions of the City's Coastal Zoning Ordinance as discussed in more detail below.

The subject 1.37 acre site has already been developed with a single family residence and is located immediately north of 8 other residentially developed lots that have been designated with the same "1 Dwelling Unit/acre" LUP designation and A-1 zoning designation as the subject site. In addition, the subject site is located immediately south of 115 residentially developed lots to

the north of the subject site that are part of a densely built-out subdivision which was annexed by the City from the County in the late 1950's, prior to the effective date of the Coastal Act. The existing residential neighborhood immediately north of the subject site is designated as "One Family Residential - E-3" pursuant to the certified IP. However, the designation of the lots in the neighborhood to the north of the subject site with a zoning designation that allows for three units per acre and a land use plan designation that requires a minimum lot size of not less than 1 unit per acre resulted in an unintentional inconsistency between the LUP and the IP. The City has stated that they intend to resolve this internal inconsistency as part of their upcoming LCP update.

However, in the case of this amendment, in order to ensure consistency between the LUP and IP designations for the subject site to the extent feasible, the LUP designation for the 0.34 acre portion of the subject site would be redesignated "3 Dwelling Units/acre" and the zoning designation would also be changed to "One Family Residential - E-3" in order to allow for development to occur on site at that same density.

This amendment would facilitate the subdivision of the 1.37 acre site into a 1.03 acre parcel, already developed with a residential structure, and a 0.34 acre parcel, where a residence would likely be constructed. The 1.03 acre parcel would be adjacent to the 8 larger parcels to the south with the same "1 Dwelling Unit/acre" LUP designation and the 0.34 acre site would be adjacent to the denser pre-coastal neighborhood to the north with the"3 Dwelling Units/acre" LUP designation. Therefore, the proposed LUP amendment would facilitate the creation of a 0.34 acre lot that was located adjacent to an existing residentially developed area with similar lot sizes. Any residential development on the lot would be keeping with the character of the residential neighborhood and would not have the potential to impact existing coastal views, public access, or other coastal resources. The remaining 1.03 acre lot would remain consistent with the existing "1 Dwelling Unit/acre" Land Use Plan designation and could not be further subdivided without a change to its own LUP designation coming forward as part of a separate LCP amendment request from the City.

Policy 5.3 of the City's LUP provides that new development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or on-street parking resources of existing residential neighborhoods shall not be permitted. In this case, the subject site is located within a relatively densely developed urban area and the increase in density on the subject site will be consistent with the character and density of the surrounding community. Moreover, given the densely developed character of the area, the increase of density on the subject site will not result in any new adverse impacts to any scenic public views.

Therefore, for the above reasons, the proposed changes to the certified LUP are consistent with, and meet the requirements of, the policies of Chapter 3 of the Coastal Act. However, although the proposed amendment would be consistent with the LUP, it would also facilitate the creation of a 1.03 acre parcel that would be considered non-conforming with the zoning for the site pursuant to the certified IP. The subject 1.37 acre site has an existing Implementation Plan (zoning) designation of A-1, which requires a minimum lot size of 1.5 acres (due to the slope

calculation factor required in the A-1 zoning). Specifically, the proposed 1.03 acre site has an average slope of 14.4%. The proposed .34 acre site is steeper than the 1.03 acre site below and has an independent average slope of 19.5%. The certified IP Zoning requires the following regulation to apply for all "one family residence zones" (A-1, A-2, E-1, E-2, E-3, R-1):

With the exception of those parcels having frontage on the Pacific Ocean, the minimum lot areas specified in this section shall be increased by the following factors where the average slope of the parcel falls within the percent of average slope ranges given:

Percent of Average Slope	***Factor***
10% to 20%	*1.5 times min. lot area*
20% to 30%	*2.0 times min. lot area*
Over 30%	*3.0 times min. lot area*

The underlying minimum lot requirements of the relevant "One family residence zones" are as follows:

Zone	***Minimum Lot Requirement***	***Final Minimum Lot size of 1.37 acre or .34 acre site with Slope Factor***
A-1	*1 Acre (43,560sq. ft.)*	*1.5 acres*
A-2	*25,000 sq. ft.*	*.86 acres*
E-3	*7,500 sq. ft.*	*11,250 sq. ft.*

The City's LCP amendment request seeks to modify the zoning designation on only the 0.34 acre site from ***"****One Family Residence Zone" A-1*, which requires a minimum lot size of 1.5 acres, to *"One Family Residence Zone - E-3"*, which requires a minimum lot size of 11,250 sq. ft. at this site. In this case, the 0.34 acre parcel would be 14,810 sq. ft. in size and exceed the minimum lot size of 11,250 sq. ft. for the "E-3" Zone and would also be consistent with the proposed LUP designation for the site that would allow for three units per acre. Thus, the proposed zoning change on the 0.34 acre portion of the site would be consistent with the denser "E-3" pattern of residential development in the adjacent neighborhood to the north and would be consistent with all applicable LUP policies and all Chapter 3 policies incorporated into the LUP.

However, while the proposed LUP and IP amendment would facilitate the creation of a 0.34 acre parcel where residential development could be authorized through a coastal development permit consistent with the LCP, it would also facilitate the creation of a 1.03 acre parcel that would be non-conforming with the "A-1" zoning for the site which would require a minimum lot size of 1.5 acres. This minimum lot size figure of 1.5 acres for the 1.03 acre portion of the subject site is generated by considering both the base minimum lot size of 1 acre, which requires the underlying minimum lot size to be multiplied by a factor of 1.5 due to the average 19.5% slope of the site. . Thus, the subject 1.37 acre lot is already considered to be a legally non-conforming lot with respect to the required 1.5 acre minimum lot size for the "A-1" zone, as it was subdivided from an original 2.4 acre parent parcel [in a Coastal Development Permit issued by the Coastal Commission in 1976 (71-5)] prior to the establishment of the "A-1" zoning certified in the Coastal Zone as part of the City's IP in 1986. However, authorizing further subdivision

of this 1.37 acre lot to a 1.03 acre lot would increase non-conformity of the parcel with the certified A-1 IP zoning, which requires a minimum lot size of 1.5 acres.

However, as previously discussed in detail, the proposed increase in density and potential subdivision of the subject site into two parcels would not result in any expected adverse impacts to coastal resources and would serve to locate and cluster development within an existing residentially developed area appropriate for such use. Therefore, in order to avoid creating an internal inconsistency within the LCP through approval of the IP amendment, as proposed, Staff is recommending approval of the IP/CZO amendment with one Suggested Modification to also change the IP zoning on the 1.03 acre portion of the existing 1.37 acre parcel from *One Family Residence Zone- A-1" (minimum lot size of 1.5 acres)* to *One Family Residence Zone - A-2" (minimum lot size of 37,500 sq. ft./ .86 acres).* **Suggested Modification One (1)** would ensure that the resulting 1.03 acre parcel would conform to the IP designation for the site and would also be in conformance with the LUP designation for the site. Currently, the "A-1" zone requires a minimum lot size for the site of 1.5 acres. The LUP designation requires that only one dwelling unit is constructed per acre. Modifying the IP designation of the site to A-2 "One Family Residence Zone" would require a minimum lot size of 0.84 acres (37,500 sq. ft.) on the site due to the required slope calculations in the IP zoning. Therefore, modifying the IP designation of the 1.03 acre site to A-2 would also be consistent with, and more closely match, the certified "1 du/ac" LUP designation for the site. The increase in density pursuant to the "A-2" zoning designation would not allow for any further subdivision of the site without the Commission approval of a separate LCP amendment to modify the IP zoning and LUP designation of the site. As the subject 1.03 acre site is already developed with an existing residence and further subdivision of the site would not be consistent with the LCP, as amended, decreasing the IP zoning's minimum required lot size for the site from 1.5 acres to 0.86 acres would not facilitate any additional subdivisions or new residential development and would not result in any potential impacts to coastal resources.

In summary, for the above reasons, the proposed changes to the certified LUP are consistent with, and meet the requirements of, the policies of Chapter 3 of the Coastal Act. The proposed changes to the IP/CZO, as proposed, will not be fully adequate to carry out the provisions of the certified Land Use Plan, and incorporated Coastal Act policies unless modified as suggested above.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to Section 21080.9 of the California Environmental Quality Act ("CEQA"), the Coastal Commission is the lead agency responsible for reviewing Local Coastal Programs for compliance with CEQA. The Secretary of Resources Agency has determined that the Commission's program of reviewing and certifying LCPs qualifies for certification under Section 21080.5 of CEQA. In addition to making the finding that the LCP amendment is in full compliance with CEQA, the Commission must make a finding that no less environmentally damaging feasible alternative exists. Section 21080.5(d)(2)(A) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LCP, "…if there are feasible alternative or feasible mitigation measures available which would

substantially lessen any significant adverse impact which the activity may have on the environment."

The proposed amendment is to the City of Santa Barbara's certified Local Coastal Program Implementation Ordinance and Land Use Plan. The Commission originally certified the City of Santa Barbara's Local Coastal Program Land Use Plan and Implementation Ordinance in 1981 and 1986, respectively. For the reasons discussed in this report, the LCP amendment, as submitted is inconsistent with the applicable policies of the Coastal Act, as incorporated by reference into the Land Use Plan, and the certified Land Use Plan and feasible alternatives and mitigation are available which would lessen any significant adverse effect which the approval would have on the environment. The Commission has, therefore, modified the proposed LCP amendment to include such feasible measures adequate to ensure that such environmental impacts of new development are minimized. As discussed in the preceding section, the Commission's suggested modifications bring the proposed amendment to the Implementation Plan component of the LCP into conformity with the certified Land Use Plan. Therefore, the Commission finds that the LCP amendment, as modified, is consistent with CEQA and the Land Use Plan.

APPENDIX 1

Substantive File Documents

Resolution No. 13-084, City of Santa Barbara of Santa Barbara, *A resolution of the Council of the City of Santa Barbara approving a Local Coastal Program Amendment for the property at 415 Alan Road-Parcel B,* passed, approved, and adopted by the Board of Supervisors October 9, 2013; Letter from City of Santa Barbara planner Bettie Weiss clarifying the intent of Resolution No. 13-084. Coastal Development Permit Nos. 71-5, 100-5, and 173-19.

EXHIBIT 1

City Of Santa Barbara LCP
Amendment SBC-MAJ-1-12

General Location Map

415 Alan Road

EXHIBIT 2

City Of Santa Barbara LCP Amendment SBC-MAJ-1-12

Aerial/Site Plan of 'Parcel B' subject of the proposed LCP amendment

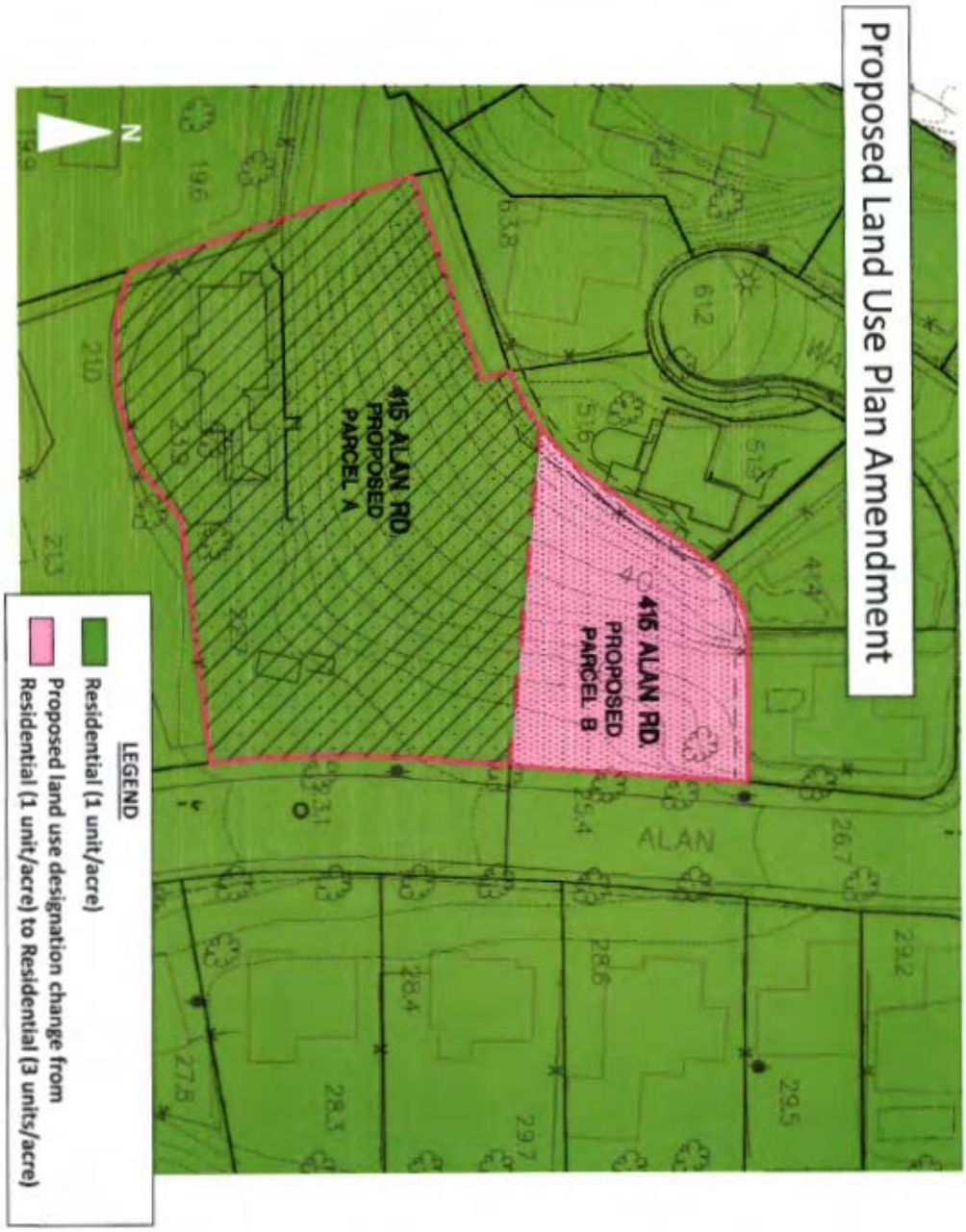

EXHIBIT 3

City Of Santa Barbara LCP
Amendment SBC-MAJ-1-12

Proposed LUP Amendment

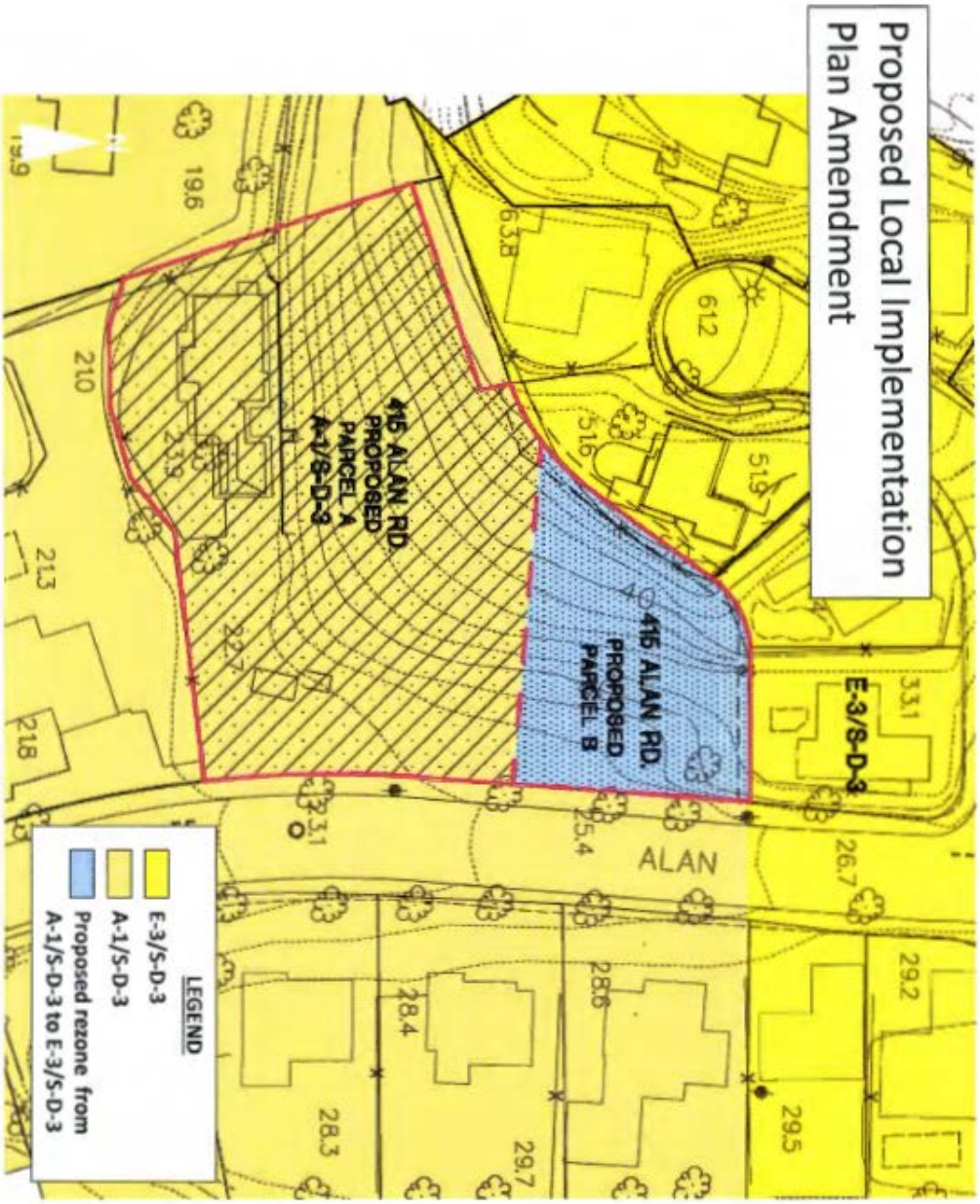

EXHIBIT 4

City Of Santa Barbara LCP Amendment SBC-MAJ-1-12

Proposed IP Amendment

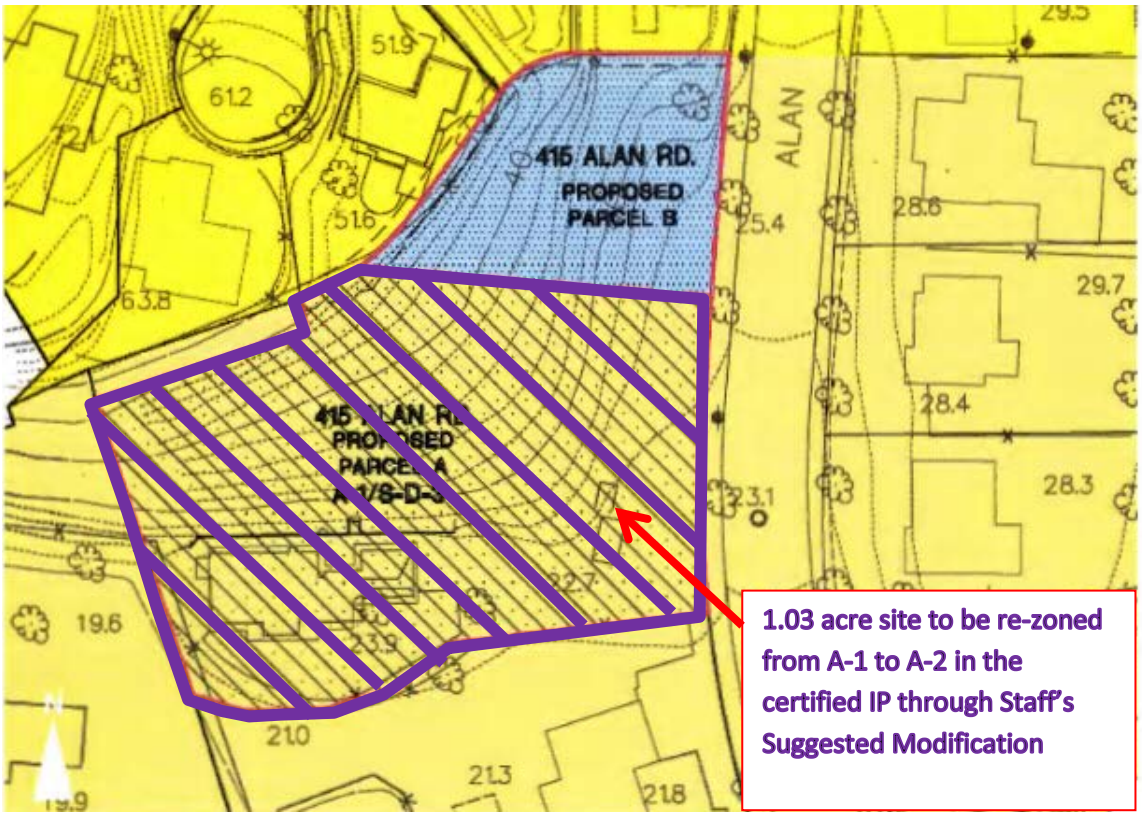

EXHIBIT 5

City Of Santa Barbara LCP Amendment SBC-MAJ-1-12

Staff's Suggested Modification

EXHIBIT 4

City Of Santa Barbara LCP
Amendment SBC-MAJ-1-12

1950's Photograph of 6 acre "parent Parcel"

RESOLUTION NO. 13-084

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A LOCAL COASTAL PROGRAM AMENDMENT FOR THE PROPERTY AT 415 ALAN ROAD – PARCEL B

WHEREAS, the City accepted an application from Patsy Stadleman, Agent for Andrew Seybold, in order to process a request for a Local Coastal Program Amendment for a property located at 415 Alan Road;

WHEREAS, on June 11, 2009, the Planning Commission held a duly noticed public hearing to consider a request for initiation of General Plan and Local Coastal Program Amendments, and Rezone and no one spoke regarding the project;

WHEREAS, on June 11, 2009, the Planning Commission denied a request to initiate General Plan and Local Coastal Program Amendments, and Rezone;

WHEREAS, on November 9, 2009, the City Council held a duly noticed public hearing to consider an appeal by the applicant of the Planning Commission decision and no one spoke regarding the project;

WHEREAS, on November 9, 2009, the City Council upheld the appeal of the applicant and initiated the General Plan and Local Coastal Plan Amendments, and Rezone of the subject parcel;

WHEREAS, on March 3, 2011, the Planning Commission held a duly noticed public hearing to consider an application for a Lot Area Modification, Tentative Subdivision Map and Coastal Development Permit, and recommendation to City Council for the General Plan and Local Coastal Program Amendments, and Rezone for the subject parcel and one person spoke regarding the project;

WHEREAS, on March 3, 2011, the Planning Commission denied a request for a Lot Area Modification, a Tentative Subdivision Map and a Coastal Development Permit because a majority could not support a recommendation of approval for the General Plan and Local Coastal Program Amendments, and Rezone;

WHEREAS, on March 11, 2011 Steve Amerikaner of Brownstein Hyatt Farber Schreck, LLP, on behalf of Andrew Seybold, appealed the Planning Commission denial of the project;

WHEREAS, on January 31, 2012, the City Council held a duly noticed public hearing on the appeal. After the public hearing, the City Council upheld the appeal and approved the Lot Area Modification (Parcel A), a Tentative Subdivision Map and a Coastal Development Permit;

WHEREAS, on January 31, 2012, the City Council held a duly noticed public hearing to consider a Local Coastal Program Amendment and Rezone proposed in conjunction with the project, and concluded that the Local Coastal Program Amendment is consistent with the goals and objectives of the City's General and Local Coastal Plans;

WHEREAS, the City Council has conducted a duly noticed public hearing pursuant to the provisions of Chapter 3, Title 7 of the Government Code of the State of California;

WHEREAS, the City Council has received and accepted a proposed amendment to the current Zoning Map and General Plan; and

WHEREAS, the City Council has reviewed and considered all materials and exhibits in the current record relative to this amendment, including, the project, and all staff reports.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The Local Coastal Program of the City of Santa Barbara is hereby amended to change the land use designation of the northerly portion of APN 041-091-024 (Parcel B) to Residential (three (3) units per acre).

SECTION 2. The City Council makes the following findings with respect to amending the City's Local Coastal Program:

A. Local Coastal Program Amendment:

1. The amendment is consistent with the policies of the California Coastal Act.

2. The amendment is consistent with the City of Santa Barbara Local Coastal Plan Map.

3. The amendment is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation, because the project will not impede public access to the coast, and there will be minimal effects on public recreation.

SECTION 3. With the Rezone Ordinance (City Ordinance Number 5580) duly adopted by the City Council on February 14, 2012, the Local Coastal Program Amendment shall take effect automatically upon the California Coastal Commission approval pursuant to Public Resources Code Sections 30512, 30513, and 30519

SECTION 4. The City shall carry out the Local Coastal Program Amendment consistent with the California Coastal Act.

SECTION 5. This Resolution supersedes Resolution Number 12-058, which was adopted on February 14, 2012.

RESOLUTION NO. 13-084

STATE OF CALIFORNIA	)	
	)	
COUNTY OF SANTA BARBARA	)	ss.
	)	
CITY OF SANTA BARBARA	)	

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on October 8, 2013, by the following roll call vote:

AYES:	Councilmembers Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White; Mayor Helene Schneider
NOES:	None
ABSENT:	None
ABSTENTIONS:	None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on October 9, 2013.

Gwen Peirce, CMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on October 9, 2013.

Helene Schneider
Mayor

City of Santa Barbara
Community Development Department

www.SantaBarbaraCA.gov

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Rental Housing Mediation Task Force
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630 Garden Street
PO Box 1990
Santa Barbara, CA
93102-1990

November 19, 2013

Melissa Ahrens, Coastal Analyst
California Coastal Commission
South Central Coast Area
89 South California St. Ste 200
Ventura, CA 93001

RE: Local Coastal Program Amendment Request – 415 Alan Road (SBC-MAJ-1-12)

Dear Ms Ahrens:

Thank you for your phone call today. Per your conversation with staff, I will clarify the purpose of the City Council Resolution 13-084. This Resolution is for a Local Coastal Program Amendment for both a land use designation change to 3 dwelling units per acre and a zone change to E-3 One Family Residence Zone. Council Resolution 13-084 Section 3 refers to the Rezone Ordinance, adopted by Council on February 15, 2012, wherein it was also stated that this to change the zoning designation is part of the Local Coastal Program and would be contingent upon Coastal Commission action.

The previous Resolution that staff submitted to the Coastal Commission staff was drafted prior to action being taken by City Council on the zone change. The current Resolution was drafted after City Council took action on the rezone and Section 3 was updated to reflect their action. Finally, while the City Council took action on the zone change, Section 3 does clearly state that the rezone will not take effect until the Coastal Commission takes action.

Hopefully we have addressed your concern with the Resolution language. If you have any questions, please contact me, or Peter Lawson, Associate Planner, at 564-5470 or via email at PLawson@SantaBarbaraCA.gov.

Sincerely,

Bettie Weiss

Bettie Weiss, City Planner
City of Santa Barbara Community Development Department

EXHIBIT 6

City Of Santa Barbara LCP Amendment SBC-MAJ-1-12

Resolution Clarification letter