



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and
Development
Department No.: 053
For Agenda Of: 09/06/2011
Placement: Departmental Agenda
Estimated Time: 45 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Planning and Development
Glenn Russell, Ph.D., Director, (805) 568-2085
Contact Info: Alice McCurdy, Deputy Director, (805) 568-2518

SUBJECT: **Public Hearing on Historic Landmarks Advisory Commission's Designation of the Bryce Beach Cabana and Funicular as a Historic Landmark**

County Counsel Concurrence:

As to form: Yes

Auditor-Controller Concurrence:

As to form: Yes

Other Concurrence:

As to form: N/A

Recommended Actions:

On September 6, 2011, your Board should take one of the following actions:

1. Approve the action of Historic Landmarks Advisory Commission and adopt a resolution with conditions to be imposed (Attachment A) designating the Bryce cabana and funicular as a County Historic Landmark, and determine that approval is exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines (Attachment B);
2. Modify the action of Historic Landmarks Advisory Commission and modify and adopt the resolution in Attachment A with conditions to be imposed designating the Bryce cabana and funicular as a County Historic Landmark, and determine that approval is exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines (Attachment B); or
3. Disapprove the action of the Historic Landmarks Advisory Commission designating the Bryce cabana and funicular as a County Historic Landmark, and determine that disapproval is exempt from CEQA pursuant to Section 15270 of the CEQA Guidelines (Attachment C).

Summary Text:

On June 13, 2011, the Historic Landmarks Advisory Commission (HLAC) approved a resolution (Attachment D) designating the cabana and funicular located at 1553 Roble Drive, Hope Ranch, as a

Historic Landmark (Resolution No. 2011-1, Bryce Beach Cabana and Funicular). Section 18A-2 of the County Code (Historic Landmarks Advisory Commission) states,

. . . Such designation as a landmark shall remain and be in effect for a period of ninety days only and thereafter shall be of no force and effect, unless . . . the board of supervisors shall have set a date for a public hearing . . . and . . . shall have confirmed the action of the historic landmarks advisory commission.

The ninety-day period for Resolution No. 2011-1 ends on September 11, 2011. Your Board has the authority to approve, modify, or disapprove the designation of the cabana and funicular as a Historic Landmark.

Background:

Alterations to Nonconforming Structures

On July 26, 2010, the applicant submitted an application for a Coastal Development Permit (10CDH-00000-00022) to restore the cabana, seawall, and funicular located at 1553 Roble Drive, Hope Ranch (Assessor's Parcel Number 063-160-034). The applicant's historic report (Attachment E) and nomination for designation (Attachment F) contain past and current photographs of these structures. On August 25, 2010, the Planning and Development Department deemed the application incomplete. On March 10, 2011, the applicant submitted an application to nominate the cabana and funicular as a Historic Landmark. The applicant decided to postpone providing additional information for a complete application for the Coastal Development Permit until HLAC and your Board decide whether to designate the cabana and funicular as a Historic Landmark.

The cabana and funicular were constructed in the early 1930s. These structures do not fully comply with the policies and standards of the Coastal Land Use Plan (CLUP) and Coastal Zoning Ordinance (CZO) and, as a result, are considered to be non-conforming structures. For example, Policy 3-3 of the CLUP and Section 35-61.1 of the CZO do not allow "above-ground structures . . . on the dry sandy beach . . ." The cabana is located on the sandy beach and, therefore, does not conform to these provisions. Policy 3-7 of the CLUP and Section 35-67.5 of the CZO state "No development shall be permitted on the bluff face, except for engineered staircases or accessways to provide beach access, and pipelines . . ." The funicular is not listed as a structure that may be allowed on the bluff face and, therefore, may not conform to these provisions.

Sections 35-160 and 35-162 of the CZO encourage nonconforming structures to be removed by limiting structural alterations, reconstruction, and other improvements that would extend the natural life of these structures. However, Section 35-162.1.a.(1) of the CZO contains an exception that may allow a nonconforming structure to be "enlarged, extended, reconstructed, moved, and/or structurally altered" if it has been designated as a Historic Landmark.

The applicant's application for a Coastal Development Permit includes structural alterations and reconstruction of the cabana, seawall, and funicular. For example, the applicant's restoration study recommends a new deck and support columns for the cabana, new concrete foundations for the funicular, and reconstruction of the seawall and the landing station of the funicular. These improvements are not typically allowed since they would extend the natural life of these nonconforming structures.

Designation of Cabana and Funicular as a Historic Landmark

The applicant's historic report (Attachment E) and nomination for designation (Attachment F) concluded that the cabana and funicular are significant historic resources.

On June 13, 2011, HLAC designated the cabana and funicular as a Historic Landmark. Resolution No. 2011-1 states that the cabana and funicular are historically significant because:

1. It exemplifies or reflects special elements of the County's cultural, social, aesthetic, engineering and architectural history, as it is a tangible remnant of the ephemeral California Dream of beach living that flourished on the coast of Southern California in the early and mid-twentieth century inspiring many to immigrate from the East and Midwest;
2. It is representative of the work of a notable designer or architect, Santa Barbara designer Mary McLaughlin Craig, who created the cabana and funicular cab in 1931;
3. It has a location on the beach and ocean-front bluff with unique physical characteristics and a view or vista representing an established and familiar visual feature of the Hope Ranch community; and
4. It embodies elements of architectural design, detail or materials that represent a significant architectural achievement or innovation by emulating a Mediterranean striped canvas beach cabana through the playful and imaginative use of unique and decorative architectural details.

Consideration of Designation by Board of Supervisors

Section 18A-3 of the County Code (Attachment G) contains the criteria that must be used when considering an application to designate a property as a Historic Landmark. Your Board should use these criteria when considering HLAC's recommendation to designate the Bryce cabana and funicular as a Historic Landmark. Section 18A-5 of the County Code states that your Board may "approve, modify or disapprove the designation by the commission . . ."

Approving the designation (Recommendation #1) would provide a possible permit path for allowing the proposed improvements. However, it would not ensure final approval of the proposed improvements or the required Coastal Development Permit. The project would continue to be subject to the CLUP, CZO, Chapter 18A, and conditions in the resolution designating the cabana and funicular as a Historic Landmark. In order for the project to be approved, the decision-maker for the Coastal Development Permit would need to determine that the proposed improvements conform to the applicable policies and standards in the CLUP and CZO, including those that address bluff development, seawalls, shoreline structures, and coastal access.¹ In addition, Section 35-162.1.a.(1) of the CZO would require HLAC to review and approve the proposed improvements. HLAC could only approve the project if the ". . . proposed structural alterations will help to preserve and maintain the landmark in the long-term . . ." For your consideration, Attachments A and B contain a resolution and Notice of Exemption for approving the designation of the cabana and funicular as a Historic Landmark.

Your Board may modify the action of HLAC by modifying the findings and/or conditions in the resolution in Attachment A and then adopt the modified resolution with conditions to be imposed designating the Bryce cabana and funicular as a County Historic Landmark. Staff does not have any modifications to recommend at this time. Your Board may add modifications during the hearing.

¹ The Zoning Administrator would be the initial decision-maker for the Coastal Development Permit. This decision could be appealed to the Planning Commission and ultimately to your Board and the California Coastal Commission.

Disapproving the designation (Recommendation #2) would override the action of HLAC and, as a result, the cabana and funicular would not become a Historic Landmark. Attachment C contains a Notice of Exemption for disapproving the designation of the cabana and funicular as a Historic Landmark.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Staff time is budgeted in the Permitting and Compliance Program of the Development Review Division – South on page D-314 of the County of Santa Barbara Fiscal Year 2011 – 2012 Operating Plan. Staff time to prepare this letter, attend the hearing, and complete other related tasks totaled approximately 10 hours. The applicant reimburses the County for these costs.

Special Instructions:

According to Chapter 18A-2 of the County Code, the Clerk of the Board will advertise and otherwise provide public notice of the public hearing “. . . as provided in Section 6061 of the California Government Code at least ten days prior to the date set for such public hearing . . .”

Authored by:

Allen Bell, Senior Planner, (805) 568-2033
Development Review Division – South, Planning and Development Department

Attachments:

- Attachment A: Resolution, Approval of Designation
- Attachment B: Notice of Exemption, Approval of Designation
- Attachment C: Notice of Exemption, Disapproval of Designation
- Attachment D: Resolution No. 2011-1, Bryce Beach Cabana and Funicular (Historic Landmarks Advisory Commission, approved June 13, 2011)
- Attachment E: Phase 1-2 Cultural Resources Study, Historic Resources, Funicular, 1553 Roble Drive, Hope Ranch, California (Alexandra Cole, Preservation Planning Associates; July 2001)
- Attachment F: Nomination for Designation of Historic Landmark (Suzanne Elledge Planning and Permitting Services, Inc.; dated March 10, 2011)
- Attachment G: Chapter 18A, County Code, Santa Barbara County

cc:

Historic Landmarks Advisory Commission
Steve Welton, Suzanne Elledge Planning Services (P.O. Box 21522, Santa Barbara, CA 93121)
Marsupial Properties, LLC (1825 Ballard Canyon Road, Solvang, CA 93436)