



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: December 6, 2011
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn Russell, Ph.D. Director, Planning and Development
Director(s) (805) 568-2085
Contact Info: Alice McCurdy, Deputy Director, Development Review South
(805) 568-2518
**SUBJECT: More Mesa Shores Slope and Stairway Repair, 11EMP-00000-00006,
Second Supervisorial District**

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

Receive and file this report on Emergency Permit 11EMP-00000-00006, which authorized slope repair, drainage system repair and repair of a private coastal bluff stairway located at the end of Orchid Lane within the More Mesa Shores Beguhl Tract (Assessor Parcel Numbers 065-310-016, 065-310-017, 065-310-018). A copy of the Emergency Permit is enclosed.

Summary Text:

Section 35-171 of the Coastal Zoning Ordinance (Article II) authorizes the Director of the Planning and Development Department (P&D) to temporarily defer the permit requirements of Article II and issue an Emergency Permit when emergency action is warranted by a person or public agency. Section 35-171.6 of Article II requires the Director to submit a written report describing the emergency action to the Board of Supervisors and the California Coastal Commission after issuing an Emergency Permit.

The subject properties are located at 5235 and 5257 Austin Road, in the Goleta area. P&D issued an Emergency Permit (11EMP-00000-00006) to the More Mesa Shores Homeowners Association for slope repair, drainage system repair and repair of a private coastal bluff stairway on October 10, 2011. Issuance of this Emergency Permit was based upon a clear demonstration of need as supported by reports from two different engineers and a geologic evaluation which indicated a need for slope, drainage system and stairway repair in order to prevent slope destabilization and unsafe stairway conditions.

Approval of the Emergency Permit followed County Zoning Administrator approval of a Coastal Development Permit (10CDH-00000-00032) on September 12, 2011. The Emergency Permit covers most but not all of the work approved under the Coastal Development Permit (CDH). The approved emergency work does not include repairs to the portion of the stairway potentially located within State jurisdiction. Permit conditions related to this aspect of the CDH require dedication of lateral beach easements and receipt of a lease from the California State Lands Commission. The process to complete these conditions with the California State Lands Commission is anticipated to take up to 9 months. This 9 month time period would not allow for timely correction of the emergency situation described in the aforementioned reports and therefore an Emergency Permit was approved. As discussed in the staff report for Case No. 10CDH-00000-00032 (included as Attachment-C to 11EMP-00000-00006), and incorporated herein by reference, the proposed work would not be in violation of any applicable regulations, including the Coastal Zoning Ordinance, Coastal Land Use Plan, Coastal Act and Goleta Community Plan.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

County costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board-approved fee resolution. Permit revenues are budgeted in Departmental Revenues of the Development Review South Division on page D-314 of the adopted 2011-2012 fiscal year budget. County costs for the preparation of the Emergency Permit are reimbursed by the applicant in conformance with the current fee resolution. Processing of this Emergency Permit has required 14 staff hours at a rate of \$184.53 per hour, for a cost of \$2,583.42 to the project applicant.

Staffing Impacts:

Legal Positions:

N/A

FTEs:

N/A

Special Instructions:

None

Attachments:

Emergency Permit 11EMP-00000-00006

Authored by:

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cc:

Anne Almy, Supervising Planner