



BOARD OF SUPERVISORS AGENDA LETTER

Agenda Number:

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

Department Name: Planning & Development
Department No.: 053
For Agenda Of: February 19, 2013
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Glenn Russell, 568-2085
Contact Information: Dianne Black, Assistant Director, 568-2086
SUBJECT: Coastal Commission's conditional certification of amendments to the Local Coastal Program regarding the Pescadero Lofts Affordable Housing Project in Isla Vista, Third Supervisorial District.

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Receive notice of the California Coastal Commission's conditional certification of the County's amendments to the County's Local Coastal Program [Coastal Commission Case No. STB-MAJ-1-12-B (Affordable Housing Density Increase)] with one suggested modification (Attachment A);
- B. Adopt a Resolution acknowledging receipt of the California Coastal Commission's conditional certification with one suggested modification, accepting and agreeing to the modification, agreeing to issue Coastal Development Permits for the total area included in the conditionally certified Local Coastal Program, and adopting the Local Coastal Program Amendments with the suggested modification (Attachment B);
- C. Determine that the Board's action is not subject to the California Environmental Quality Act, pursuant to Public Resources Code section 21080.9. (The County relied upon the certified EIR for the Isla Vista Master Plan (03-EIR-08) for CEQA review of the Pescadero Lofts project pursuant to CEQA Guidelines section 15168(c)(2) and (c)(4).)
- D. Authorize the Chair of the Board of Supervisors to sign a letter transmitting the Resolution to the California Coastal Commission (Attachment C); and
- E. Authorize the Planning and Development Department to transmit the adopted Resolution and Board letter to the California Coastal Commission.

Summary Text:

On March 20, 2012, the Board of Supervisors adopted an amendment to the Article II Coastal Zoning Ordinance creating a new zone district, SR-H-30, which allows for a density of 30 units per acre, establishes new criteria to apply to parcels rezoned to SR-H-30, and limits such development to 100% affordable housing projects (Case No. 11ORD-00000-00034). This amendment, along with a rezone and associated land use designation change to APN 075-020-005, were submitted to the Coastal Commission on May 4, 2012 as a proposed amendment to the County's certified Local Coastal Program.

In addition to establishing the SR-H-30 zone district, this amendment would allow a density increase on residentially zoned parcels located in Isla Vista from 20 units to 30 units per acre in order to facilitate development of a 100% affordable housing project. The subject 0.82-acre parcel that is proposed to be rezoned as part of the proposed amendment to the County's certified Local Coastal Program was also proposed to be rezoned to Mixed Residential-30 (30 units per acre) under the Isla Vista Master Plan (IVMP), which is currently pending before the Coastal Commission.

The rezone of the subject parcel from SR-H-20 to SR-H-30 and associated amendment to the land use designation of the Coastal Land Use Plan map for the subject parcel from RES-20 to RES-30 would accommodate the density envisioned for this site prior to certification of the IVMP by the California Coastal Commission. The new zone district and land use designation would allow other parcels in Isla Vista to take advantage of this higher density assuming they too provide 100% affordable housing and meet all of the other requirements of Section 35-77.

The Coastal Commission considered this amendment at their December 13, 2012 hearing, and conditionally certified the amendment with one suggested modification which is summarized below.

The actual text of the modification is shown in Attachment A (Coastal Commission action letter dated January 15, 2013). In this attachment, language added by the Coastal Commission is shown as underlined.

1. Summary of Modification. The modification approved by the Coastal Commission makes a change to the parking requirements in the new SR-H-30 zone district in order to ensure consistency with the Coastal Act and ensure that the increased density would not result in adverse impacts to coastal access due to inadequate on-site parking:

- Adding language to Section 35-77.6 (SR-H High Density Student Residential) to require a minimum of one parking space per studio or one-bedroom apartment and two parking spaces per two-bedroom apartments; and
- For projects that do not meet the standard parking requirements under Section 35-77.12 (Parking), a requirement for recordation of a covenant restriction document and an associated lease and/or rental agreement for all tenants limiting automobile use and ownership to no more than one vehicle per studio or one-bedroom unit and to no more than two vehicles per two-bedroom units.

The proposed Pescadero Lofts Affordable Housing project would be in compliance with the parking requirements applicable to the SR-H-30 zone district suggested by the Coastal Commission by providing one parking space for each of its studio and one-bedroom apartments and two parking spaces for the two-bedroom apartment, for a total of 34 parking spaces.

The Planning and Development Department reviewed the Coastal Commission's suggested modification and recommends that your Board approve the attached Resolution (Attachment B) acknowledging receipt of the Coastal Commission's certification with a suggested modification and adopting the Local Coastal Program Amendments with the suggested modification. Unless the County takes certain actions, the Commission's conditional certification and suggested modification will expire six months from the date of the Commission's action on December 13, 2012.

After receipt of the Resolution acknowledging and accepting the Coastal Commission's modification, the Coastal Commission's Executive Director will make a determination in writing that the County's action and the notification procedures for appealable development are legally adequate to satisfy any specific requirements set forth in the commission's certification order and report this determination to the Coastal Commission at its next regularly scheduled public meeting. If the Commission does not object to the Executive Director's determination, then notice of the certification shall be filed with the Secretary of the Resources Agency and the certification shall be deemed final and effective. If, for some reason, a majority of the Commission members object to the Executive Director's determination and find that the County's action does not conform to the provisions of the Commission's action to certify the local coastal program, the Commission shall review the local government's action as if it were a resubmittal.

Once the amendments receive final certification from the Coastal Commission, the amendments as modified will be incorporated into the Article II Coastal Zoning Ordinance, along with the associated amendment to the land use designation of the Coastal Land Use Plan map for APN 075-020-005 from RES-20 to RES-30 and an amendment to the zoning map for the subject parcel from SR-H-20 to SR-H-30.

If your Board chooses not to accept the modifications, then your Board has the following options:

- Your Board may choose to adopt amendments to the language suggested by the Coastal Commission, and re-submit these amendments for certification.
- Your Board may reject the modifications without adopting any amendments to the language as modified by the Coastal Commission, and request that the Coastal Commission not certify the proposed amendment to the Local Coastal Program.

If your Board wishes to take either of these latter options, the Planning and Development Department will return with appropriate materials on a subsequent agenda.

Fiscal and Facilities Impacts:

Costs to process this application are fully reimbursed by the applicant per the department's adopted fee schedule. Approximately 10 staff hours are required to bring this project back to the Board of Supervisors for consideration of the Coastal Commission's suggested modification. Permit revenues

are budgeted in the Permitting & Compliance Program of the Development Review, South Division on Page D-138 of the adopted 2012-2014 fiscal year budget. There are no facilities impacts.

Special Instructions:

1. Clerk of the Board will transmit to Planning and Development (attention Alex Tuttle) a minute order of the hearing, signed resolution (Attachment B), and signed Board letter (Attachment C).
2. Planning and Development will transmit the Resolution and signed Board letter to the Coastal Commission and other interested parties.

Attachments:

- A. Coastal Commission Certification Action Letter, Santa Barbara Local Coastal Program Amendment STB-MAJ-1-12-B (Affordable Housing Density Increase)
- B. Board of Supervisors Resolution to accept the Coastal Commission's certification of the Local Coastal Program amendments with modifications
- C. Letter from the Board of Supervisors transmitting the Resolution to the Coastal Commission

Authored by:

Alex Tuttle, 884-6844

ATTACHMENT A

**Coastal Commission Certification Action Letter
Santa Barbara Local Coastal Program Amendment STB-MAJ-1-12-B (Affordable Housing
Density Increase)**

ATTACHMENT B

**Board of Supervisors Resolution
Santa Barbara Local Coastal Program Amendment STB-MAJ-1-12-B (Affordable Housing
Density Increase)**

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF APPROVING AN AMENDMENT)	
TO THE SANTA BARBARA COUNTY LOCAL)	RESOLUTION NO. 13-____
COASTAL PROGRAM TO AMEND THE GOLETA)	
PLANNING AREA LAND USE MAP OF THE GOLETA)	County Case Nos.:
COMMUNITY PLAN, AND TO AMEND THE)	11ORD-00000-00034
COASTAL ZONING ORDINANCE, ARTICLE II OF)	11RZN-00000-00003
CHAPTER 35 OF THE SANTA BARBARA COUNTY)	11GPA-00000-00004
CODE, TO ADOPT THE HIGH-DENSITY STUDENT)	
RESIDENTIAL (SR-H-30) ZONE DISTRICT)	
ORDINANCE AMENDMENTS AND REZONE AS)	
MODIFIED BY THE CALIFORNIA COASTAL)	
COMMISSION)	

WITH REFERENCE TO THE FOLLOWING:

- A. Whereas on March 20, 2012, the Board of Supervisors of the County of Santa Barbara approved an amendment to the County's Local Coastal Program by amending the Coastal Zoning Ordinance, Article II of Chapter 35 of the County Code, by amending the text of Section 35-77, SR-H Zone District, to establish a new density of 30 units per acre and establish new criteria to apply to parcels rezoned to said density, and by amending the Goleta Community Plan Zoning Southern Section Zoning Map to rezone Assessor Parcel Number 075-020-005 from SR-H-20 to SR-H-30 (Ordinance No. 4830, Case Nos. 11ORD-00000-00034 and 11RZN-00000-00003); and
- B. Whereas on March 20, 2012, the Board of Supervisors amended the Local Coastal Program by adopting a resolution (Resolution No 12-63) amending the Goleta Planning Area Land Use Map of the Goleta Community Plan by changing the land use designation on Assessor Parcel Number 075-020-005 from Multi-Family Residential, 20 units per acre, to Multi-Family Residential, 30 units per acre (Case No. 11GPA-00000-00004); and
- C. Whereas on May 4, 2012, the Board of Supervisors of the County of Santa Barbara, by Resolution No. 12-86, submitted these amendments for consideration and certification to the California Coastal Commission; and
- D. Whereas on December 13, 2012, the California Coastal Commission approved a resolution of certification with one suggested modification for this amendment to the County's Local Coastal Program (Coastal Commission Case No. STB-MAJ-1-12-B); and
- E. Whereas the Board of Supervisors finds the suggested modification to be acceptable;

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The above recitations are true and correct.

2. The Board of Supervisors acknowledges receipt of the Coastal Commission's resolution of certification with suggested modification and accepts and agrees to the modification through amendment of the Coastal Land Use Plan and Implementation Program (Coastal Zoning Ordinance) as required in Section 13544(a) of the Commission's Administrative Regulations, and agrees to issue Coastal Development Permits for the total area included in the certified Local Coastal Program consistent with the modification of Ordinance No. 4380 as certified by the Coastal Commission.
3. The Board of Supervisors will submit this acknowledgment to the California Coastal Commission to demonstrate conformity with the provisions of the Commission's action to certify the local coastal program, pursuant to Section 13544 of the Commission's Administrative Regulations.
4. The Chair of the Board of Supervisors is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to reflect the above mentioned action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 19th day of February, 2013, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

SALUD CARBAJAL
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

CHANDRA WALLAR
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

DENNIS MARSHALL
County Counsel

By _____

Deputy Clerk

By _____

Deputy County Counsel

ATTACHMENT C

**Board of Supervisors Letter to the Executive Director of the California Coastal Commission
Santa Barbara Local Coastal Program Amendment STB-MAJ-1-12-B (Affordable Housing
Density Increase)**

February 20, 2013

Charles Lester, Executive Director
California Coastal Commission
South Central Coast Area
89 South California Street, Suite 200
Ventura, California 93001

Dear Mr. Lester:

On behalf of Santa Barbara County, the Board of Supervisors has executed the attached resolution acknowledging receipt of the Coastal Commission's resolution of certification with suggested modification and accepting and agreeing to the modification through amendment of the Coastal Land Use Plan and Implementation Program (Coastal Zoning Ordinance) as required in Section 13544(a) of the Commission's Administrative Regulations, and agreeing to issue Coastal Development Permits for the total area included in the certified Local Coastal Program consistent with the modification of Ordinance No. 4380 as certified by the Coastal Commission, Amendment STB-MAJ-1-12-B (Affordable Housing Density Increase).

Thank you for your cooperation on this project. Please contact Alex Tuttle (805-884-6844) in the Planning and Development Department if you have any questions.

Sincerely,

Salud Carbajal, Chair
Board of Supervisors