



June 30, 2010

Santa Barbara County Board of Supervisors
105 E. Anapamu Street
Santa Barbara, CA 93101

Re: California Coastal Commission (CCC) Suggested Modifications to County and Montecito Land Use and Development Codes (LUDC)

Dear Honorable Supervisors:

The following comments are submitted by the Environmental Defense Center (EDC), Community Environmental Council, Heal the Ocean, Santa Barbara County League of Conservation Voters, Naples Coalition, Conception Coast Project, Citizens for Goleta Valley, La Purisma Audubon Society, Santa Barbara Surfrider Foundation, Sierra Club Santa Barbara Group, Sierra Club Point Arguello Group, Carpinteria Valley Association, Santa Barbara Urban Creeks Council, Monarchs Unlimited, Friends of the Ellwood Coast, The Tree Amigos of Orcutt, Coalition for Sustainable Transportation (COAST), Santa Barbara County Action Network (SBCAN) HOT Committee, Citizens for Carpinteria Bluffs in response to the California Coastal Commission (CCC) Suggested Modifications to County and Montecito Land Use and Development Codes (LUDC).

In April 2010, the CCC suggested modifications to Santa Barbara County's LUDC amendments to ensure LUDC compliance with the Coastal Act. Our groups support these suggested modifications and urges the County to accept them for the following reasons:

- Updating the LCP will ensure that local land use decisions in the coastal zone are made in compliance with the Coastal Act. This will better protect our coast. Without the Coastal Act, places like Ellwood, Naples and Gaviota would likely be far more developed than they are today.
- The CCC's suggested modifications increase opportunities for public participation by creating more opportunities for public hearings and public (and applicant) appeals of important land use decisions.

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- The CCC suggested modifications have been long-anticipated. The County was notified by the CCC more than a decade ago that Santa Barbara County's LCP was one of three LCPs in the state in most need of update to comply with the Coastal Act. (See CCC May 4, 2001 memo.)
- If the CCC's suggested modifications are rejected, the County would be forced to go back to Article II. Recently approved amendments to the LUDC that would affect the coastal zone would have to be reprocessed in the Article II format and resubmitted to the CCC for certification, further delaying implementation. If this were the case, the County would lose updates to the IV Master Plan, Eastern Goleta Valley Residential Design Guidelines, Santa Barbara Ranch, process improvements regarding permit applications for sign plans, road naming, septic systems within Special Problems Areas, Solar Energy Systems, Special Care Facilities, and time extensions (for economic hardship). The County would also fall out of compliance with state housing mandates (RHNA) numbers.
- Typically local land use decisions are and will continue to be made at the local level. The Coastal Act provides guidance and a necessary check and balance system, and provides for sound coastal planning throughout the state. The Coastal Act was overwhelmingly approved by voters to protect the public's right to a clean and healthy coastline.

Our groups would like to express support for the proposed CCC LUDC changes, as the CCC provides critical guidance in support of local jurisdictions' permitting authority, and serves as an important resource that protects our coastline. For example, after the County approved massive development at Ellwood Mesa during the 1990's, the CCC rejected these development approvals as improperly harming sensitive coastal resources that are protected under the Coastal Act. As a result, Santa Barbara County reconsidered the project and ultimately approved a plan that sites housing appropriately and created a permanent open space for our region. This solution would not have occurred but for the involvement and oversight of the CCC and adherence to the requirements of the Coastal Act.

County staff recommends acceptance of most of the changes requested by the CCC. The staff report, however, does identify certain aspects of the proposed LUDC update that are of concern to the County. EDC and the other groups signing this letter urge the County to accept these suggested modifications, in order to achieve prompt certification of the LCP (including the projects identified above) and to ensure compliance with the Coastal Act. As an example, we continue to agree with the CCC that lot mergers require coastal development permits (CDPs). As the CCC staff report describes, lot mergers are considered "development" under the official definition of the Coastal Act because they can change the intensity of land use. As the Naples project has shown, lot mergers *do* have the potential to change and increase the intensity of land use, and should require a CDP. Our groups support this proposed modification to the LUDC.

The County should continue to support efforts to facilitate voluntary habitat restoration projects that (1) increase the area, quality and / or functions of native habitats, (2) do not displace ESHA or rare species, (3) and do not result in long-term adverse environmental effects.

EDC and the groups signed onto this letter thank County staff for working actively with the CCC staff to refine the language contained in the proposed revisions, and believe that the ongoing exchange of ideas with CCC staff has been a productive process. Further, the proposed modifications will help to bring the County's LCP up to date with the requirements of the Coastal Act, avoid undue delays in the implementation of several important projects in the County, and help foster sound planning practices in the County.

Our groups appreciate the opportunity to provide comments on the proposed LUDC amendments, and looks forward to the Board's deliberations on this important document.

Sincerely,



Linda Krop,
Chief Counsel



Brian Trautwein
Environmental Analyst

Environmental Defense Center
Community Environmental Council
Heal the Ocean
Santa Barbara County League of Conservation Voters
Naples Coalition
Conception Coast Project
Citizens for Goleta Valley
La Purisma Audubon Society
Surfrider Foundation Santa Barbara Chapter
Sierra Club – Santa Barbara Group
Sierra Club - Point Arguello Group
Carpinteria Valley Association
Santa Barbara Urban Creeks Council
Monarchs Unlimited
Friends of the Ellwood Coast
The Tree Amigos of Orcutt
COAST
Santa Barbara County Action Network (SBCAN) HOT Committee
Citizens for Carpinteria Bluffs

cc: Glenn Russell
Dianne Black
California Coastal Commission