



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: August 14, 2018
Placement: Administrative
Estimated Time: N/A
Continued Item: N/A
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Dianne M. Black, Director, Planning and Development
Director(s) (805) 568-2086
Contact Info: Daniel T. Klemann, Deputy Director, Long Range Planning
(805) 568-2072
SUBJECT: Submittal to the California Coastal Commission for certification of amendments to the Santa Barbara County Local Coastal Program for the Highway 101: Carpinteria to Santa Barbara Local Coastal Program Amendment and the Accessory Dwelling Unit Ordinance.

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 (Board):

- a) Adopt the attached resolution (Attachment 1) to submit and resubmit the following amendments to the Santa Barbara County Local Coastal Program to the California Coastal Commission for certification:
 - i) Resolution No. 18-174 amending the Coastal Land Use Plan by adding and modifying wetland protection and recreation policies (17GPA-00000-00003) (Attachment 1, Exhibit A);
 - ii) Ordinance No. _____ amending the Coastal Zoning Ordinance of Chapter 35, Zoning, of the Santa Barbara County Code, to establish a Transportation Corridor Wetland Overlay District (18ORD-00000-00004) (Attachment 1, Exhibit B); and
 - iii) Ordinance No. _____ amending the Coastal Zoning Ordinance of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations and development standards

regarding accessory dwelling units (16ORD-00000-00016) (Attachment 1, Exhibit C).

- b) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission.
- c) Find pursuant to Section 15265 of the State CEQA Guidelines, that the preparation, approval, and certification of a LCP Amendment is exempt from the requirements of CEQA because the California Coastal Commission's review and approval process has been certified by the Secretary of Resources as being the functional equivalent of the environmental review process required by CEQA in Sections 21080.5 and 21080.9 of the Public Resources Code (Attachment 2).

Summary Text:

With the exception of the State CEQA action set forth in Section 15265, the above actions constitute amendments to the Santa Barbara County's certified LCP and, therefore, are required to be submitted to the California Coastal Commission for review and certification.

Highway 101: Carpinteria to Santa Barbara LCP Amendment

On July 3, 2018, the Board approved the Highway 101 Local Coastal Program Amendment to allow for 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 the California Department of Transportation (Caltrans), and the Santa Claus Lane Beach Access and Streetscape Improvements project proposed by the County (Attachment 1, Exhibit A).

On August 14, 2018, the Board reconsidered the previously adopted Article II amendment (18ORD-00000-00004), and approved an amendment to Article II to include the Transportation Corridor Wetland Overlay District map as it relates to the Highway 101 LCP Amendment (Attachment 1, Exhibit B).

Accessory Dwelling Unit Ordinance

The Accessory Dwelling Unit Ordinance was adopted by the Board on August 14, 2018, and added regulations to the CZO to implement new regulations and development standards regarding accessory dwelling units (Attachment 1, Exhibit C).

Submittal:

Staff prepared the attached resolution (Attachment 1) pursuant to the procedural requirements for LCP Amendments which are set forth in the Coastal Commission administrative regulations [Division 5.5 of Title 14, California Code of Regulations, Section 13551(b)(2)]. Following review by the Coastal Commission, the Board will have six months from the date of the Coastal Commission's action to evaluate any suggested modifications to the amendments approved by the Coastal Commission and decide whether or not to accept the modifications [Division 5.5 of Title 14, California Code of Regulations, Section 13537(b)].

If the Board decides to accept the modifications, then the Board must adopt a resolution agreeing to implement the LCP amendments as modified. This resolution is then transmitted to the Executive Director of the Coastal Commission who will review the resolution and recommend to the Coastal Commission whether the action of the Board complies with regulations of the Coastal Act and the California Code of Regulations. If the Executive Director recommends that the County's action is in compliance, and the Coastal Commission agrees with that recommendation, then the ordinances will become operative as of the date of that final action by the Coastal Commission.

Local governments may adopt and submit a maximum of three resolutions per calendar year transmitting major amendments to the certified LCP to the Coastal Commission for review and certification. However, there are no limitations on the number of amendments included in each of the three submittals. The LCP amendments that are the subject of the attached resolution constitute Santa Barbara County's second submittal for 2018.

Fiscal Analysis

Funding for the preparation and submittal of the Coastal Commission Resolution is budgeted in the Planning & Development Department's Permitting Budget Program on page D-272 of the Fiscal Year 2018-2019 budget.

Special Instructions:

The Clerk of the Board shall provide a copy of the executed Resolution and Board Minute Order(s) to Planning and Development, Attn.: David Villalobos.

Attachments:

1. Resolution Submitting Amendments to the California Coastal Commission
 - Exhibit A Resolution No. 18-174 Highway 101: Carpinteria to Santa Barbara LCP Amendment
 - Exhibit B Ordinance No. _____ Highway 101: Carpinteria to Santa Barbara LCP Amendment
 - Exhibit C Ordinance No. _____ Accessory Dwelling Unit Ordinance

2. Notice of Exemption

Authored by:

David Lackie, Supervising Planner, 805-568-2023