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Chapter 28.70

HC - HARBOR COMMERCIAL ZONE

Sections:

- |           |  |           |                            |
|-----------|--|-----------|----------------------------|
| 28.70.001 | In General.                                      | 28.70.050 | Building Height Standards. |
| 28.70.030 | Uses Permitted in the Harbor and Shoreline Area. | 28.70.090 | Coastal Zone Review.       |
|           |  | 28.70.131 | Development Potential.     |

28.70.001 In General.

The regulations contained in this Chapter shall apply in the Harbor Commercial Zone unless otherwise provided in this Title. The Zone strives to assure that the harbor will remain primarily a working harbor with visitor-serving and ocean-related uses secondary to ocean-dependent uses, and that Stearns Wharf will consist of a mixture of visitor-serving, and ocean-dependent and ocean-related uses. In addition, this zone is intended to provide a desirable environment by preserving and protecting surrounding land uses in terms of light, air and existing visual amenities. (Ord. 4428, 1986; Ord. 4170, 1982.)

28.70.030 Uses Permitted in the Harbor and Shoreline Area.

In all areas of the Harbor Commercial Zone the following uses are permitted provided that such operations, manufacturing, processing or treatment of products are not obnoxious or offensive by reason of emission of odor, dust, gas, fumes, smoke, liquids, waste, noise, vibrations, disturbances or other similar causes which may impose a hazard to life and property. Within the Harbor Commercial Zone the primary uses listed below shall be the predominant uses for the harbor and shoreline area.

- A. Primary harbor uses:
  - 1. Marinas, boat moorings, marine service stations, boat yard/repair facilities and related activities.
  - 2. Marine-oriented government facilities.
  - 3. Seafood processing.
  - 4. Services necessary for commercial fishing activities, including such facilities as net repair areas, hoists and ice machines and storage areas.
  - 5. Other ocean-dependent uses as deemed appropriate by the Planning Commission.
- B. Secondary harbor uses:
  - 1. Museums and other cultural displays relating to the ocean.
  - 2. Bait and tackle shops.
  - 3. Boat sales, storage, construction and/or repair.
  - 4. Diving gear, boat, surfing and other ocean-related equipment rental.
  - 5. Fast food restaurants, other restaurants, and restaurants with entertainment and meeting facilities used in conjunction with the restaurant.
  - 6. Marine equipment and accessories sales and/or repair.
  - 7. Marine storage.
  - 8. Marine surveyor.
  - 9. Offices of businesses or persons engaged exclusively in ocean-related activities.
  - 10. Public parking lots.
  - 11. Sail manufacturing and/or repair.
  - 12. Seafood sales and processing.
  - 13. Marine oriented specialty and gift shops.
  - 14. Stores which sell liquor, groceries and food which do not exceed 2,500 square feet in gross floor area.
  - 15. Household hazardous waste collection facilities as defined in Section 28.04.405 of this Title and exclusively serving the area within the H-C Zone.
  - 16. Other ocean-related uses as deemed appropriate by the Planning Commission.
- C. Stearns Wharf uses:
  - 1. Art galleries.
  - 2. Bait and tackle shops.
  - 3. Boat sales, storage, construction and/or repair.
  - 4. Diving gear, boat, surfing and other ocean-related equipment rental.
  - 5. Fast food restaurants, other restaurants and restaurants with entertainment facilities used in conjunction with the restaurant.
  - 6. Marine equipment and accessories sales and/or repair.
  - 7. Marine service stations.
  - 8. Marine storage.

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- 9. Marine surveyors.
- 10. Museums and other cultural displays relating to the ocean.
- 11. Offices of businesses or persons engaged in ocean-related activities.
- 12. Sail manufacturing and/or repair.
- 13. Seafood sales and processing.
- 14. Specialty and gift shops.
- 15. Stores which sell liquor, groceries and food which do not exceed 2,500 square feet in gross floor area.
- 16. Other ocean-dependent, ocean-related and visitor-serving uses as deemed appropriate by the Planning Commission.

D. Five year review of uses:

At least once every five (5) years from March 30, 1993, the Board of Harbor Commissioners shall review the extent and nature of the uses existing in the Harbor and shoreline area of the HC Zone and make a recommendation to the Planning Commission regarding the adequacy of ocean-dependent uses (Harbor primary uses) in relation to ocean-related and visitor-serving uses (Harbor secondary uses) in order to assure that the harbor remains a working harbor. A review of the mix of uses may occur at any other time at the direction of the Board of Harbor Commissioners or Planning Commission. Subsequent reviews shall be at five (5) year intervals thereafter. The Coastal Commission shall receive a copy of the recommendation and accompanying background materials associated with each review. (Ord. 5459, Section 3, 2008; Ord. 4825, 1993; Ord. 4808, 1993; Ord. 4428, 1986; Ord. 4170, 1982.)

**28.70.050 Building Height Standards.**

Two (2) stories not to exceed thirty (30) feet. (Ord. 4428, 1986; Ord. 4170, 1982.)

**28.70.090 Coastal Zone Review.**

All development in the Coastal Overlay Zone S-D-3, is subject to review pursuant to Chapter 28.44 of this Code. (Ord. 5417, 2007; Ord. 4428, 1986; Ord. 4170, 1982.)

**28.70.131 Development Potential.**

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989 unless the project complies with the provisions outlined in General Provisions, Development Plan Approval, Section 28.87.300. (Ord. 4670, 1991.)

**Chapter 28.71**

**OC Ocean-Oriented Commercial Zone**

**Sections:**

- |                  |  |                  |   |
|------------------|--|------------------|---|
| <b>28.71.010</b> | <b>In General.</b>   | <b>28.71.050</b> | <b>Development Potential.</b>                                     |
| <b>28.71.020</b> | <b>Uses Permitted.</b>   | <b>28.71.060</b> | <b>Building Height Standards.</b>                                 |
| <b>28.71.030</b> | <b>Uses Permitted Upon the Issuance of a Conditional Use Permit.</b> | <b>28.71.070</b> | <b>Lot Area, Frontage, and Outdoor Living Space Requirements.</b> |
| <b>28.71.040</b> | <b>Coastal Zone Review.</b>  | <b>28.71.080</b> | <b>Parking Requirements.</b>                                      |

**28.71.010 In General.**

The regulations contained in this Chapter shall apply in the OC Zone unless otherwise provided in this Title. This zone strives to achieve balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses shall be encouraged in this zone that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live. This zone is intended to foster a vital, mixed use neighborhood and preserve and protect the coastal environment in terms of light, air, and visual amenities.

Land classified in the OC zone may also be classified in the HRC-2 (Hotel and Related Commerce 2) zone and those land uses authorized within the HRC-2 zone are also allowed uses within the dual OC/HRC-2 zone. (Ord. 5343, 2005.)

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2009 vs. 2004 HARBOR AREA USES

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OCEAN DEPENDENT USES

Location	Name	Interior Square Feet	Exterior Square Feet	Primary or Secondary Use per Municipal Code	Change in Use since 2004	Notes
113 Harbor Way	Channel Islands Nat'l Marine Sanc. Offices	1,476		Primary – marine oriented gov't facility	No	Lease exp 3/31/2010
117-A Harbor Way	SB Fish Market	1,137		Primary-seafood processing	Yes-expansion	Lease exp 8/31/2011; one 5-year option
118 Harbor Way	SB Sailing Club		8,677	Secondary-boat storage	No	Lease exp 5/30/2015
122 Harbor Way	Harbor Marine Works		35,864	Primary-boat yard/repair facility	No	Lease exp 2/28/2011
130 Harbor Way	SB Yacht Club	6,789	67,875	Primary-other	No	Lease exp 12/31/2014
132-A Harbor Way	Harbor Patrol Admin. Offices	4,096		Primary – marine oriented gov't facility	No	Admin. office consolidated w /Harbor Patrol 2005
117-C Harbor Way	Maintenance Shop	1,996		Primary – marine oriented gov't facility		
301 West Cabrillo	Sea Landing	2,223	20,909	Primary-boat mooring	No	Lease Exp 6/30/2011; two 5-year options
303 West Cabrillo	SB Sailing Center		18,993	Primary-boat mooring	No	Lease exp 12/31/2009
City Pier	Open-Air Saturday Fishermen's Market			Secondary-seafood sales	No	License agreement executed 4/95
City Pier	McCormix Fuel Dock		1,344	Primary- fuel dock	No	Lease exp 4/30/2013; two 5-year options
City Pier	USCG Cutter Blackfin			Primary-boat mooring	No	
Marina 1	SB Drydock		3,634	Primary-boat repair facility	No	Lease expired; holdover status; (month-to-month)
Marina 1	SB Youth Foundation		2,500	Primary-boat mooring	No	Lease exp 1/31/2019

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OCEAN RELATED USES

Location	Name	Interior Square Feet	Exterior Square Feet	Primary or Secondary Use per Municipal Code	Change in Use since 2004	Notes
113 Harbor Way	SB Maritime Museum	6,820	892	Secondary - museum	No	Lease exp 7/28/2013; five 5yr options
117-B Harbor Way	Paddle Sports	1,556	374	Secondary - ocean related equipment rental	No	Lease exp 5/31/2012
117-D Harbor Way	Blue Water Hunter	852		Secondary - diving gear	No	Lease exp 2/28/2011
117-G Harbor Way	Transpac Marine	493		Secondary - marine equipment	No	Lease exp 9/98; holdover status; (month-to-month)
125 Harbor Way #3,4, 5	Chandlery	483		Secondary - boat sales	No	Lease exp 1/31/2011; one 5-year option
125 Harbor Way #6	Harbor Mail Center	140		Secondary - other	No	Lease exp 10/31/2009
125 Harbor Way #7	Occanaire Electronics	339		Secondary - marine equipment	No	Lease exp. 3/31/2010; one 3-year option
125 Harbor Way #1, 10&11	Seacoast Yacht Sales	562		Secondary - boat sales	No	Lease exp 2/28/2011
125 Harbor Way #12	Fuel Dock Office	218		Secondary - ocean related office	No	Lease exp 10/20/2009
125 Harbor Way #13&24	Sunset Kidd Yacht Sales	326		Secondary - boat sales	No	Lease exp 9/30/2013; one 5-year option
125 Harbor Way #16	Marine Center Classroom	782		Secondary other	No	
125 Harbor Way #23	Mike Pyzel, Marine Surveyor	167		Secondary - marine surveyor	Yes	Lease exp 2/28/2010 Formerly Channel Crossings Press
132-B Harbor Way	West Marine	4,258		Secondary - marine equipment	No	Lease exp 9/30/2011; two 5-year options
Total Square Feet		16,996	1,266			

**VISITOR SERVING USES**

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Location	Name	Interior Square Feet	Exterior Square Feet	Primary or Secondary Use per Muni Code	Change in Use since 2004	Notes
107 Harbor Way	Breakwater Restaurant	2,038	1,540	Secondary-restaurant	No	Lease exp 11/30/2010; two 5-year options
113 Harbor Way	Park Service, & NOAA Visitor Center	324	200	Secondary-ocean related cultural	No	Lease exp 1/12/2003
113 Harbor Way	Waterfront Grill	5,029	2,382	Secondary-restaurant	No	Lease exp 2/28/2014; five 5yr options
117-E Harbor Way	Minnow Café	808		Secondary-restaurant	No	Lease exp 3/31/2008
117-H Harbor Way	Brophy Brothers Prep & Storage	994		Secondary-restaurant	No	Lease exp 1/30/2010
119-A Harbor Way	Brophy Brothers Restaurant	2,203		Secondary-restaurant	No	Lease exp 1/30/2010
119-B Harbor Way	Sushi Go Go	198		Secondary-restaurant	No	Lease exp. 11/30/2011
119-C Harbor Way	"The Store" at Brophys	521		Secondary-marine oriented specialty and gift shop	No	Lease exp 7/10/2011; Formerly Breakwater T's
119-D Harbor Way	Brophy Brothers Clam Bar	380		Secondary-restaurant	No	Lease exp 1/30/2010
125 Harbor Way #8	Harbor Market	676		Secondary-store under 2500 sq.ft.	No	Lease exp 4/30/2012
125 Harbor Way #14	Brophy Brothers Office	490		Secondary-office	No	Lease exp 11/30/09
125 Harbor Way #21	Marina Network	167		Secondary-office	Yes	Lease exp 1/31/2010; Was Channel Crossings Press
305 West Cabrillo	Boat Launch Mini Mart	536		Secondary-store under 2,500 sq.ft.	No	Lease exp 7/31/2009
801 Shoreline Drive	Shoreline Beach Cafe	5,098		Secondary-restaurant	No	Lease exp 5/23/2014
113- Harbor Way	Verizon Cell Site	800		Secondary-other	Yes	Lease exp 10/11/2010; four 5-year options
Total Square Feet		20,262	4,122			

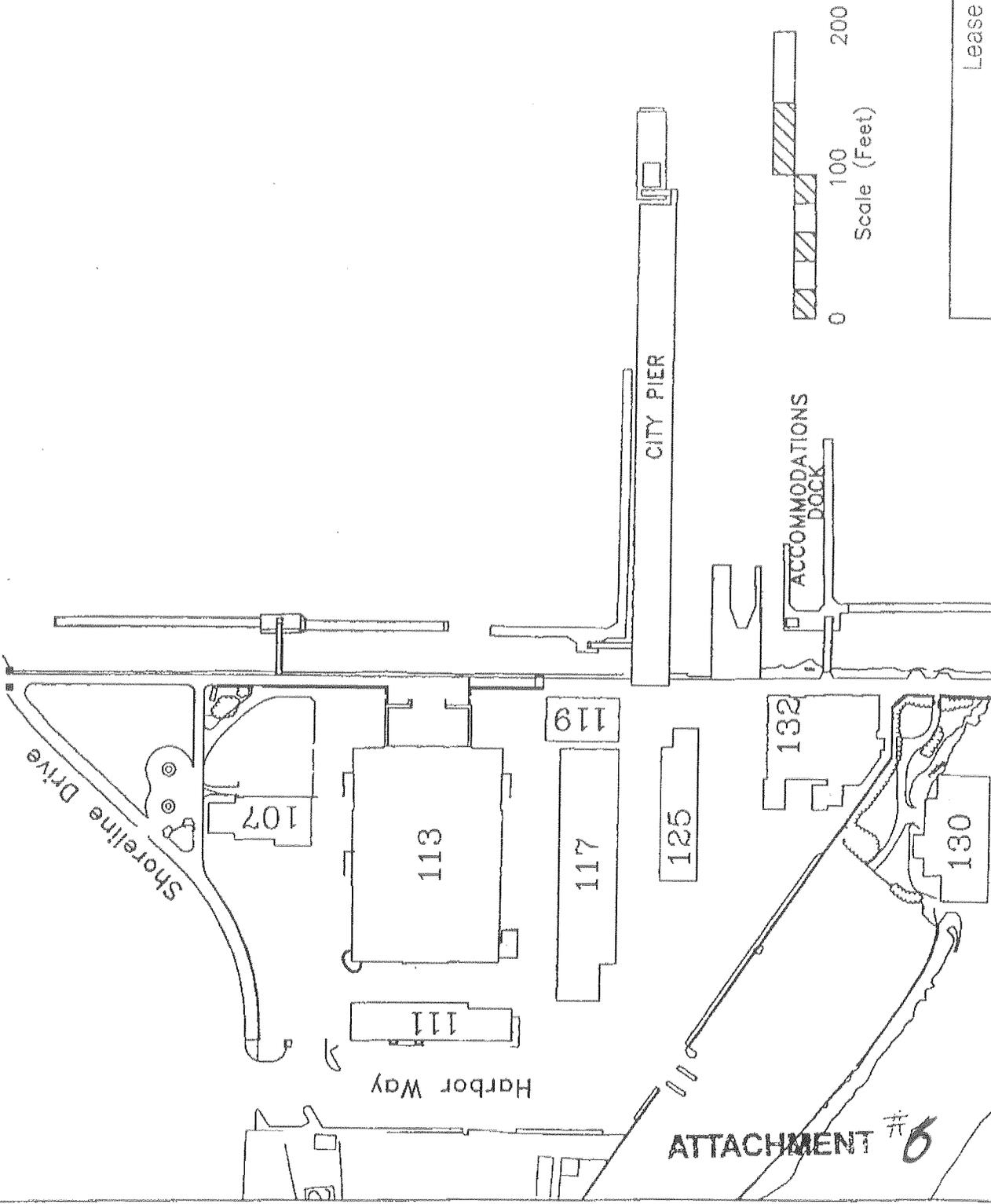
STEARNS WHARF USES

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Location	Name	Interior Square Feet	Exterior Square Feet	Approved Category per Municipal Code	Change in Use since 2004	Notes
219-G	Captain Don's Cruises	50		-ocean dependent other	No	Lease exp 9/30/2006; holdover status, (month-to-month)
210	Harbor Restaurant and Valet Lot	9,520	12,900	restaurant	No	Lease exp 12/31/2028; three 5-year options
211	Ty Warner Sea Center	6,327		ocean related museum	No	Lease exp 6/30/2010; two 6-year options and then one 5-year option
217-A	Old Wharf Trading Company	1,383		gift shop	No	Lease exp 11/30/2011; one 5-year option
217-C	Nature's Own Shells	423		gift shop	No	Lease exp 11/30/2011; one 5-year option
217-D	Topside Clothing	986		gift shop	No	Lease exp 11/30/2011; one 5-year option
217-E	Coastal Treasures	610		gift shop	No	Lease exp 2/28/2011; Formerly Galleria Del Mar/ Waterfront Art Gallery
217- G	Coastal Winery Inc.	890		store less than 2,500 sq.ft.	No	Lease exp 3/31/2010; Formerly Stearns Wharf Vintners
219-A	Great Pacific Ice Cream Co.	395		specialty	No	Lease exp 11/30/2011; one 5-year option
219-B	Mother Stearns Candy Co.	392		specialty	No	Lease exp 11/30/2011; one 5-year option
219-C	Deep Blue Sea	392		gift shop	No	Lease exp 11/30/2011; one 5-year option
219-E	Sea Center Office	205	84	office	Yes	Lease exp 10/31/2009; two 1-year options
219-E	Maintenance Office	523		office	No	Office, break room and locker room
220	Moby Dick Restaurant	5,960	1,320	restaurant	No	Lease exp 6/30/2030
221	Char West	1,069		restaurant	No	Lease exp 11/30/2011; one 5-year option
221-B	Madame Rosinka	153		specialty	No	Lease exp 9/30/2011
230	Santa Barbara Shellfish Company	1,160		restaurant	No	Lease exp 9/1/2011; one 6-year option
232	Stearns Wharf Bait and Tackle	260		bait & tackle shop	No	Lease exp 7/31/2011; one 5-year option Formerly Angel's Bait & Tackle
Total S.F.		30,698	14,304			

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REVISIONS		DATE	DESCRIPTION	BY	APP'D
10-22-03 LN					
Lease Area Exhibit A					
City of Santa Barbara Waterfront Department					



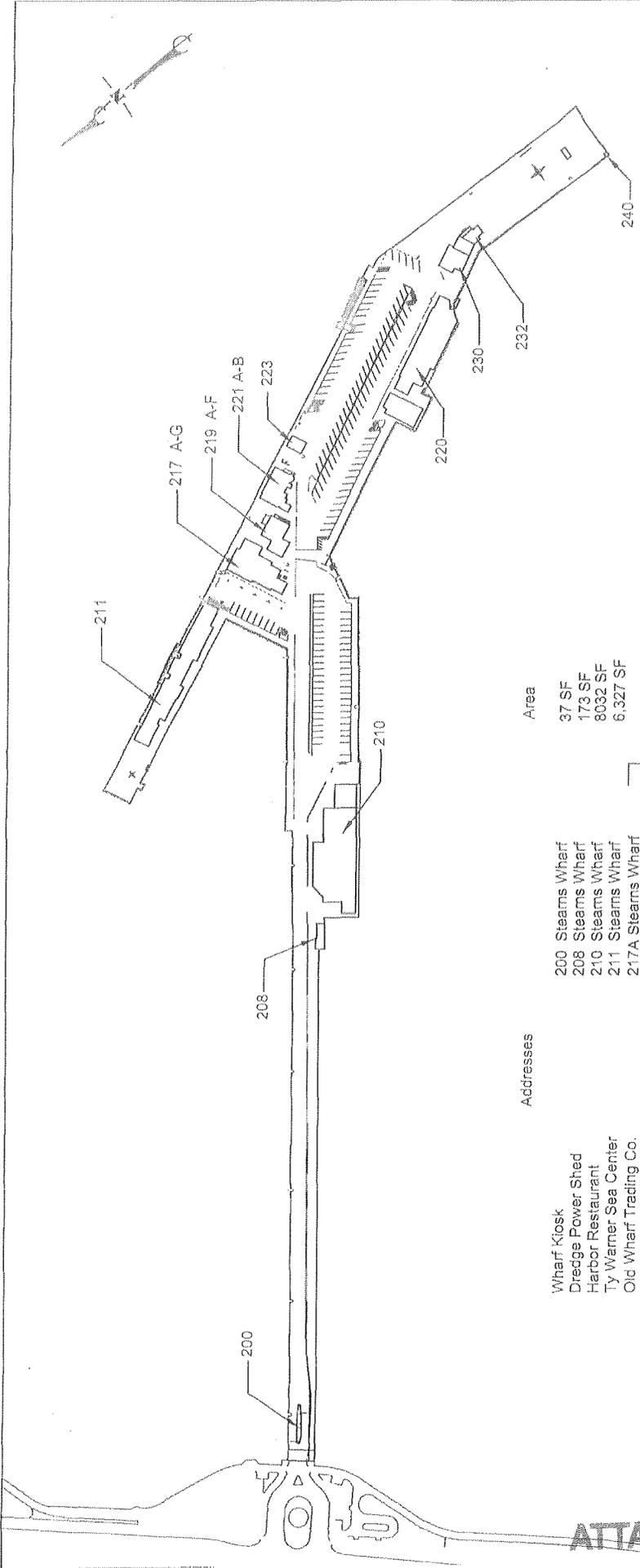
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2000-089

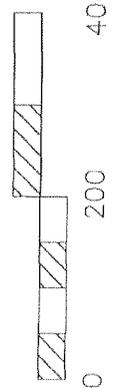
# Stearns Wharf

City of Santa Barbara, Waterfront Department



Addresses	Area
Wharf Kiosk	37 SF
Dredge Power Shed	173 SF
Harbor Restaurant	8032 SF
Ty Warner Sea Center	6,327 SF
Old Wharf Trading Co.	
Nature's Own	
Topside	
Coastal Treasure	2932 SF
Stearns Wharf Vintners	
Great Pacific Ice Cream Co.	
Mother Stearns	
Devil and the Deep Blue Sea	1276 SF
City Maintenance Office	
Moby Dick Restaurant	4586 SF
Char West Restaurant	
Madame Rosinka	1546 SF
City Maintenance Shed	370 SF
Santa Barbara Shellfish	
Bait and Tackle	1538 SF
Coast Guard Light	
200 Stearns Wharf	
208 Stearns Wharf	
210 Stearns Wharf	
211 Stearns Wharf	
217A Stearns Wharf	
217C Stearns Wharf	
217D Stearns Wharf	
217E Stearns Wharf	
217G Stearns Wharf	
219A Stearns Wharf	
219B Stearns Wharf	
219C Stearns Wharf	
219F Stearns Wharf	
220 Stearns Wharf	
221A Stearns Wharf	
221B Stearns Wharf	
223 Stearns Wharf	
230 Stearns Wharf	
232 Stearns Wharf	
240 Stearns Wharf	

Wharf Total Area = 180,500 Square Feet



Scale (Feet)

ATTACHMENT #7