

ATTACHMENT 1: FINDINGS

1.0 CEQA FINDINGS

1.1 CEQA EXEMPTION

The Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15265 “Adoption of Coastal Plans and Programs.” Please see Attachment 2, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 ARTICLE II COASTAL ZONING ORDINANCE FINDINGS

2.1.1 AMENDMENT TO ARTICLE II OR ZONING MAP AMENDMENT (REZONE) FINDINGS

A. Findings required for Approval or Conditional Approval of a Rezone or Ordinance Amendment. In compliance with Section 35-180.6 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Rezone or Zoning Ordinance amendment, the decision-maker shall first make all of the following findings:

1. The request is in the interests of the general community welfare.

As discussed in Sections 4.3, 5.1, 6.2, and 6.3 of the County Planning Commission staff report, dated April 12, 2018, and incorporated herein by reference (Attachment 8 of the July 3, 2018 Board of Supervisors Agenda Letter), the Transportation Corridor Wetland Overlay District (TCWO) includes specific standards to protect sensitive resources and mitigate impacts from transportation projects. Through new development standards, the TCWO will require mitigation for direct and indirect wetland and wetland buffer strip impacts.

The TCWO defines “wetland restoration,” “wetland establishment,” and “wetland enhancement” and provides development standards that specify that fill or other impacts to wetlands or reduction of wetland buffer strips resulting from new development can only be approved if mitigation for impacts to wetlands or wetland buffer strips is proposed. Wetland enhancement, restoration, or establishment plans would be required where mitigation is required, and the plan would identify appropriate mitigation for the wetland impacts to ensure that habitat resources are preserved and adverse environmental effects are minimized.

The TCWO also ensures that projects emphasize Low Impact Development (LID) strategies, incorporate Best Management Practices (BMPs) within the wetland and/or wetland buffer strip, increase infiltration, and use stormwater control measures to protect or enhance water quality. As discussed in Section 6.2 of the

County Planning Commission staff report, dated April 12, 2018, and incorporated herein by reference (Attachment 8 of the July 3, 2018 Board of Supervisors Agenda Letter), the water quality standards identified in the TCWO include measures such as:

- Early site design planning that prioritizes the minimization of runoff and treatment of runoff onsite, unless offsite infiltration or treatment will result in an equal or greater benefit to coastal water quality;
- BMPs that support wetland protection and handle runoff in accordance with the most current National Pollutant Discharge Elimination System (NPDES) permit regulations;
- Grading that captures and detains runoff and amending onsite soils to increase infiltration;
- A post-construction Stormwater Control Plan that explains the methods proposed to protect or enhance coastal water quality.

These standards are in the interests of the general community welfare since they protect public health and the environment. The other projects referenced in the TCWO that balance the wetland policy conflicts associated with the Highway 101: Carpinteria to Santa Barbara project, including the Santa Claus Lane Bikeway project, Santa Claus Lane Beach Access and Streetscape Improvements project, the California Coastal Trail Signage project, the Vertical Beach Access Signage project, the North Padaro Lane Interchange Sidewalk, and the Restroom Facilities Installation at Loon Point Beach Parking Area, will improve coastal access and recreational opportunities, which is also in the interest of community welfare.

As discussed in Section 6.2 of the Planning Commission staff report, incorporated herein by reference (Attachment 8 of the July 3, 2018 Board of Supervisors Agenda Letter), the other projects identified in the LCP Amendment include providing additional bicycle and pedestrian pathways (including a multi-use pathway along the California Coastal Trail), establishing viewing opportunities along the Pacific Ocean, creating bicycle and pedestrian access on the ocean-side of the roadway, enhancing existing and installing new sidewalks that provide coastal access, providing additional beach parking, constructing a public restroom facility, requiring signage for coastal access, and providing opportunities for new infrastructure (e.g., public benches and tables) and art.

Further, the TCWO requires comprehensive signage in English and Spanish for all coastal public access improvements associated with the balancing projects (i.e. Santa Claus Lane Bikeway project, Santa Claus Lane Beach Access and Streetscape Improvements project, and additional projects identified in CLUP Policy 7-31) and CDP projects (as identified in CLUP Policy 7-32). Signage will identify public parks, overlooks, parking areas, trails, and bicycle and pedestrian access ways to assist the public in locating and recognizing these coastal public access facilities, which is in the interest of the general community welfare.

The LCP Amendment facilitates coastal access, recreation, and alternative transportation opportunities along the south coast of Santa Barbara County, which is in the general community welfare. Therefore, this finding can be made.

2. The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of the State planning and zoning laws, and this Article.

As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated April 12, 2018 and incorporated herein by reference (Attachment 8 of the July 3, 2018 Board of Supervisors Agenda Letter), the proposed ordinance amendment to Article II will be consistent with the County's Comprehensive Plan including, but not limited to, the CLUP, Toro Canyon Plan, Summerland Community Plan, Montecito Community Plan, State planning and zoning laws, and Article II, the Coastal Zoning Ordinance. Therefore, this finding can be made.

3. The request is consistent with good zoning and planning practices.

As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated April 12, 2018 and incorporated herein by reference (Attachment 8 of the July 3, 2018 Board of Supervisors Agenda Letter), amending the LCP will facilitate development of improved coastal access, alternative transportation pathways, and facilities that enhance existing public recreational opportunities. The TCWO establishes specific mitigation requirements for projects identified in the LCP Amendment that may impact a wetland and/or wetland buffer strip. The LCP Amendment balances conflicts with wetland resources while also providing development standards that enable transportation-related projects, including projects identified in the County's Capital Improvement Plan, to be built along the south Santa Barbara County coast. The LCP Amendment includes policies and standards to protect the existing natural environment while also providing long-term public recreational opportunities. Therefore, this finding can be made.

B. ADDITIONAL FINDING FOR COMPREHENSIVE PLAN AMENDMENTS.

1. Government Code Section 65358 requires a Comprehensive Plan amendment to be in the public interest. If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.

The LCP Amendment is necessary to modify the existing wetland protection policy (CLUP Policy 9-9) to allow the Highway 101: Carpinteria to Santa Barbara, Santa Claus Lane Bikeway, and Santa Claus Lane Beach Access and Streetscape Improvements projects to be permitted. In order to offset the wetland policy conflicts associated with these projects, numerous other projects have been identified under Policy 7-31, including California coastal trail signage on Padaro Lane, vertical beach access signage on Padaro Lane, North Padaro Lane interchange sidewalk, and

restroom facilities installation at Loon Point beach parking area. By identifying numerous projects in the LCP Amendment that balance the wetland policy conflicts associated with the Highway 101: Carpinteria to Santa Barbara project, the package of projects is the most protective of coastal resources and consistent with Public Resources Code Sections 30007.5, 30200, and 30515.

Further, Policy 7-32 identifies projects that would enhance non-motorized travel within the Santa Barbara County south coast highway corridor, including the 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, and the Olive Mill Road roundabout. These projects would be implemented as part of the CDP process for the Highway 101: Carpinteria to Santa Barbara project and other highway improvement projects.

The LCP Amendment is in the public interest for the following reasons:

1. By encouraging bicycle and pedestrian trails along the California coast, the LCP Amendment furthers the opportunity to connect the California Coastal Trail throughout Santa Barbara County.
2. The LCP Amendment would result in the ability for future transportation-related projects, such as bike trails, public beach access, streetscape improvements, additional beach parking, public restrooms, sidewalks, crosswalks, traffic calming measures, beach access signage, California Coastal Trail signage, walking paths, and benches and tables to be permitted, constructed, and opened in conjunction with construction on Highway 101.
3. The LCP Amendment encourages the development of the following projects through the CDP process: enhanced bicycle and pedestrian facilities, public art, access for bicycles and pedestrians on the ocean-side of the roadway, viewing opportunities of the Pacific Ocean, additional benches and tables, public restroom facility, new group picnic area, new and enhanced sidewalks, and new roundabouts for multi-modal circulation.
4. The LCP Amendment alleviates an existing bottleneck on Highway 101 and facilitates non-automotive circulation, additional parking, and coastal recreation.
5. The LCP Amendment requires signage for coastal access improvements associated with the projects specified in CLUP 7-31 and 7-32 so that public facilities and coastal access are clearly identified.

6. The LCP Amendment facilitates the opportunity for long-term recreational amenities for the public.
7. The LCP Amendment establishes standards through the TCWO related to wetland impacts, wetland buffer strip impacts, mitigation measures, drainage and stormwater management, and coastal access and recreation enhancements.

Therefore, the LCP Amendment, on balance, is the most protective of coastal resources and provides increased recreational, public access, and alternative transportation opportunities to the public. Therefore, this finding can be made.