

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 28.12 (ZONE MAP) OF TITLE 28 OF THE MUNICIPAL CODE PERTAINING TO THE REZONING OF PROPERTY AND APPROVING A LOCAL COASTAL PROGRAM AMENDMENT AT 415 ALAN ROAD – PARCEL A

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 of the Planning Commission decision by the applicant 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 (Parcel B);

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 for the subject parcel and to consider a recommendation to City Council on a General Plan Amendment, a Rezone and a Local Coastal Program Amendment, 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 of a General Plan Amendment, a Rezone and a Local Coastal Program Amendment;

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 proposed in conjunction with the project, and concluded that the Local Coastal Program Amendment (Parcel B) is consistent with the goals and objectives of the City's General and Local Coastal Plans;

WHEREAS, on February 14, 2012 the City Council adopted Ordinance 5580 amending Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code by changing the zoning of the northerly portion of the property located at 415 Alan Road (Parcel B) from A-1/SD-3 to E-3/SD-3;

WHEREAS, on October 9, 2013 the City Council adopted Resolution 13-084, contingent upon final Coastal Commission action, a Local Coastal Program Amendment that amended the land use designation of the northerly portion of the property located at 415 Alan Road (Parcel B) from Residential (one (1) unit per acre) to Residential (three (3) units per acre);

WHEREAS, on January 10, 2014 the California Coastal Commission approved, with a Suggested Modification, the Local Coastal Program Amendment for Parcel B, amending the Land Use Plan designation from Residential (one (1) unit per acre) to Residential (three (3) units per acre) and the zoning designation from A-1 (One Family Residence Zone) to E-3 (One Family Residence Zone);

WHEREAS, on January 10, 2014 the California Coastal Commission approved a Suggested Modification to change the zoning on the southerly portion of the property located at 415 Alan Road (Parcel A) from A-1 (One Family Residence Zone) to A-2 (One Family Residence Zone);

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 acknowledged a receipt of the California Coastal Commission's Resolution of Certification; and accepted and agreed to a Suggested Modification for the final certification;

WHEREAS, the City Council has received and accepted a proposed amendment to the current Zoning Map; 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, THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

**Section 1.** Local Coastal Program Amendment:

The Local Coastal Plan Amendment of the City of Santa Barbara is amended to rezone the southern portion of 415 Alan Road (Parcel A) to A-2/SD-3 (One Family Residence Zone/Coastal Zone Overlay).

**Section 2.** The City Council will carry out the Local Coastal Program Amendment consistent with the California Coastal Act and makes the following findings with respect to amending the City's Local Coastal Program:

A. Local Coastal Program Amendment:

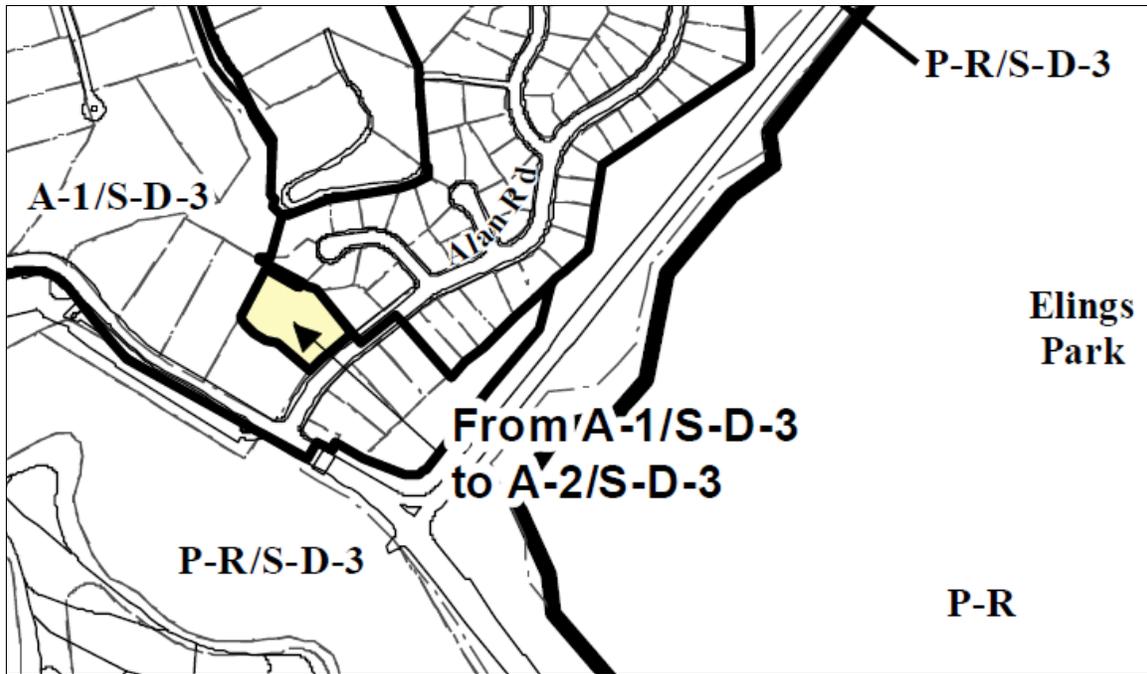
1. The amendment is consistent with the policies of the California Coastal Act.
2. The amendment is consistent with the City of Santa Barbara Local Coastal Plan Map.
3. The amendment is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation, because the project will not impede public access to the coast, and there will be minimal effects on public recreation.

**Section 3.** Zoning Map Amendment:

Effective thirty (30) days after Coastal Commission Certification of the Local Coastal Program Amendment for the southern portion of 415 Alan Road (Parcel A) the Sectional Zone Map SE02 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of a portion of the property to A-2/SD-3 (One Family Residence Zone/Coastal Zone Overlay) as indicated in the attached Exhibit A.

Exhibit A

Current Zoning Designation



Proposed Zone Change

