

County Board of Supervisors

California Coastal Commission Recommended Modifications to the County & Montecito Land Use & Development Codes

April 6, 2010

Recommendation

- Request a continuance of the April 15 hearing from the Coastal Commission
 - Allow for adequate time to review the suggested modifications before the Board of Supervisors comments on the amendments.
 - Direct staff to take the suggested modifications to the County and Montecito Planning Commissions and Agricultural Advisory Committee for comment

Background

- New County and Montecito Land Use & Development Codes adopted by the County in November 2007
- Sent to the Coastal Commission for certification as an amendment to the County's Local Coastal Program in December of 2007
- Coastal Commission accepted as complete for processing in September of 2008

Background

- Deadline for Coastal Commission to act on LCP amendment in November 2009
- County withdrew and resubmitted in September 2009
- New Coastal Commission deadline to act on the LCP amendment is February 2011
- Coastal Commission certification hearing scheduled for April 15, 2010 in Ventura.

Summary of Recommended Modifications

- Minor clarifications, clean-up & corrections
- Beneficial modifications
 - Recent process improvement amendments
 - Solar energy systems permit streamlining
 - Time extensions for economic hardship
- Modifications staff does not agree are necessary
- Significant modifications that appear to be required by the Coastal Act

Summary of Recommended Modifications

- Modifications staff does not agree are necessary
 - Designating subdivisions, lot line adjustments, and voluntary mergers as land uses that require a Coastal Development Permit
 - Restricting stairways on coastal bluffs to those that provide public access

Summary of Recommended Modifications

- Modifications staff does not agree are necessary (cont.)
 - Eliminating notice procedures for Coastal Development Permits following approved discretionary projects
 - Requiring Coastal Development Permits following Amendments to Conditional Use Permits and Development Plans for appealable development

Summary of Recommended Modifications

- Significant modifications that appear to be required by the Coastal Act
 - Designation of certain land uses as Principal Permitted Uses
 - Agricultural zones
 - Residential & Resource Management zones
 - Commercial & Industrial zones

Summary of Recommended Modifications

- Significant modifications that appear to be required by the Coastal Act (cont.)
 - Elimination of incompatible uses in certain zones
 - Specifying that intensification of agricultural operations require a Coastal Development Permit

Summary of Recommended Modifications

- Significant modifications that appear to be required by the Coastal Act (cont.)
 - Add development standards addressing sea level rise
 - Restrict agricultural operations in the Toro Canyon Area to slopes less than 30 percent

Next Steps

- Following Coastal Commission action, Board of Supervisors acts to either accept or reject all certified modifications
- If Board rejects modifications then:
 - Existing Article II Coastal Zoning Ordinance remains in effect
 - Amend County and Montecito Land Use & Development Codes to remove coastal regulations
 - Reprocess recently approved amendments in Article II format