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## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
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### ADDENDUM

**DATE:** October 13, 2004  
**TO:** Commissioners and Interested Parties  
**FROM:** South Central Coast District Staff  
**SUBJECT:** Agenda Item 5a, Friday, October 15, 2004, County of Santa Barbara Major Amendment 1-03-B (Mecay-Hotchkiss Rezone)

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The purpose of this addendum is to (1) provide clarifying changes to September 23, 2004 modification language; (2) respond to written public comments; and (3) attach correspondence received as of October 12, 2004:

*Note: Double ~~strike through~~ indicates text to be deleted from the September 23, 2004 staff report and double underline indicates text to be added to the September 23, 2004.*

1. Amend Suggested Modification Two on page 7 of the September 23, 2004 staff report as follows:

#### 1. Land Use Designation

*The Summerland Community Plan and associated Land Use Plan Map shall illustrate that adjusted Parcel 1 (APN No. ~~005-240-001~~) and adjusted Parcel 2 (APN No. ~~005-240-002~~) shall be split-zoned to designate the portion of the parcel(s) east of the exclusion line shown on Exhibit 7 as Residential and the remaining portion of the parcel(s) to the west of the exclusion line as shown on Exhibit 7 (i.e., the development exclusion area) shall retain the designation of Public or Private Park/Recreation or Open Space.*

2. Amend Suggested Modification Two on page 7 of the September 23, 2004 staff report as follows:

#### Summerland Community Plan - Circulation

Policy CIRC-S-18: Existing public rights-of-way shall not be abandoned. However, an exception may be made in the case of a portion of the Morris Place ROW and a portion of the West Finney Street ROW adjacent to Assessor Parcel No. 005-240-001 and Assessor Parcel No. 005-240-002 as shown in Exhibit 7. Such abandonment may occur in exchange for equal public access benefits which shall include the following: improving two beach access trails within the Summerland Community Plan Area, providing a minimum of 40 public coastal parking spaces along Wallace Avenue, and installing instructional access signage along Wallace Avenue. As a condition of rezoning a portion of the Morris Place ROW and a portion of the West Finney Street ROW part of Assessor Parcel No. 005-240-001 and Assessor Parcel No. 005-240-002 from recreational and open space use to

residential use, the property owner(s) shall sign a written agreement acknowledging and agreeing that new development (including any modification of trees such as trimming or limbing, grading, and fences) shall be prohibited in the designated exclusion area as shown on Exhibit 7. However, under limited circumstances, trees may be modified in the designated exclusion area for the protection of life and safety consistent with fire department requirements as allowed in Action BIO-S-6.6. The existing stairways may remain. The designated exclusion area requirement shall run with the land and all present and future owners shall be subject to the prohibition of additional development.

3. Insert a new Suggested LUP Modification on page 7 of the September 23, 2004 staff report after Suggested Modification Two, as follows:

### **3. Summerland Community Plan - Biology**

Action BIO-S-6.6: New development within the designated exclusion area of the former Morris Place right-of-way (i.e., the eucalyptus butterfly habitat east of Lookout Park) is prohibited, except for limited fuel modification for the protection of life and safety consistent with fire department requirements, where such modification avoids adverse impacts to the monarch butterfly habitat. A proposed fuel modification plan shall be prepared and monitored by an independent monarch butterfly specialist approved by P&D staff, and if necessary a qualified arborist. The proposed fuel modification plan shall require review and written approval by the Santa Barbara County Planning Department (P&D) and the Fire Department. The proposed fuel modification plan shall only be approved if the fuel modification plan concludes that the proposed fuel modification is limited to the minimum necessary to protect life and safety and that such development would not have an adverse impact to the butterfly habitat. All fuel modification shall take place when monarch butterflies are not present (outside the months of autumnal aggregation, October to March).

4. Amend Suggested Modification Three on page 8 of the September 23, 2004 staff report as follows:

### **3 4. Zoning Map**

The Zoning Map shall illustrate that ~~adjusted~~ Parcel 1 (~~APN No. 005-240-001~~) and ~~adjusted~~ Parcel 2 (~~APN No. 005-240-002~~) shall be split-zoned to designate the portion of the parcel(s) east of the exclusion line shown on Exhibit 7 as Residential (7-R-1) and the remaining portion of the parcel(s) to the west of the exclusion line as shown on Exhibit 7 (i.e., the development exclusion area) shall retain the designation of Recreation. This map change shall not take effect until all of the provisions of Policy CIRC-S-18 and Action BIO-S-6.6 are fulfilled.

5. Commission staff has received a letter, dated October 12, 2004, from the applicants' agent for the rezone regarding the proposed amendment with a number of comments:
  - The applicants are in agreement with the proposed split-zoning of parcels and the development exclusion area.

- The applicants are concerned with the development exclusion area's restriction on any new development within the designated exclusion area (the eucalyptus grove that is known monarch butterfly habitat). They assert that there is a need for minor fuel modification within the eucalyptus grove. *To address this issue staff is recommending that a fuel modification plan be prepared by a qualified butterfly specialist in consultation with the fire department, County Planning & Development Department, and if necessary, a qualified arborist. The plan must indicate that this is the minimum necessary to protect life and safety and will not have adverse impacts to the butterfly habitat. All fuel modification must take place when monarchs are not present. See changes to Suggested Modification 2 and new Suggested Modification 3 in Items 2 and 3 above for changes.*
- The applicants would like to build a four-foot fence within the designated exclusion area to reasonably secure their property. *As described in Suggested Modification Two, new development is prohibited within the designated exclusion area. The purpose of the designated exclusion area is to ensure that the residential structures are not placed in or adjacent to the butterfly habitat. The placement of a new fence within the sensitive butterfly habitat is inconsistent with the protection of the habitat and suggests that the slope area is intended to be included as part of the developed "yard" area of the residential development. A fence to secure the property could be placed outside of the development exclusion area in proximity to the existing developed area on the top of the bluff. Note, staff does not agree with characterization of the new fence as a "replacement" fence because the existing fence is much more limited in length. Therefore, staff has not changed the proposed recommendation regarding the proposed perimeter fencing.*
- The lot line adjustment has not been recorded, the transaction to purchase the County rights-of-way have not been concluded and remain a purchase agreement. Therefore the APN numbers reported in the staff report do not reflect the *adjusted* parcels. *Staff notes correction in Items 1-4 above.*

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