

14 CONSISTENCY ANALYSIS – COASTAL LAND USE PLAN (LUP) CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 6 OF THE CALIFORNIA COASTAL ACT

CHAPTER 6 – IMPLEMENTATION

ARTICLE 1 – LOCAL COASTAL PROGRAM

Section 30500 Preparation

(a) The City of Santa Barbara has prepared a Local Coastal Program (LCP) for the portion of the Coastal Zone within its jurisdiction. The Land Use Plan (LUP) portion was certified in 1981 and the Implementation Plan (IP) portion was certified in 1986. The subject of the 2018 LCP Amendment is a comprehensive update of the Coastal LUP and an update to the LCP Land Use Map. The 2018 Coastal LUP includes a public access component to assure that maximum public access to the coast and public recreation areas is provided, as described in Chapter 3.1 Public Access.

(b) This section references Government Code §65358 *Preparation, Adoption, and Amendment of the General Plan*. Consistent with §65358, the 2018 LCP Amendment does not constitute a general plan amendment for the purpose of developing a certified LCP.

(c) The City's 2018 LCP content was determined in full consultation with local California Coastal Commission (CCC) staff over a period of four years and with full public participation. Details about the consultation process and public participation are provided in LCPA Application Material #8.

Section 30500.1 Housing policies & programs

The Coastal LUP was not required to include housing policies and programs

Section 30501 Procedures

Not applicable, this is a CCC procedure.

Section 30502 Designation of sensitive coastal resource areas

Not applicable, this is a CCC procedure.

Section 30502.5 Recommendation by Commission to Legislature; disposition

Not applicable, this is a CCC procedure.

Section 30503 Opportunity for public participation

The public, affected governmental agencies, and special districts were given maximum opportunities to participate in the 2018 LCP Amendment. The public was first notified of the LCP Amendment in 2014 when City Council adopted a resolution to initiate the LCP Update, followed by a Planning Commission hearing to provide an overview of the work program. In 2017 an Open House was held to introduce the public review draft Coastal

LUP, followed by multiple Boards and Commissions and stakeholder meetings. Prior to the public hearing process for local adoption of the Coastal LUP, the City prepared a Public Participation and Agency Coordination Plan, consistent with the California Code of Regulations §13515. This plan was reviewed and approved by the South Central Coastal District office of the CCC. The Planning Commission and City Council hearings for approval of the LCP Amendment were held in 2018. Details about public outreach and notifications are provided in LCPA Application Material #8.

Section 30504 Special districts; submission of plans

Not applicable.

ARTICLE 2 – PROCEDURE FOR PREPARATION, APPROVAL, AND CERTIFICATION
OF LOCAL COASTAL PROGRAMS

Section 30510 Submission to Commission

(a) A resolution was adopted by the City of Santa Barbara, after a public hearing of City Council, that certifies the LCP shall be implemented in a manner fully conforming with the Coastal Act of 1976, provided in the LCPA Application Material #9.

(b) The 2018 LCP Amendment contains materials as guided by CCC staff recommendations and sufficient for a thorough and complete review.

Section 30511 Submission schedule

Not applicable, this section is for submission of land use plans not already submitted.

Section 30512 Land use plan; submission; certification; modifications

Not applicable, this is a CCC procedure.

Section 30512.1 Repealed

Section 30512.2 Land use plan; criteria for decision to certify or refuse certification

Not applicable, this is a CCC procedure.

Section 30513 Zoning; approval; grounds for rejection; modifications; resubmission

Not applicable, the subject of the 2018 LCP Amendment is not the zoning ordinance or other implementing actions.

Section 30514 Program amendment; commission certification; procedure; minor or de minimis amendments; amendments requiring rapid action; guidelines

(a) The 2018 LCP Amendment will not take effect until it has been certified by the commission, as stated in the signed City Council resolution of August 7, 2018, provided in LCPA Application Material #9.

(b) The 2018 LCP Amendment was submitted to the CCC in accordance with CCC procedures. This is the City's only LCP Amendment, to date, of calendar year 2018.

(c) Not applicable.

(d) Not applicable, the 2018 LCP Amendment is not de minimis.

(e) Not applicable.

Section 30514.1 Findings, written notice or explanation; time limit

Not applicable, this is a CCC procedure.

Section 30515 Amendment for public works project or energy facility development

Not applicable.

Section 30516 Approval; financial ability; severance of certified port master plan

(a) Not applicable, this is a CCC procedure.

(b) Not applicable, there is no certified port master plan incorporated in the LCP.

Section 30517 Extensions of time

Not applicable, this is a CCC procedure.

Section 30517.5 Schedule for submission of land use plans not already submitted; actions upon failure to meet schedule

(a) Not applicable, the City submitted the land use plan in 1981.

(b) Not applicable, the City met the schedule established pursuant to subdivision (a).

Section 30517.6 Submission of zoning ordinances, zoning district maps and other implementing actions; effects of failure to meet schedule

(a) Not applicable, the City submitted the zoning ordinances, zoning district maps, and other implementing actions in 1985.

(b) Not applicable, the City met the schedule established pursuant to subdivision (a).

Section 30518 Repealed

Section 30519 Delegation of development review authority; recommendation of amendments to program

(a) The City of Santa Barbara is the development review authority for new development proposed within the certified LCP.

(b) The City's development review authority does not apply to certain tidelands and submerged lands, on public trust lands, or within Santa Barbara City College.

(c) Not applicable, the CCC has not recommended an LCP Amendment to accommodate uses of greater than local importance not permitted by the certified LCP.

Section 30519.1 City of Carlsbad; housing for persons and families of low or moderate income; issuance of coastal development permits

Not applicable.

Section 30519.2 Annexation of all or part of annexed area in the County of Orange by the City of Newport Beach; occurrences and duties resulting from annexation; local coastal program

Not applicable.

Section 30519.5 Periodic review of certified local programs; recommendations; reports

Not applicable, this is a CCC procedure.

Section 30520 Judicial prohibition or stay; exercise and reinstatement of permit authority; issuance of coastal development permit

Not applicable, the application of the certified local coastal program has not been prohibited or stayed by any court.

Section 30521 Repealed

Section 30522 Degree of environmental protection

The City's 2018 LCP Amendment protective of coastal resources and does not provide a lesser degree of environmental protection than that provided by the plans and policies of any state regulatory agency. See LCPA Application Material #15.

Section 30523 Specificity of local coastal program; legislative intent

This section states that LCPs certified by the commission are intended to be sufficiently specific to meet the requirements of Section 30108.5, but not so detailed as to require LCP amendments for minor changes. Section 30108.5 requires the land use plan to indicate the kinds, locations, and intensity of land uses, the applicable resource protection and development policies, and, where necessary, a listing of implementing actions.

The kinds, locations, and intensity of land uses is described in the 2018 Coastal LUP Chapter 2.1 Land Use & Development, Tables 2.1-1 through 2.1-5 which indicate land

use categories, designations, and intensity of land use in the Coastal Zone. Figure 2.1-1 LCP Land Use Map illustrates the location of the land uses described in Tables 2.1-1 through 2.1-5.

The applicable resource protection and development policies are included in each chapter of the Coastal LUP. The parentheses lists the applicable CCA Chapter 3 *Coastal Resources Planning and Management Policies* article heading relevant to each chapter:

- Chapter 2.1 Land Use & Development (public access, recreation, development)
- Chapter 2.2 Coastal-Dependent & Related Development (public access, recreation, development)
- Chapter 3.1 Public Access (public access, development)
- Chapter 3.2 Visitor-Serving & Recreational Facilities (public access, recreation, development)
- Chapter 4.1 Biological Resources (marine environment, land resources)
- Chapter 4.2 Water Quality (marine environment)
- Chapter 4.3 Scenic Resources (development)
- Chapter 4.4 Cultural Resources (land resources)
- Chapter 5.1 Coastal Hazards (marine environment, development)
- Chapter 6.1 Public Works and Energy (marine environment, development)
- Chapter 6.2 Highway 101 (public access, development)

The implementing actions for the 2018 Coastal LUP are listed in each chapter's policies under the heading "City Planning Efforts & Programs". These policies are to be implemented by the City, either as City initiatives, through regulations, or other City programs. The policies listed under the heading "Development Review Policies" are implemented through the review and approval of coastal development permits as development requests are submitted.

Section 30525 Sensitive resource values; identification; protection in promulgation of local coastal program

(a) No state agencies have identified within the City of Santa Barbara's Coastal Zone sensitive resource values within areas particularly susceptible to adverse impacts from nearby development, nor have they identified the location and type of development that would have a significant adverse impact on those sensitive resource values.

(b) No sensitive resource values were identified by state agencies. However, applicable state and federal agencies were notified about the City's LCP Update effort by USPS mail (and email where available) at project initiation (2014), during the review period for the Public Review Draft Coastal LUP (2017), and during the public hearing process (2018). No state agency responded or advised the City of particular considerations that should be evaluated during the preparation of the LCP to protect identified sensitive resource values. There was one comment letter from the United States Fish and

Wildlife Service received in 2018 and edits were made to Chapter 4.1 Biological Resources in response.

(c) Not applicable, there is no work already completed pursuant to Public Resources Code Chapter 7 – Urban Waterfront Restoration that identified sensitive resource values.

(d) This section defines “sensitive resource values”. As noted earlier, state agencies have not identified sensitive resource values particularly susceptible to adverse impacts from nearby development in the City’s Coastal Zone.

Section 30526 Coastal development in Los Peñasquitos Lagoon area in City of San Diego; mitigation fee program.

Not applicable.