



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

Submitted on:
(COB Stamp)

Department Name: Planning and Development
Department No.: 053
Agenda Date: January 27, 2026
Placement: Administrative Agenda
Estimated time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Lisa Plowman
Contact: Alex Tuttle, Deputy Director
SUBJECT: California Coastal Commission Conditional Certification of the Local Coastal Program Amendment for Rezones for the 2023-2031 Housing Element Update

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Receive notice of the California Coastal Commission's certification of the Coastal Land Use Plan amendment (Resolution No. 24-93) of the County's Local Coastal Program amendment for rezones for the 2023-2031 Housing Element Update (Coastal Commission Case No. LCP-4-STB-24-0028-1-Part B);
- b) Receive notice of the California Coastal Commission's conditional certification of the Coastal Zoning Ordinance amendment (Ordinance No. 5208 and Ordinance No. 5209), zoning map and zoning text, respectively, of the County's Local Coastal Program amendment for rezones for the 2023-2031 Housing Element Update (Coastal Commission Case No. LCP-4-STB-24-0028-1-Part B) (Attachment A);
- c) Adopt a resolution acknowledging receipt of the California Coastal Commission's conditional certification of the Coastal Zoning Ordinance amendment (Ordinance No. 5208 and Ordinance No. 5209) with suggested modifications, accepting and agreeing to the suggested modifications, agreeing to issue Coastal Development Permits for the total area included in the conditionally certified Local Coastal Program, and adopting the Local Coastal Program amendment with the suggested modifications (Attachment B);

- d) Determine that the Board of Supervisors' action is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15162 and 15265 (Attachment D); and
- e) Direct the Planning and Development Department to transmit the adopted resolution to the Executive Director of the California Coastal Commission.

Summary Text:

Staff recommends that the Board of Supervisors (Board) consider accepting the California Coastal Commission's (Coastal Commission) conditional certification of the Coastal Zoning Ordinance amendment (Ordinance No. 5208 and Ordinance No. 5209) of the County's Local Coastal Program amendment to rezone four sites in the Coastal Zone for the 2023-2031 Housing Element Update.

Discussion:

Program 1 in the County's 2023-2031 Housing Element Update requires that the County rezone "adequate sites to fully accommodate the 2023-2031 RHNA [Regional Housing Needs Allocation] plus the 15 percent buffer ..." On May 3, 2024, the Board rezoned 28 sites in the unincorporated county, including four sites in the Coastal Zone – Friendship Manor, Bailard, Van Wingerden 1, and Van Wingerden 2. The rezone amendment included the following actions to rezone the four sites in the Coastal Zone:

- Resolution No. 24-93 (Case No. 24GPA-00004), amending the text and maps of the Coastal Land Use Plan to amend the land use designations of two sites in the Coastal Zone from Agriculture to Residential (Van Wingerden 1, Assessor Parcel Number (APN) 004-013-023; and Van Wingerden 2, APN 001-060-001) and amend the residential densities of two other sites in the Coastal Zone (Bailard, APN 001-080-054 and APN 001-080-055; and Friendship Manor, APN 075-020-035);
- Ordinance No. 5208 (Case No. 24RZN-00002), amending Article II Coastal Zoning Ordinance zoning maps, specifically the South Coast Rural Region and Goleta Community Plan South maps, to rezone four sites in the Coastal Zone to Design Residential (DR) with residential densities ranging from 20 up to 40 units per acre (Van Wingerden 1, Van Wingerden 2, Bailard, and Friendship Manor); and
- Ordinance No. 5209 (Case No. 24ORD-00008), amending the text of Article II Coastal Zoning Ordinance to implement Programs 1, 2, and 3 of the 2023-2031 Housing Element Update by establishing (1) new density ranges for the DR zone, (2) replacement housing requirements, (3) "use by right" permitting framework for qualifying housing developments, and (4) public open space provisions consistent with mitigation measure MM LU-1 of the Program Environmental Impact Report (EIR) for the 2023-2031 Housing Element Update.

Together, these actions amended the County's certified Local Coastal Program. On July 8, 2024, the County submitted the amendment to the Coastal Commission for certification.

On November 6, 2025, the Coastal Commission held a public hearing on the County's Local Coastal Program amendment. The Coastal Commission first certified the Coastal Land Use Plan amendment (Resolution No. 24-93). It then conditionally certified the Coastal Zoning Ordinance amendment (Ordinance No. 5208 and Ordinance No. 5209) with suggested modifications. However, the suggested modifications only affect Ordinance No. 5209. Since the Coastal Commission packaged and took one

action on both Ordinance No. 5208 and Ordinance No. 5209, the Board is also required to take action on both ordinances.

In the Coastal Commission's action letter (Attachment A), the Coastal Commission's modifications are shown in ~~double-strikeout~~ for deletions and double underline for insertions. Exhibit 1 to the Coastal Commission staff report dated October 16, 2025 (Attachment C) contains additional information regarding the modifications.

The Coastal Commission's conditional certification will expire on May 6, 2026, six months following the date of its action on November 6, 2025, unless prior to that date the Board acts to accept the suggested modifications. The Board may choose to accept or reject the modifications.

If the Board adopts a resolution accepting the suggested modifications, the Coastal Commission's Executive Director will make a determination that the County's action is legally adequate to satisfy the Coastal Commission's action letter and report this determination to the Coastal Commission at its next regularly scheduled public meeting. If the Coastal Commission does not object to the Executive Director's determination, the Coastal Commission will file a notice of the certification with the Secretary of the Resources Agency, and the certification will be deemed final and effective. While unlikely, if a majority of the Coastal Commission members object to the Executive Director's determination and find that the County's action does not conform to the certification order, the Coastal Commission will review the County's action in a subsequent public hearing as if it were a re-submittal.

Once the amendment receives final certification from the Coastal Commission, the amendment as modified will become effective and will be incorporated into the County's certified Local Coastal Program.

The Board has the following options if it does not accept the suggested modifications:

- Adopt amendments to the suggested modifications and re-submit them to the Coastal Commission for certification as a new Local Coastal Program amendment.
- Reject the suggested modifications without adopting any amendments to the suggested modifications and request that the Coastal Commission not certify the Local Coastal Program amendment.
- Allow the Coastal Commission's certification with the suggested modifications to expire by taking no action prior to May 6, 2026.

Background:

Coastal Commission Suggested Modifications Summary

The Coastal Commission's suggested modifications only affect Ordinance No. 5209, zoning text, and are summarized below. The Planning and Development Department reviewed and is amenable to the Coastal Commission's modifications as they do not present significant policy or textual changes to the County's amendment. Based on the analysis below, staff recommend that the Board adopt the attached resolution (Attachment B) acknowledging receipt of the Coastal Commission's certification with the modifications and adopting the Local Coastal Program amendment, as modified.

Suggested Modification 1

Modify Section 35-74.7 (Lot Size/Density) to correct and clarify the Density Table for the DR – Design Residential District.

- Added Section 35-74.7.2 shall be modified as follows:

- DR zoned lots may be zoned with two numbers following the DR on the lot on the applicable Santa Barbara County Zoning Map. In this instance the first number represents the minimum dwelling units per gross acre and the second number represents the maximum dwelling units per gross acre as follows:

<u>District Designation</u>	<u>Dwelling Units Per Gross Acre Minimum Dwelling Units per Gross Acre</u>	<u>Gross Land Area Per Dwelling Unit Maximum Dwelling Units per Gross Acre</u>
<u>DR-20/25</u>	<u>20</u>	<u>25</u>
<u>DR-20/30</u>	<u>20</u>	<u>30</u>
<u>DR-30/40</u>	<u>30</u>	<u>40</u>

Discussion

The suggested modification clarifies the newly adopted minimum and maximum residential density standards for the DR zone. Specifically, the modification corrects a labeling error in the table and explains that the two numbers that follow the district designation set the minimum and maximum number of dwelling units, respectively, allowed on a lot. The modification does not alter policy intent or potential residential development.

Suggested Modification 2

Modify proposed language in Section 35-144Z.3 (Permit Requirements) to clarify that housing developments allowed as a use by right shall comply with all applicable Local Coastal Program development standards and policies.

- Added Section 35-144Z.3 shall be modified as follows:

Housing developments ~~that~~ shall comply with all of the development standards in Section 35.144Z.4 (Development Standards), below, and shall be allowed as a use by right subject to the issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits).

1. Use by right. For purposes of this section, "use by right" means the County's review shall not require a Conditional Use Permit, Development Plan, environmental review under the California Environmental Quality Act, or other discretionary review or approval pursuant to Government Code Section 65583.2(i) and Government Code Section 65589.5 for multifamily residential housing. Housing developments shall be subject to all objective standards in this Article and all applicable policies and provisions of the Local Coastal Program. Any subdivision of a site shall continue to be subject to all laws, including, but not limited to, discretionary review and approval in compliance with County Code Chapter 21 (Land Division) and the Subdivision Map Act.

Discussion

The suggested modification provides minor grammatical and clarifying edits to ensure that “use by right” housing developments on Housing Element Update rezone sites remain consistent with the

County's certified Local Coastal Program. The addition of references to applicable Local Coastal Program policies confirms that all such projects must comply with the County's objective development standards and the Coastal Act's resource protection requirements while maintaining consistency with state housing element law.

Suggested Modification 3

Modify proposed language in Section 35-144Z.4 (Development Standards) to clarify applicability of standards to Housing Element rezone sites, revise affordability requirements, and ensure consistency with the certified Local Coastal Program.

- Section 35-144Z.4 shall be modified as follows:

Housing developments on a rezone site ~~or non-vacant or vacant site~~ listed in Section 35-144Z.2.1.a and Section 35-144Z.2.2.a, respectively, above, shall comply with the following development standards ...

2. Affordability. The following affordability standards shall not apply to site APN 075-020-035. At least ~~20~~ 32 percent of the total units shall be affordable, which shall consist of (1) at least 20 percent of units shall be affordable to very low- and/or low-income households, and (2) at least 12 percent of the units shall be affordable to very low-, low-, and/or moderate-income households. The applicant shall record a restrictive covenant that ensures the continued affordability of all very low-, and low-, and moderate-income rental and for sale units for the life of the housing development ~~90 years and all very low- low income for sale units for 90 years, unless a different affordability term is required by low-income housing tax credit regulations or other applicable law ...~~

3. Objective standards. The housing development shall comply with all objective land use policies, regulations, development standards, and design review standards of the Local Coastal Program in effect at the time a complete application is submitted, including but not limited to objective design standards provided in Section 35-144B (Multiple-Unit and Mixed-Use Housing Objective Design Standards).

Discussion

The suggested modification increases the overall affordability requirement for three of the four rezone sites – Bailard, Van Wingerden 1, and Van Wingerden 2 – from 20 percent to 32 percent of total units and clarifies how those units must be distributed across income categories. Specifically, at least 20 percent of the units must be affordable to very low- and/or low-income households, with an additional 12 percent affordable to very low-, low-, and/or moderate-income households. The change also replaces the prior 90-year affordability term with a requirement that affordability be maintained for the life of the development and applies this standard to both rental and for-sale units. The Coastal Commission introduced this modification to better align Coastal Zone housing production with the objectives of Coastal Act §30604(f). This section directs that “[t]he commission shall encourage housing opportunities for persons of low and moderate income,” which supports the intent to strengthen the County's commitment to lower-cost housing and long-term affordability within the Coastal Zone.

An exemption is included for APN 075-020-035 (Friendship Manor) because this site was already zoned for medium density residential use in an urbanized area and the rezone did not result in a change in use or significant increase in density. The Coastal Commission's stated intent is to exclude this site from the affordability requirement. These edits also add a reference to the Local Coastal

Program within the objective standards subsection to confirm that by-right housing projects must comply with all Local Coastal Program objective policies, regulation, and development standards. Collectively, the revisions strengthen long-term affordability protections, maintain clarity in implementation, and ensure consistency with the certified Local Coastal Program.

Staff have discussed the increased affordability requirements and revised affordability term with the respective property owners, who have indicated that they are amenable to the modifications.

Environmental Review

CEQA Guidelines Section 15265 statutorily exempts local government activities necessary for the preparation and adoption of a local coastal program, including a coastal zoning ordinance, from CEQA and environmental review. The proposed Article II Coastal Zoning Ordinance amendment (Ordinance No. 5209) affects portions of the county within the Coastal Zone and amends the County's Local Coastal Program. Therefore, the proposed Article II Coastal Zoning Ordinance amendment is statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15265. Please see the Notice of Exemption (Attachment D) for additional information.

In addition to the statutory exemption per CEQA Guidelines Section 15265, CEQA Guidelines Section 15162 states that subsequent environmental review is not required when a certified EIR has analyzed a project and there are no substantial changes to the project, no new significant environmental effects, and no new information showing that environmental effects would be more severe than previously identified. On May 3, 2024, the Board certified the Program EIR for the 2023-2031 Housing Element Update. The Program EIR analyzed the Housing Element Update rezone program at a programmatic level, including the four sites in the Coastal Zone which are the subject of this Local Coastal Program amendment. The environmental impact report identified significant and unavoidable impacts, for which the Board adopted findings and a Statement of Overriding Considerations. The Coastal Commission's suggested modifications do not change the scope of the project or introduce new environmental effects; therefore, the Board should find that the Program EIR remains sufficient, and the current action does not require subsequent environmental review.

Fiscal and Facilities Impacts:

Funding for this ordinance amendment is budgeted in the Planning and Development Department Long Range Planning Budget Program of the County of Santa Barbara Adopted Budget, FY 2025-2026. There are no facilities impacts.

Special Instructions:

The Planning and Development Department will fulfill noticing requirements.

The Clerk of the Board shall provide a copy of the signed resolution, and minute order, to Planning and Development Department, attention: Lila Spring. The ordinance shall not be sent to Municode for codification until requested by the Planning and Development Department staff.

Attachments:

Attachment A – Coastal Commission Action Letter, Santa Barbara Local Coastal Program Amendment Case No. LCP-4-STB-24-0028-1-Part B (Housing Element Rezone Amendments), dated November 6, 2025.

Attachment B – Board of Supervisors Resolution to accept the Coastal Commission's certification of the Local Coastal Program amendment with suggested modifications.

Attachment C – Coastal Commission Staff Report, dated October 16, 2025.

Attachment D – Notice of Exemption, dated January 27, 2026.

Contact Information:

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