



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning & Development
Department No.: 053
For Agenda Of: 3/16/2010
Placement: Set hearing
Estimated Tme: 45 minutes (on 4/6/2010)
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Glenn Russell, Ph.D. (805.568.2085) *Glenn Russell*
Contact Info: Dianne Black, Development Services Director (805.568.2086)
SUBJECT: Information and Discussion Regarding Coastal Commission Suggested Modifications to County and Montecito Land Use and Development Codes

County Counsel Concurrence
As to form: N/A

Auditor-Controller Concurrence
As to form: N/A

Other Concurrences: N/A

Recommended Actions:

That the Board of Supervisors set for hearing of April 6, 2010 to:

- A. Receive a report from the Planning and Development Department regarding modifications to the County and Montecito Land Use and Development Codes recommended by Coastal Commission staff; and,
- B. Provide comments for the Planning and Development Department to transmit to the Coastal Commission at their April, 2010 hearing.

Summary Text:

In November, 2007, the Board of Supervisors adopted the County and Montecito Land Use and Development Codes (LUDCs) that replaced the former zoning regulations contained in Articles I through V of the County Code. This represented the culmination of the Zoning Ordinance Reformatting Project (ZORP) that began in late 2003 as part of Planning and Development Department's land use process improvement efforts. The goals of ZORP were to improve the quality and usability of the County's zoning regulations, streamline processing procedures and provide better customer service by arranging existing regulations into a format that is easier to read and search by (1) eliminating duplicated information/procedures, (2) using "plain English" and (3) grouping related information.

The following month the County submitted the LUDCs to the California Coastal Commission for certification as an amendment to the implementation portion of the County's Local Coastal Program. In September 2008, the Coastal Commission staff determined that the December 2007 submittal was complete for processing and initiated their review of the LUDCs. In October of the same year the Coastal Commission approved a one year time extension to extend their processing deadline to

November, 2009.

On August 31, 2009, the respective staffs of the Coastal Commission and the Planning and Development Department met to discuss the status of the review of the LUDCs. At this meeting, the Coastal Commission staff confirmed that the LUDCs would be considered by the Coastal Commission at their October hearing; however, they also brought up for the first time substantial modifications that the staff intended to recommend to the Coastal Commission that would limit local control over land use decisionmaking. Due to the limited time remaining for the Planning and Development Department to provide meaningful review of the proposed modifications, in October, 2009 the Planning and Development Department formally withdrew and resubmitted the LUDCs for certification by the Coastal Commission.

Since that time, Planning and Development staff has been working extensively with the Coastal Commission staff to develop language and permit processes to address Coastal Commission staff's concerns. At the April 2010 hearing of the California Coastal Commission, the Coastal Commission staff will present this work effort to the Coastal Commission as recommended modifications that the Coastal Commission should adopt if they act to certify the LUDCs as the implementation portion of the County's Local Coastal Program. This hearing will be held in the Ventura County Board of Supervisors Hearing Room and is tentatively scheduled for April 14th or April 15th.

At the Board of Supervisors hearing on April 6, 2010, Planning and Development Department staff will provide the Board with a summary of the recommended modifications and receive comments from the Board regarding the recommended modifications to transmit to the Coastal Commission.

The Coastal Commission staff report for the April 14, 2010 hearing is not scheduled to be released until March 24, 2010. Subsequent to receipt of the Coastal Commission staff report, Planning and Development Department staff will prepare a staff report which provides a summary of the proposed modifications. This staff report will be provided to the Board of Supervisors and all interested parties prior to the Board of Supervisors hearing on April 6, 2010.

Fiscal and Facilities Impacts:

Budgeted: Yes.

Fiscal Analysis:

Funding for this ordinance amendment work effort is budgeted in the Planning Support program of the Administration Division on page D-300 of the adopted Planning and Development Department's budget for fiscal year 2009-2010. There are no facilities impacts.

Staffing Impact(s):

Legal Positions:	FTEs:
0	0

Special Instructions:

The Clerk of the Board will send a copy of the Minute Order to the Planning and Development Department, attention Noel Langle.

Authored by:

Noel Langle (805.568.2067)