



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 11, 2018
Placement: Administrative
Estimated Time: N/A
Continued Item: N/A
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Dianne M. Black, Director, Planning and Development
Director(s) (805) 568-2086
Contact Info: Dan Klemann, Deputy Director, Long Range Planning
(805) 568-2072
SUBJECT: Submittal of Local Coastal Program Amendments to the California Coastal Commission

County Counsel Concurrence:

As to form: Yes

Auditor-Controller Concurrence:

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

Staff recommends that the Board of Supervisors (Board) take the following actions to submit the Agricultural Employee Dwelling (AED) Ordinance Amendment and the Coastal Resiliency Project Local Coastal Program Amendment (LCPA) to the California Coastal Commission (CCC) for certification as amendments to the Santa Barbara County Local Coast Program:

- a) Adopt a resolution (Attachment 1) authorizing the submittal of the following amendments to the Santa Barbara County Local Coastal Program to the CCC for review and certification:
 - i) Ordinance No. ____ (Case No. 18ORD-00000-00003) amending Article II, the Coastal Zoning Ordinance (Article II), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 1, Exhibit A) related to the Agricultural Employee Dwelling Ordinance Amendment;
 - ii) Resolution No. 18-____ (Case No. 17GPA-00000-00004) amending the Coastal Land Use Plan (CLUP) (Attachment 1, Exhibit B) related to the Coastal Resiliency Project; and
 - iii) Ordinance No. ____ (Case No. 17ORD-00000-00015) amending Article II, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 1, Exhibit C) related to the Coastal Resiliency Project.

- b) Determine that the submittal of the aforementioned resolution and amendments to the Santa Barbara County Local Coastal Program to the CCC is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15265.

Summary Text:

The above actions constitute amendments to the Santa Barbara County Local Coastal Program and, therefore, must be submitted to the CCC for review and certification. Summaries of the individual amendments included in the LCPA submittal are provided below.

AED Ordinance Amendment

On December 11, 2018, the Board will consider adopting the AED Ordinance Amendments, which include an amendment to Article II to streamline the AED permit process in the Agriculture I (AG-I) and Agriculture II (AG-II) zones in the unincorporated areas of the county within the Coastal Zone (Attachment 1, Exhibit A). Specifically, this Article II amendment reduces the permit requirements for AEDs as follows:

- Creates a Coastal Development Permit (CDP) path for AEDs;
- Increases the number of employees allowed to occupy AEDs at each permit level;
- Modifies the AED employment/location requirements within certain zones and permit levels; and,
- Clarifies that mobile homes, manufactured homes, and park trailers complying with the California Code of Regulations, Title 25, Division 1, Housing and Community Development, may be used as AEDs.

Coastal Resiliency Project LCPA

On December 11, 2018, the Board will consider adopting the Coastal Resiliency Project LCPA, which proposes amendments to the CLUP and Article II to prepare for, mitigate, and respond to threats resulting from current and reasonably foreseeable future sea level rise and coastal hazards (Attachment 1, Exhibits B and C, respectively). These amendments include new policies and development standards to protect development and coastal resources located within coastal hazard areas, which would require applicants for CDPs to consider threats from coastal hazards when siting and designing new development. Specifically, these policies and development standards may require larger setbacks from beaches, coastal bluffs, and other natural coastal features. Setbacks would be determined, in part, by the anticipated life of new structures and the sea level rise scenario used for hazards analyses (e.g., medium vs. high). The proposed development standards would also allow property owners to maintain and repair nonconforming structures. Additional provisions within the proposed amendments would help protect public recreation areas, transportation resources, and environmentally sensitive habitat that may be affected by sea level rise and related coastal hazards.

Submittal and Certification Process

Staff prepared the attached resolution (Attachment 1) authorizing submittal of the aforementioned amendments to the CCC for review and certification pursuant to the procedural requirements for LCPAs set forth in the CCC administrative regulations [California Code of Regulations, Title 14, Division 5.5, Section 13551(b)(2)]. Following review by the CCC, the Board will have six months from the date of the CCC's action to evaluate any suggested modifications to the LCPAs approved by the CCC and decide whether to accept the modifications [California Code of Regulations, Title 14, Division 5.5, Section 13537(b)].

If the Board decides to accept the modifications, then the Board must adopt a resolution agreeing to implement the LCPAs as modified. This resolution will be transmitted to the Executive Director of the CCC for review, who will then provide a recommendation to the CCC as to whether the Board's action complies with the Coastal Act and the California Code of Regulations. If the Executive Director recommends that the County's action is in compliance, and the CCC agrees with that recommendation, then the ordinances will become effective as of the date of that final action by the CCC.

Local governments may adopt a maximum of three resolutions per calendar year submitting major LCPAs to the CCC for review and certification. However, there are no limitations on the number of amendments included in each of the three submittals. The attached resolution (Attachment 1) constitutes the County's third and final submittal for 2018.

Fiscal Analysis:

Funding for the preparation and submittal of the Coastal Commission Resolution is budgeted in the Planning & Development Department's Budget on page D-272 of the County's Fiscal Year 2018-2019 budget.

Special Instructions:

The Planning and Development Department will fulfill all noticing requirements.

The Clerk of the Board shall provide a copy of the minute order and the signed resolution (Attachment 1) to the Planning and Development Department, attention: Jessi Steele.

Authored by:

Jessi Steele, Planner, Long Range Planning Division, (805) 884-8082

Attachments:

1. Resolution for Submittal of LCPAs to the CCC
 - Exhibit A AEDs Article II Amendment (Case No. 18ORD-00000-00003)
 - Exhibit B Coastal Resiliency Project CLUP Amendment (Case No. 17GPA-00000-00004)
 - Exhibit C Coastal Resiliency Project Article II Amendment (Case No. 17ORD-00000-00015)