

ATTACHMENT 1: FINDINGS FOR APPROVAL

CASE NOS. 17 GPA-00000-00004 (Coastal Land Use Plan Amendment) and 17ORD-00000-00015 (Article II Coastal Zoning Ordinance Amendment)

1.0 California Environmental Quality Act (CEQA) FINDINGS

1.1 CEQA EXEMPTION

- 1.1.1** The Santa Barbara County Board of Supervisors finds that the proposed amendments to the Coastal Land Use Plan and the Article II Coastal Zoning Ordinance are exempt from environmental review under CEQA pursuant to State CEQA Guidelines Section 15265. See the Notice of Exemption (Attachment 2 to the Board Agenda Letter for the November 6, 2018, hearing) for more information.

2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35-180 (Amendments to a Certified Local Coastal Program) of the Article II Coastal Zoning Ordinance and the California Government Code, the Board of Supervisors shall make the following findings in order to recommend approval of amendments to the Coastal Land Use Plan and the Article II Coastal Zoning Ordinance:

2.1 The request is in the interest of the general community welfare.

The proposed amendments will promote public safety and general community welfare because potential threats from sea level rise and coastal hazards will be more clearly presented, defined, analyzed, accommodated, and avoided in future development projects. Through the coastal hazard maps, updated policies, and development standards, most new development and redevelopment will be typically located outside of coastal hazard areas and/or incorporate design elements intended to reduce potential threats from sea level rise and coastal hazards, thereby protecting life and property. Additionally, the amendments codify a process by which coastal landowners and developers will have a predictable permit process to analyze potential sea level rise and coastal hazards and incorporate adaptation or mitigation measures to reduce hazard risk. Codification of this process will provide greater certainty for the community, including coastal landowners and developers. Therefore, the proposed amendments to the Coastal Land Use Plan and Article II Coastal Zoning Ordinance are in the interests of the general community welfare.

2.2 The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and Article II.

The proposed amendments, as analyzed in the Board Agenda Letter for the November 6, 2018, hearing, which is hereby incorporated by reference, will reduce potential risks from sea level rise and coastal hazards and help protect existing and new development, habitat areas, public recreation areas, and other coastal development and resources. Section 6.2 of the August 1, 2018, County Planning Commission staff report (Attachment 8 to the Board Agenda Letter for the November 6, 2018, hearing), hereby incorporated by reference, contains a policy consistency analysis. Section 6.3 of the August 1, 2018, County Planning

Commission staff report (Attachment 8 to the Board Agenda Letter for the November 6, 2018, hearing), hereby incorporated by reference, contains an ordinance compliance analysis. Both the policy consistency and ordinance compliance analyses are summarized below, with State planning and zoning law consistency following the summaries.

As discussed in the policy consistency analysis, the proposed amendments will reduce potential threats from sea level rise and other coastal hazards and assist in the protection of existing and new development, habitat areas, public recreation areas, and other coastal resources. New proposed policies require that all new development conform to current Local Coastal Program policies and standards by: locating outside of identified sea level rise and coastal hazard areas; ensuring the provision of adequate public and private services during the anticipated lifetime of the development; complying with defined riparian buffer areas; siting and designing so as to not require a shoreline protective device for protection from coastal erosion; and incorporating other measures intended to protect public safety and coastal resources. Policies within the Seismic Safety and Safety Element of the Comprehensive Plan that require the County to minimize the potential effects of hazards are incorporated into the proposed amendments as well, by requiring hazard reports prepared by a qualified professional and requiring that new lots and new development be designed such that buildings and structures would be located outside of hazardous areas. Therefore, for these reasons, the proposed amendments are consistent with the Comprehensive Plan, including the Coastal Land Use Plan.

As discussed in the ordinance compliance analysis, the proposed amendments will not allow new or expand any existing land uses, increase permitted densities, or alter the purpose and intent of any regulations or development standards within the Article II Coastal Zoning Ordinance. The proposed amendments also would not eliminate any of the General Development Standards (Section 35-59), Local Design Standards (Section 35-144A), or any other Article II Coastal Zoning Ordinance regulations regarding design review, neighborhood compatibility, or protection of visual resources. The proposed amendments to Section 35-162 (Nonconforming Buildings and Structures) would continue to allow for normal repair and maintenance of existing structures but would not allow for activities that increase the size or nonconforming aspect of nonconforming structures. To approve a development project based on these proposed amendments, the County would still need to determine that the project is consistent with the whole of the Article II Coastal Zoning Ordinance, as applicable. Therefore, for these reasons, the proposed amendments are consistent with the Article II Coastal Zoning Ordinance.

The goals of the California Coastal Act are, in part, to “protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources,” as well as to “assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state” (Public Resources Code Section 30001.5(a), (b)). The proposed amendments are intended to meet these goals and comply with specific Coastal Act policies. For example, Coastal Act Section 30253 requires that new development minimize risks to life and property in hazardous areas. The proposed amendments will help identify potential hazards from sea level rise, and allow the County, property owners, and applicants

for land use entitlements to prevent, mitigate, and adapt to those hazards, thereby minimizing risks to life and property. Additionally, in some cases, the proposed amendments directly correlate County policies with Coastal Act policies. For example, changes to the County's shoreline protection device policies mirror the Coastal Act policies, and require additional standards to protect visual, biological, public access, and other coastal resources when permitting new shoreline protection devices. Coastal Act Section 30211 states that development shall not interfere with the public's right of access to the sea, and the proposed policies are in conformance by requiring the County to consider sea level rise when making recreation planning and coastal access decisions. In addition, the proposed amendments are consistent with the model policies proposed by the California Coastal Commission in its *Sea Level Rise Guidance* and *Revised Draft Residential Adaptation Policy Guidance* documents. For these reasons, the proposed amendments are consistent with the requirements of the State planning and zoning laws applicable to the Coastal Zone.

2.3 The request is consistent with good zoning and planning practice.

The County has existing policies to protect coastal development and resources from coastal hazards such as flooding and erosion. However, sea level rise and changes in climate due to increased global greenhouse gas emissions are predicted to lead to increased threats from coastal hazards. The County's Sea Level Rise and Coastal Hazards Vulnerability Assessment identified many potential impacts to coastal development and resources through the end of this century. Additionally, recent updates in sea level rise science and guidance from the State of California identify growing sea level rise threats resulting from thermal expansion of ocean waters and melting ice sheets. While the magnitude and timing of sea level rise impacts (e.g., coastal erosion and flooding) are not precisely known, the trend is clear, and the need to incorporate sea level rise and coastal hazards in planning, permitting, and investment decisions is increasingly evident, as noted in Section 1.1 of the Board Agenda Letter for the November 6, 2018, hearing, which is incorporated herein by reference. Thus, while erosion and flooding are not new hazards to coastal development, accelerating sea level rise will create greater risks for development in many coastal areas.

The proposed amendments, as analyzed in the County Planning Commission staff report dated August 1, 2018, and the Board of Supervisors Agenda Letter dated November 6, 2018, incorporated herein by reference, build upon the County's existing hazard-related policies to ensure that threats from existing and reasonably foreseeable future sea level rise and coastal hazards are considered when siting and designing new development. The proposed amendments also clarify potential measures to protect existing development and allow for modifications of, or removal of, threatened development for public health and safety. They also help protect coastal resources by, for example, taking into consideration the landward migration of foredunes as sea levels rise, and by requiring that new shoreline protective devices are designed to mitigate any adverse impacts on coastal resources. Therefore, the proposed amendments are consistent with good zoning and planning practices.