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OUR FILE NUMBER

21901.1

July 5, 2010

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

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

Dear Board Members:

Thank you for the opportunity to provide comment on the Coastal Commission staff's recommended modifications to the Land Use and Development Code (LUDC). We have participated in the Zoning Ordinance Reformatting Project (ZORP) since its inception and believe that the scope of the suggested modifications go far beyond the simple reformatting effort as originally envisioned, and have far reaching ramifications and unintended consequences that have not been adequately disclosed or reviewed by the public stakeholders. Moreover, many of the staff's suggested modifications are substantive in nature and therefore should be subject to full review under the California Environmental Quality Act (CEQA), and some of the proposed changes appear to remove existing flexibility through the County review process which currently provides for more beneficial projects.

For example, Modification 14 would require that development resulting from a lot line adjustment avoid any and all impacts to environmentally sensitive habitats (ESH) and buffer areas thereby removing the flexibility for mitigating such impacts on constrained lots and eliminating property owner incentives such as enhancing artificially created and/or degraded wetlands. If certified, the revised lot line adjustment findings would require that all impacts to ESH areas be avoided, regardless of the net beneficial result that could be accomplished through mitigation/enhancement. Similarly, Modification 9 would designate habitat restoration as a non-principally use throughout the Coastal Zone and would thereby discourage such projects due to the increased expense and difficulty in obtaining permits.

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We urge your Board not to accept the suggested modifications without a more thorough review and consideration as they are substantive changes to the existing permit procedures and jurisdiction, eliminate flexibility for many beneficial projects, and undermine years of well thought community input on the County's planning process.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. E. Chip Wullbrandt". The signature is fluid and cursive, with a large loop at the end.

C. E. Chip Wullbrandt
for PRICE, POSTEL & PARMA LLP

CEW:lkh