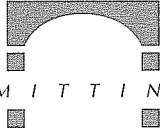


S U Z A N N E  E L L E D G E  
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

PRINCIPAL PLANNERS  
SUZANNE ELLEDGE • LAUREL F. PEREZ

30 July 2010

Board of Supervisors  
County of Santa Barbara  
105 E. Anapamu Street, Room 407  
Santa Barbara CA, 93101  
Attn: Michael Allen, Chief Deputy Clerk of the Board

Subject: California Coastal Commission Staff Recommended Modifications to  
County Land Use and Development Code

Dear Chair Wolf and County Board of Supervisors,

We want to acknowledge the efforts of County staff in working with CCC staff to address many of the concerns that were raised by those members of the public that are aware of the proposed CCC modifications to the County Land Use Development Code (LUDC).

In your last meeting, County staff advised you that further conversations with CCC staff had taken place and that potential compromises to address the concerns had been forged on many of the proposed modifications. In our brief review of the recently posted 350+ page staff report submitted by the CCC staff, it appears that some of County staff's requested changes have indeed been incorporated. However, in many cases, such as in the case of private stairways, CCC staff has either rejected the County's request or modified it.

We still believe that large segments of this community have been inadequately noticed and informed about the scope of the changes to the LUDC which was originally billed as an Ordinance reformatting project. Wide-scale noticing and workshops, like that which would occur during a community plan update, have not occurred. It is not surprising to us that the County did not hold these workshops because the project was not supposed to alter the substance or effect of the Ordinance. However, when the CCC staff decided to make wide-ranging modifications which amounted to an expansion of CCC permit authority and major modifications to permit regulations, they made no effort to notify the community. It was at this point that notification and engagement with the public should have occurred.

Notification of affected parties has primarily been carried forward by private individuals and there have been no workshops or discussions with the public to explain the proposed amendments to the LUDC or to allow time for thoughtful and well considered input. Instead, the public (those few who review the PC agendas or were advised by

watchdogs) has been presented with an enormous (350+ pages) package of changes and given no time to engage the proponents.<sup>1</sup>

It was surprising and disappointing to read the CCC staff's summary on Public Participation in their recent staff report:

**"PUBLIC PARTICIPATION**

*Section 30503 of the Coastal Act requires public input in **preparation** [emphasis added], approval, certification and amendment of any LCP. The County held public hearings for the County Land Use and Development Code (County Planning Commission Hearing 10/24/07; Board of Supervisors Hearing 11/27/07) and the Montecito Land Use and Development Code and rezone (Montecito Planning Commission Hearing 10/17/07) and Board of Supervisors Hearing 11/27/07). No written comments were received regarding the project from concerned parties and members of the public. One member of the public spoke in support of the project at the Montecito Planning Commission hearing. The hearings were noticed to the public consistent with Sections 13515 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties."*

The first thing to observe is that the public was clearly not involved in the preparation of these amendments. Secondly, the hearings cited in the CCC staff response were held in 2007, when the project was still a reformatting project and the substantial changes proposed by CCC staff had not been revealed to the County staff or to the public.

As was stated in a July 27th letter to your board by Beverly Boise-Cossart:

*"This<sup>2</sup> is but one example of the importance of including adequate public notification and participation in the LUDC modification process. While well intentioned, the CCC's staff has eliminated the reality check of how the proposed policies will play out on the ground. The public, which voted for and has supported the CCC for decades, deserves the respect of being a player at the table with their valid concerns fully addressed in the policy building process. We deserve a collaborative, holistic approach - not a limited, time constrained chance only to be reactive to unrealistic dictates."*

We concur. Without community notification and an engaged community discussion on the proposed Ordinance changes, we cannot know if all concerns have been identified and addressed. The public has had a very short time to review a significant amount of material in order to understand the proposed changes and their potential

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<sup>1</sup> Coastal Commission staff has not attended a single hearing.

<sup>2</sup> Regarding the problems that the proposed modifications will impose on Vista Del Mar school district

effects. Therefore, we can only hope that the changes will not result in unintended negative consequences. We are certain that a large majority of the community within the coastal zone is unaware of the Ordinance changes and so the potential for additional concerns or issues that have not been identified clearly exists.

It is surprising to us that our County, which prides itself on fostering full public participation, is not insisting on this now. Our position remains that adequate public notification and discussion of the CCC staff proposed Ordinance changes has not occurred, and these changes are trying to be tacked onto the end of an Ordinance reformatting project that was not supposed to result in changes to Ordinance procedure or requirements.

Thank you for listening to our concerns.

Sincerely,

**SUZANNE ELLEDGE**  
**PLANNING & PERMITTING SERVICES, INC.**

A handwritten signature in black ink, appearing to read "Steve Welton". The signature is fluid and cursive, with the first name "Steve" written in a larger, more prominent script than the last name "Welton".

Steve Welton, AICP  
Senior Planner