



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 & Development
Department No.: 053
For Agenda Of: July 3, 2018
Placement: Departmental
Estimated Time: 1 hour
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Dianne M. Black, Director, Planning and Development
(805) 568-2086
Contact Info: Jeff Wilson, Deputy Director, Development Review Division
(805) 568-2518
SUBJECT: Consider the Highway 101: Carpinteria to Santa Barbara Local Coastal Program
Amendment (Case Nos. 17GPA-00000-00003 and 18ORD-00000-00004), First
Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

Consider the recommendations of the County Planning Commission to approve Case Nos. 17GPA-00000-00003 and 18ORD-00000-00004, which would amend the County's certified Local Coastal Program.

To follow the recommendation of the County Planning Commission, your Board's action should include the following:

- a. Make the findings for approval of the Santa Barbara County Local Coastal Program Amendment including CEQA findings (Attachment 1);
- b. Determine that the Santa Barbara County Local Coastal Program Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15265 of the Guidelines for Implementation of CEQA (Attachment 2);
- c. Adopt a Resolution amending the Coastal Land Use Plan (Case No. 17GPA-00000-00003) by adding and modifying wetland protection and recreation policies (Attachment 3); and,
- d. Adopt an Ordinance (Case No. 18ORD-00000-00004) amending Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code to establish a Transportation Corridor Wetland Overlay District (Attachment 4).

Summary Text:

The California Department of Transportation (Caltrans) and the County of Santa Barbara are proposing a series of transportation improvements along or near the Highway 101 corridor in Santa Barbara County, including the Highway 101: Carpinteria to Santa Barbara project and Santa Claus Lane Bikeway project proposed by Caltrans, and the Santa Claus Lane Beach Access and Streetscape Improvements project proposed by the County. These public projects would encroach into delineated wetlands or wetland buffer strips between Post Mile 4.59 and Post Mile 7.35. Due to the linear nature of these projects, this Local Coastal Program (LCP) Amendment would address anticipated conflicts with Coastal Land Use Plan (CLUP) Policy 9-9, which currently requires that new development be set back a minimum of 100 feet from wetlands. Specifically, CLUP Policy 9-9 states:

9-9: A buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands. No permanent structures shall be permitted within the wetland or buffer area except structures of a minor nature, i.e., fences, or structures necessary to support the uses in Policy 9-10...

Where feasible, the outer boundary of the wetland buffer zone should be established at prominent and essentially permanent topographic or manmade features (such as bluffs, roads, etc.). In no case, however, shall such a boundary be closer than 100 feet from the upland extent of the wetland area, nor provide for a lesser degree of environmental protection than that otherwise required by the plan. The boundary definition shall not be construed to prohibit public trails within 100 feet of a wetland.

Pursuant to Section 30200(b) of the Public Resources Code, when policy conflicts occur, Section 30007.5 shall be utilized to resolve the conflict. Public Resources Code Section 30007.5 states:

The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources.

This LCP Amendment would facilitate permitting for the Highway 101: Carpinteria to Santa Barbara project, Santa Claus Lane Bikeway project, and the Santa Claus Lane Beach Access and Streetscape Improvements project by providing a package of public access and recreation projects that offset wetland and wetland buffer strip impacts and that are, on balance, most protective of coastal resources. See the project description included in the Planning Commission staff report (Attachment 8) for a more detailed discussion of the package of projects.

Proposed CLUP Amendment (17GPA-00000-00003):

In order to address the policy conflicts associated with the Highway 101: Carpinteria to Santa Barbara project and associated projects, the proposed CLUP text amendment includes the following:

1. An Amendment to Section 3.9 *Environmentally Sensitive Habitat Areas*, Subsection 3.9.4 *Environmentally Sensitive Habitat Area Overlay Designation*, “Habitat Type: Wetlands” Policy 9-9 by adding a final paragraph to clarify that new development associated with the Highway 101: Carpinteria to Santa Barbara project and other associated projects may be permitted in wetlands or within the 100-foot wetland buffer strip;

2. An Amendment to Section 3.7 *Coastal Access and Recreation* by adding a new Subsection 3.7.8 “Highway 101: Carpinteria to Santa Barbara,” including Policies 7-31, 7-32, and 7-33, which identify balancing projects and Coastal Development Permit (CDP) projects associated with the Highway 101: Carpinteria to Santa Barbara project and specify that improvements to Highway 101 shall not remove existing bike or pedestrian access or preclude the development of proposed bikeways or pedestrian paths that are identified in the Coastal Land Use Plan and community plans.

Caltrans proposes the following balancing projects (CLUP Policy 7-31) affiliated with the Highway 101: Carpinteria to Santa Barbara project:

- Santa Claus Lane Bikeway
- Santa Claus Lane Beach Access and Streetscape Improvements Project
- California Coastal Trail Signage on Padaro Lane
- Vertical Beach Access Signage on Padaro Lane
- North Padaro Lane Interchange Sidewalk
- Restroom Facilities Installation at Loon Point Beach Parking Area

In addition, proposed CLUP Policy 7-32 identifies projects to be included as part of the CDP process associated with the Highway 101: Carpinteria to Santa Barbara project and other future highway improvement projects to the South Coast Highway 101 (CLUP Policy 7-32):

- South Padaro Lane Undercrossing Enhancements
- Via Real Multi-Use Pathway: Greenwell to North Padaro Lane Interchange
- Finney Road Coastal Access Enhancements
- Lookout Park Enhancements
- Wallace Avenue Coastal Parking and Sidewalk
- Evans Avenue Undercrossing Enhancements
- Eucalyptus Lane Sidewalk Extension
- San Ysidro Road Roundabout
- Olive Mill Road Roundabout (Shared Jurisdiction)

Proposed Article II Amendment (18ORD-00000-00004):

The proposed Article II Amendment includes adding Section 35-102G to create a new Transportation Corridor Wetland Overlay District (TCWO), which provides specific development standards for projects where wetland encroachment would occur. Specifically, the Ordinance Amendment:

- Includes development standards for impacts to wetlands or the reduction of wetland buffer strips resulting from new development identified in CLUP Policies 7-31 and 7-32;
- Identifies criteria for wetland enhancement, restoration, and establishment plans;
- Identifies specific coastal water quality standards that shall be met for new development identified in CLUP Policies 7-31 and 7-32; and
- Requires the County to provide signage for all coastal access improvements associated with the balancing and CDP projects for the Highway 101: Carpinteria to Santa Barbara project.

The TCWO would ensure a more precise level of planning than ordinarily possible under the existing Article II for transportation-related projects that are in or adjacent to wetlands and/or wetland buffer strips (Attachment 4).

Background

County Planning Commission

The County Planning Commission reviewed the LCP Amendment at their May 2, 2018 hearing, and by a unanimous vote, requested that the item be continued to their June 6, 2018 hearing in order to provide staff with additional time to meet with the Summerland community to discuss the recommended projects in the Summerland area and the request by some Summerland residents for consideration of a new pedestrian tunnel under the highway. The County Planning Commission also requested that staff address the Planning Commission's questions regarding whether the proposed package of projects in the LCP Amendment could be modified or substituted at a later date.

Staff met with Summerland community residents on May 30, 2018 to discuss the feasibility of a new pedestrian tunnel under the highway to access the beach at Colville Street and design options along Evans Avenue. Additionally, staff met with the California Coastal Commission staff to discuss whether they would be amenable to modifying the proposed package of projects if alternative projects provided similar benefits. The California Coastal Commission staff indicated that they would not be supportive of modifying the proposed LCP Amendment language to allow for an exchange of balancing projects or CDP projects with other projects that have not been identified in the LCP Amendment.

At the June 6, 2018 Planning Commission hearing, staff reported to the Planning Commission on the meeting with the Summerland community and the feedback staff received from the Coastal Commission staff, and staff reiterated that the LCP Amendment is the product of numerous meetings and discussions between Planning and Development, Caltrans, Santa Barbara County Association of Governments (SBCAG), and Coastal Commission staff.

With this additional information, the County Planning Commission adopted Resolution Nos. 18-17 and 18-18 (Attachments 5 and 6) during their June 6, 2018 Planning Commission hearing, which recommend that your Board adopt the proposed LCP Amendment, including the amendments to the CLUP and Article II.

The County Planning Commission Action Letter (Attachment 7), CLUP Resolution and Proposed Text Amendment No. 18-17 (Attachment 5), and the Article II Resolution and Proposed Ordinance No. 18-18 (Attachment 6) reflect the recommendations of the County Planning Commission.

Policy Consistency and Ordinance Compliance:

As part of the process to obtain a CDP for each phase of the Highway 101: Carpinteria to Santa Barbara project and associated projects, staff will review applications for consistency with applicable policies and development standards. Please refer to the County Planning Commission staff report for the proposed LCP Amendment's Comprehensive Plan consistency analysis and compliance with Article II (Attachment 7).

Fiscal Analysis:

The costs for processing this application is fully reimbursed by the applicant per the Planning and Development Department's adopted fee schedule. Total costs for processing the Local Coastal Program Amendment, including the Amendments to the CLUP and Article II, are approximately \$43,000. This

work is funded in the Planning and Development Department Permitting Budget Program, as shown on page D-289 of the 2017-2019 recommended budget.

Special Instructions:

- A. Planning and Development staff will fulfill noticing requirements.
- B. The Clerk of the Board shall provide a copy of the executed Resolution, Ordinance Amendment, and Board Minute Order to the Planning and Development Department, attention David Villalobos.

Attachments:

- 1. 17GPA-00000-00003 and 18ORD-00000-00004 Findings
- 2. 17GPA-00000-00003 and 18ORD-00000-00004 Notice of Exemption
- 3. 17GPA-00000-00003 Proposed Amendment to the Coastal Land Use Plan
- 4. 18ORD-00000-00004 Proposed Amendment to Article II
- 5. County Planning Commission (CLUP) Resolution and Proposed Text Amendment No. 18-17
- 6. County Planning Commission (Article II) Resolution and Proposed Ordinance No. 18- 18
- 7. County Planning Commission Action Letter (w/o attachments)
- 8. 05-2-2018 County Planning Commission Staff Report (w/o attachments)
- 9. 06-01-2018 County Planning Commission Memorandum

Authored by:

Tess Harris, Planner, ext. 3319