

# **Santa Barbara County Board of Supervisors**

**California Coastal Commission  
Recommended Modifications to the  
County & Montecito Land Use & Development Codes  
July 13, 2010**



# MOD 3 APPEALS

<b>Article II</b>	<b>LUDC (as proposed by County)</b>	<b>LUDC (as revised by CC staff)</b>
Requires processing CDP with hearing concurrently with application for an Amendment to a Conditional Use Permit or Development Plan  (recent amendment; prior requirement – no hearing)	Include waived hearing process so that public hearing only required if requested by neighboring property owner or resident	Same as existing Article II

# MOD 9 PRINCIPAL vs. NON-PRINCIPAL USES

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
<p>Uses are designated as either Permitted (P) or Conditionally Permitted (CUP)</p> <p>Only CDPs located in Appeals Jurisdiction and CUPs require public hearings and may be appealed to the Coastal Commission</p>	<p>Same as existing Article II</p>	<p>Uses are designated as either Principal Permitted (PP), Permitted (P), or Conditionally Permitted (CUP)</p> <p>P &amp; CUP uses require public hearing; may be appealed to the Coastal Commission</p>
<p>Restoration projects:</p> <ul style="list-style-type: none"> <li>•normally CDP with hearing due to location within ESH areas</li> <li>•may be CDP without hearing if outside Appeals Jurisdiction and ESH areas</li> </ul>	<p>Same as existing Article II</p>	<p>Designated as a Permitted Use subject to public hearing requirement and potential appeal to the Coastal Commission</p>

# MOD 9 PRINCIPAL vs. NON-PRINCIPAL USES (cont.)

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
<p>Primary agricultural dwelling allowed with a CDP</p> <p>Not subject to public hearing unless located in the Appeals Jurisdiction</p>	<p>Same as existing Article II</p>	<p>Designated as a Principal Permitted Use only if:</p> <ul style="list-style-type: none"> <li>•occupied by operator of agricultural use of lot</li> <li>•3,000 SF limit on dwelling floor area</li> <li>•10,000 SF limit on lot area devoted to dwelling and all accessory structures, and landscaping associated with the dwelling</li> </ul>

# MOD 9 CDP REQUIREMENT FOR AGRICULTURE

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
Exempt (E) if associated grading does not require a CDP	Same as existing Article II	If represents new development or intensification: <b>Agricultural zones:</b> CDP without hearing <b>Non-agricultural zones:</b> CDP with hearing

# MOD 9 CDP REQUIREMENT FOR ANIMAL KEEPING OTHER THAN HOUSEHOLD PETS

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
Permitted use	Exempt (E)	If represents new development or intensification:  <b>Agricultural zones:</b> CDP without hearing  <b>Non-agricultural zones:</b> CDP with hearing

# MOD 9 CDP DELETION OF USES ALLOWED BY CUP AGRICULTURAL ZONES

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
<p>Several uses allowed by CUP:</p> <ul style="list-style-type: none"> <li>• Agricultural processing</li> <li>• Animal hospital</li> <li>• Cemetery</li> <li>• Charitable organization</li> <li>• Church</li> <li>• Commercial boarding/riding stable</li> <li>• Commercial water extraction</li> <li>• Fairground</li> <li>• Farm labor camp</li> <li>• Golf course/driving range</li> <li>• Recreational development, low intensity (AG-II)</li> <li>• School</li> <li>• School (business/trade)</li> <li>• Sport/recreation facility</li> <li>• Wineries (AG-II)</li> </ul>	<p>Same as existing Article II</p>	<p>The following uses are proposed to <u>not</u> be allowed by CUP:</p> <ul style="list-style-type: none"> <li>• Cemetery (AG-I only)</li> <li>• Charitable organization*</li> <li>• Church</li> <li>• Commercial water extraction</li> <li>• Fairground</li> <li>• Golf course/driving range</li> <li>• School</li> <li>• School (business/trade)</li> <li>• Sports/recreation facility</li> </ul> <p>* May still be allowed if actual use of lot qualifies as agriculture</p>

# MOD 9/13 CDP REQUIREMENT

## SUBDIVISIONS, LLAs & VOLUNTARY MERGERS

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
<p>CDP without hearing required prior to recordation of vesting tentative map</p> <p>No CDP requirement for LLAs and Voluntary Mergers</p> <p>Voluntary Mergers approved by County Surveyor; not subject to planning approval</p>	<p>Same as existing Article II</p>	<p>CDP with hearing required for all subdivisions, LLAs &amp; Voluntary Mergers</p> <p>Establishes planning approval for Voluntary Mergers</p>



# MOD 10 ACCESSORY USES

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
All accessory uses have the same permit requirement	Same as existing Article II	Accessory uses are designated as either Principal Permitted (PP) or Permitted (P)  P uses require public hearing; may be appealed to the Coastal Commission

# MOD 14 LOT LINE ADJUSTMENTS

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
Existing finding: Development of a substandard size lot resulting from a LLA <u>shall avoid or minimize impacts where appropriate</u> to ESH areas including buffer areas	Same as existing Article II	Revised finding: Development of a substandard size lot resulting from a LLA <u>shall avoid impacts</u> to ESH areas including buffer areas
No specific findings regarding diminishment of long-term agricultural productivity of land	Same as existing Article II	Adds new finding: LLAs located on agricultural land will not diminish the long-term agricultural productivity of the land as a result of the adjustment
No requirement for CDP	Same as existing Article II	CDP with hearing required for all LLAs

# MOD 21 BLUFF DEVELOPMENT

Article II	LUDC (as submitted by County)	LUDC (as revised by CC staff)
No specific development standards required for minor development located within bluff setback area	Same as existing Article II	Adds new development standards for minor development located within bluff setback area: <ul style="list-style-type: none"> <li>•structural foundations not allowed</li> <li>•minimum 15 foot setback from bluff edge</li> <li>•must be removed or relocated landward if threatened by erosion</li> </ul>
Engineered staircases and accessways allowed on bluff face; private and/or public use not specified	Same as existing Article II	Engineered staircases and accessways allowed on bluff face only if for public use

# MOD 34 SEA LEVEL RISE

<b>Article II</b>	<b>LUDC (as submitted by County)</b>	<b>LUDC (as revised by CC staff)</b>
No standards addressing potential sea level rise	Same as existing Article II	Projects located near the shore must submit coastal hazards analysis Must use various sea level rise scenarios depending on type of project