

CALIFORNIA COASTAL COMMISSION

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Steve Goggia
City of Carpinteria Community Development Department
5775 Carpinteria Ave
Carpinteria, CA 93013
Email: steveg@carpinteriaca.gov

RE: Draft City of Carpinteria Housing Element Update

Dear Mr. Goggia:

Coastal Commission staff has reviewed the Revised Draft Housing Element and Technical Report for the Draft 2023-2031 Housing Element Update prepared by the City of Carpinteria (the City) dated April 2023, and we appreciate the opportunity to provide comments for your consideration.

The revised Draft 2023-2031 Housing Element Update is aimed to address State requirements for cities to facilitate increased housing production, particularly higher-density multi-family housing. Appendix B of the Technical Report provides the City's detailed sites inventory analysis, which outlines a deficit of sufficient sites to accommodate the City's RHNA allocation in the very-low- and low-income categories. As a solution, the City is currently proposing a zoning strategy that would allow the adoption of an "R Overlay" designation to facilitate future growth through the allowance of stand-alone residential (i.e., residential only) or a mix of residential and commercial uses at a density of 20 to 25 units/acre on parcels where stand-alone residential is not currently allowed.

As written, the overlay could be applied to certain sites identified in Section 3, Appendix B, of the Technical Report, which provides an inventory of sites that could be used to accommodate the City's present RHNA allocation as well as candidate sites for potential zoning amendments to increase capacity for new housing commensurate with future assignments. The candidate sites currently have zoning designations of Commercial, Visitor-Serving Commercial, Industrial/Research Park, Industrial, and Agricultural.

Amendments to the Zoning Code related to the R Overlay and application of the R Overlay to specific sites cannot become effective without amendments to the City's certified Local Coastal Program (LCP), following review and approval by the California Coastal Commission.

The proposed zoning changes raise concern in regard to existing protections for priority land uses identified in the Coastal Act and in the City's existing certified LCP, specifically in regard to agricultural and visitor-serving commercial uses. Further, sites located in proximity to the Carpinteria Salt Marsh raise issues with flooding and other coastal hazards, particularly with anticipated sea level rise. Finally, potential sites that contain or

are adjacent to creeks or other environmentally sensitive areas raise issue with regard to ESHA protection, water quality, and flooding hazards in consideration of sea level rise.

Several such policies are included for reference on page 4 of this letter.

The certified LCP contains specific objectives and policies (including the Chapter 3 policies of the Coastal Act) which require the protection of agriculture, and the protection of existing and the provision of new visitor-serving commercial uses throughout the City's jurisdiction. Objectives and policies associated with flexible land use allow for certain use changes, including the creation of residential overlays, but only where support for existing protections can be demonstrated.

The Coastal Act and Carpinteria LCP require the protection of coastal agriculture, including that the maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy. A conversion of agricultural land to other uses is only allowable under very limited circumstances, based on the detailed analysis of agricultural viability and other factors.

Further, among the most important goals and requirements of the Coastal Act and the LCP is the mandate to protect, provide, enhance, and maximize public access, with an important component of public access being the availability of lower cost visitor serving facilities, particularly lower cost³ overnight accommodations. This allows members of the public that live further from the coast, including those with lower income, to stay near the coast and gain access to the beach and ocean.

As written, the revised Draft 2023-2031 Housing Element Update includes sites that the City identifies as candidates for zone change to apply the R overlay (allowing stand-alone residential development). Some of those candidate sites are zoned for and contain existing coastal agriculture. Conversion of agriculture to residential use in those cases would need to meet all of the LCP criteria for such conversion. Similarly, there are candidate sites that are currently developed with visitor serving uses or zoned for such use. Rezoning of those sites and conversion to residential use will need to address the Coastal Act and LCP limitations on eliminating such high priority uses. Any conversions of agriculture or visitor serving uses will need to be supported by detailed analyses, based on substantial evidence, prior to the City's adoption of the future LCP amendment.

We would like to request that, moving forward, the City staff coordinate closely with Commission staff prior to City Council adoption of an LCP amendment(s) to include any necessary changes agreed upon by our respective staffs prior to formal submittal of an LCP to the Coastal Commission.

Such a collaborative process would allow our respective staffs to work together to most efficiently address and resolve any potential issues relating to consistency between future LCP amendments associated with the City's draft Housing Element and the coastal resource protections of the Coastal Act and certified LCP while minimizing the number of potential suggested modifications by the Commission that might be necessary during the formal certification process. We think there would be great value

to this process in terms of maximum transparency and local public input on any such amendments and streamlined processing of related LCP Amendment submittal(s).

Thank you very much for considering our comments. We would welcome an opportunity to meet with your department to further discuss LCP development and staff coordination opportunities.

Sincerely,

Sam Fearer

Sam Fearer
Coastal Program Analyst

cc: Nick Bobroff, City of Carpinteria Community Development Department (nickb@carpinteriaca.gov)
Barbara Carey, CCC District Manager (Barbara.Carey@coastal.ca.gov)
Steve Hudson, CCC District Director (Steve.Hudson@coastal.ca.gov)

Relevant Policies

Agricultural Uses

Coastal Act Section 30241 states:

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Policy LU-1d of the LUP states:

Ensure that the type, location and intensity of land uses planned adjacent to any parcel designated open space/recreation or agriculture (as shown on Figure LU-1) are compatible with these public resources and will not be detrimental to the resource.

Objective LU-5 of the LUP states:

Maintain availability of agriculture, coastal-dependent industry and visitor-serving commercial development including hotels/motels, restaurants and commercial recreation uses.

Policy LU-5a of the LUP states:

The City shall continue to give priority to agriculture, coastal-dependent industry and visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over residential, general industrial, or general commercial development.

Objective OSC-9 of the LUP states:

Encourage and promote open-field agriculture as an independent, viable industry to meet the needs of present and future populations and to preserve the Carpinteria Valley's rural, open space character.

Policy OSC-9d of the LUP states:

Encourage conservation of agricultural production areas.

Policy OSC-9e of the LUP states:

Avoid the conversion of agricultural land to nonagricultural land uses except where conversion meets the criteria established by Sections 30241, 30241.5, and 30242 of the Coastal Act.

Visitor-Serving Commercial Uses

Coastal Act Section 30222 states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Objective LU-5 of the LUP states:

Maintain availability of agriculture, coastal-dependent industry and visitor-serving commercial development including hotels/motels, restaurants and commercial recreation uses.

Policy LU-5c of the LUP states:

The City shall prohibit the removal or conversion of visitor-serving development unless it will be replaced by development offering comparable visitor-serving opportunities.

Implementation Policy 1 of the LUP states:

A visitor serving zone district shall be maintained as a part of the city zoning regulations with the purpose of providing adequate opportunity for commercial development that

will serve visitors to the city. The visitor serving zone district shall apply to all visitor-serving commercial designated parcels.

Flexible Land Use and Zoning

Objective LU-6 of the LUP states:

Create flexible land use and zoning standards for general commercial and industrial parcels that allow opportunities for residential use to expand, as determined appropriate by the City, in response to changing needs relative to the jobs/housing balance locally and in the region, and as incentive toward the development of affordable housing.

Policy LU-6a of the LUP states, in relevant part:

... Mixed-use development shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site.

Policy LU-6b of the LUP states, in relevant part:

The City may consider and permit residential use on a parcel or parcels not designated for such use under certain circumstances... Residential use shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site... Residential Overlay shall be considered only after mixed use development, as allowed through policy LU-6a above, has been determined by the City to not be appropriate.

Policy LU-6c of the LUP states:

Parcels designated coastal-dependent industrial or visitor-serving commercial shall not be considered for mixed use or residential use, with the exception that second-story mixed use or residential use shall be allowed on visitor-serving commercial parcels in the Downtown Core District.