

Santa Barbara County Board of Supervisors

**California Coastal Commission
Suggested Modifications to the
County & Montecito Land Use & Development Codes
February 1, 2011**



RECOMMENDED ACTIONS

- Receive this report and the report dated January 18, 2011;
- Direct the Planning and Development Department to prepare the necessary documents to either 1) accept or 2) reject the Coastal Commission's certification of the County and Montecito Land Use and Development Codes with suggested modifications, or 3) Develop alternatives to the suggested modifications to be resubmitted to the Coastal Commission as an amendment.

SUMMARY OF DISCUSSIONS WITH COASTAL COMMISSION STAFF

- Discussions occurred on January 20th with the Executive Director of the Coastal Commission, Peter Douglas
- Discussions occurred on January 21st, 26th, and 31st with Coastal Commission staff in Ventura

STATUS OF DISCUSSION

Cultivated Agriculture

- **Adopted Suggested Modification:**

Historic use: Exempt if constitutes historic use.

New or expanded areas: Exempt if it complies with development standards regarding:

- Slopes do not exceed 30%; cut & fill height less than 3'; grading less than 100 cubic yards
- Minimum 100' from the top of bank of any watercourse
- Minimum 100' from ESH areas
- Does not remove native or non-native protected trees
- County issues exemption confirming all development standards are met

- **Coastal Commission Staff Input:**

- Increase cubic yardage standard to somewhere between 1,000 – 5,000 cubic yards, based on parcel size
- Reference existing tree removal requirements
- Clarify the habitat types that are considered ESHA
- County Verification of Exemption Required

STATUS OF DISCUSSION

Grazing

- **Adopted Suggested Modification:**

Historic use: Exempt if constitutes historic use.

New or expanded areas: Exempt if it complies with development standards regarding:

- Slopes do not exceed 30%; cut & fill height less than 3'; grading less than 100 cubic yards
- Minimum 100' from the top of bank of any watercourse
- Minimum 100' from ESH areas
- Does not remove native or non-native protected trees
- County issues exemption confirming development standards are met

- **Coastal Commission Staff Input:**

- Eliminate slope development standard
- Grasslands considered exempt grazing areas; Grazing in ESHAs would require CDP
- Reference existing tree removal requirements
- County Verification of Exemption Required

STATUS OF DISCUSSION

Residences on Agriculturally Zoned Properties

- **Adopted Suggested Modification:**

Primary Residence on Agriculturally zoned land considered a Principal Permitted Use if:

- Residence is occupied by the operator of the agricultural use of the property or the property owner
 - Residence does not exceed a floor area of 5,000 square feet
 - Area devoted to the residential development area does not exceed 10,000 square feet.
- If above permit triggers are exceeded, an appealable coastal development permit is required.

- **Coastal Commission Staff Input:**

- Sliding Scale residential development area: 10,000 square feet for parcels of 40 acres or less; 500 square feet additional area for each acre over 40 acres up to maximum one acre residential development area

STATUS OF DISCUSSION

Animal Keeping

- **Adopted Suggested Modification:**

- Permit required for all confined animal facilities.**

- New animal keeping requires a Coastal Development Permit**

- Coastal Development Permit not required once property has legally established animal keeping up to the maximum numbers currently allowed.**

- Private horse keeping in residential zones considered Principal Permitted Use.**

- **Coastal Commission Staff Input:**

- Identify development standards, similar to those for agricultural exemptions, to exempt animal keeping facilities

- Correct inadvertent language on small animals and clarify language

STATUS OF DISCUSSION

Private Bluff Stairways

- **Adopted Suggested Modification:**

Prohibits development of new private bluff stairways.

Lawful, existing private bluff stairways considered non-conforming uses with limitations on repair:

may be structurally repaired provided any structural replacement (not including steps and handrails) is limited to 50% cumulative

may be rebuilt in the same location if destroyed by a natural disaster.

- **Coastal Commission Staff Input:**

- Existing legal private bluff stairways considered conforming uses, which would allow consideration of permits to repair or replace without limitation.

- New private stairways would still be prohibited.

RECOMMENDED ACTIONS

- Receive this report and the report dated January 18, 2011;
- Direct the Planning and Development Department to prepare the necessary documents to either 1) accept or 2) reject the Coastal Commission's certification of the County and Montecito Land Use and Development Codes with suggested modifications or 3) Develop alternatives to the suggested modifications to be resubmitted to the Coastal Commission as an amendment.