



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 2, 2016
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Glenn Russell, Ph.D. (805) 568-2085
Contact Info: Dianne Black, Assistant Director (805) 568-2086
SUBJECT: California Coastal Commission's conditional certification of an amendment to the Local Coastal Program regarding the Carpinteria Agricultural Overlay District View Corridor Ordinance Amendment, First 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 an amendment to the County's Local Coastal Program (Coastal Commission Case No. LCP-4-STB-14-0834-2-Part A Carpinteria Agricultural Overlay District View Corridor Ordinance Amendment) with one suggested modification (Attachment A);
- b) Adopt a Resolution acknowledging receipt of the California Coastal Commission's conditional certification with a 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 Amendment with the suggested modifications (Attachment B);
- c) Determine that this action is not subject to the California Environmental Quality Act pursuant to Public Resources Code Section 21080.9. The County relied upon CEQA Guidelines Section 15164 EIR Addendum Letter (dated December 4, 2013) to 99-EIR-02 RV1 that was originally prepared for the Carpinteria Valley Greenhouse Program for the CEQA review of Case No. 11RZN-00000-00001, Carpinteria Agricultural Overlay District View Corridor Ordinance Amendment; and,
- d) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the California Coastal Commission.

1. Background.

On March 4, 2014, the Santa Barbara County Board of Supervisors adopted Ordinance No. 4877 (Case No. 11RZN-00000-00001) that amended Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code, and the Toro Canyon Area Zoning Overlay Map, by deleting the View Corridor designation from Assessor's Parcel No. 005-310-024.

On June 17, 2014, the Santa Barbara County Board of Supervisors, by Resolution No. 14-146, submitted Ordinance No. 4877 to the Coastal Commission as a proposed amendment to the County's certified Local Coastal Program.

The Coastal Commission considered this amendment at their December 10, 2015 hearing and conditionally certified the amendment with one suggested modification as shown on page 3 of Attachment A (Coastal Commission letter dated December 15, 2015). The suggested modification is also discussed in the following analysis section of this Board letter. The Coastal Commission's conditional certification will expire on June 10, 2016, six months following the date of the Coastal Commission's action on December 10, 2015, unless prior to that date your Board acts to accept the modification.

Your Board may choose to accept or reject the suggested modification. If your Board chooses to accept the modification, then following receipt of a Board resolution acknowledging and accepting the Coastal Commission's suggested modification, the Coastal Commission's Executive Director will make a determination that the County's action is legally adequate to satisfy any specific requirements set forth in the Coastal Commission's certification order 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, then notice of the certification will be filed with the Secretary of the Resources Agency and the certification will be deemed final and effective. If, for some reason, 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 provisions of the Coastal Commission's action to certify the amendment to the County's Local Coastal Program, then 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 be incorporated into the Article II Coastal Zoning Ordinance.

If your Board decides to not accept the suggested modification, then your Board has the following options:

- Adopt amendments to the modification language suggested by the Coastal Commission and re-submit the Carpinteria Agricultural Overlay District View Corridor Ordinance Amendment for certification.
- Reject the modification 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.
- Let the Coastal Commission's conditional certification with the suggested modification expire by taking no action prior to June 10, 2016.

2. Recommendation.

The Planning and Development Department reviewed the Coastal Commission's suggested modification and, based on the analysis contained in the following section, recommends that your Board approve the attached Resolution (Attachment B) acknowledging receipt of the Coastal Commission's certification with suggested modifications and adopting the Local Coastal Program Amendment with the suggested modifications.

3. Analysis.

Suggested Modification:

Amend the "Carpinteria Agricultural Overlay District Map" of the certified IP/CZO to delete the view corridor designation from the subject property identified as Assessor's Parcel No. 005-310-024.

Discussion:

The Carpinteria Agricultural Overlay District was adopted as an amendment to the Article II Coastal Zoning Ordinance by the Board of Supervisors in 2002 which was approved by the Coastal Commission with suggested modifications on January 14, 2004 and effectively certified on June 9, 2004. The amendment included an exhibit map labeled *Carpinteria Agricultural Overlay District Map* which showed the proposed location of the overlay district and also delineated certain properties that were proposed to be designated as view corridor parcels. Upon certification of the amendment by the Coastal Commission, the official zoning maps for this area, currently the Toro Canyon Area Zoning Overlay map and the Carpinteria Valley Coastal Plan Zoning Overlay map, were revised to depict the information shown on the *Carpinteria Agricultural Overlay District Map*.

Although the purpose of this map was to merely act as an exhibit showing the extent of the Carpinteria Agricultural Overlay District and the presence of a View Corridor designation on certain properties, because this exhibit was included in the materials submitted to the Coastal Commission during the certification process to add the Carpinteria Agricultural Overlay District to Article II, the Coastal Commission considers the map to be part of Santa Barbara County's certified Local Coastal Program. Therefore, to provide clarification regarding the applicability of the view corridor standards and to ensure internal consistency between the Toro Canyon Area Zoning Overlay Map which was amended by deleting the View Corridor designation from Assessor's Parcel No. 005-310-024 and the *Carpinteria Agricultural Overlay District Map* exhibit, the suggested modification would also delete the View Corridor designation from Assessor's Parcel No. 005-310-024 as depicted on the *Carpinteria Agricultural Overlay District Map*.

Fiscal Analysis:

Funding for this ordinance amendment work effort is budgeted in the Administration and Support Budget Program on page D-287 of the adopted Planning and Development Department's budget for fiscal years 2015 - 2017. There are no facilities impacts at this time. Any future facilities impacts would be addressed during the review of individual development projects that may result from this ordinance amendment.

Special Instructions:

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

Attachments:

- A. December 10, 2015 Coastal Commission Certification Letter, Santa Barbara Local Coastal Program Amendment Coastal Commission Case No. LCP-4-STB-14-0834-2-Part A (Carpinteria Agricultural Overlay District View Corridor Ordinance Amendment).
- B. Board of Supervisors Resolution to accept the Coastal Commission's certification of the Local Coastal Program amendments with modifications.
- C. Carpinteria Agricultural Overlay District Map (existing)

Authored by:

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