



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: December 5, 2017
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn S. Russell, PhD, Director, Planning and Development,
Director(s) (805) 568-2085
Contact Info: Dan Klemann, Deputy Director, Long Range Planning Division,
(805) 568-2072
SUBJECT: Submittal of a Local Coastal Program Amendment to the California Coastal
Commission; Short-Term Rental (STR) Ordinance

County Counsel Concurrence

As to form: Yes

Other Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Staff recommends that the Board of Supervisors (Board) take the following actions:

- a) Adopt the attached resolution (Attachment 1) and direct staff to submit the following amendments to the Santa Barbara County Local Coastal Program (LCP) to the California Coastal Commission (CCC) for review and certification:
 - i) Ordinance No. 5016 (Case No. 16ORD-00000-00012) that amends Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 1, In General, Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking Regulations, Division 7, General Regulations, and Division 12, Administration.
 - ii) Ordinance No. 5017 (Case No. 17ORD-00000-00008) that amends Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 5, Overlay Districts.
- b) Find that the transmittal of this resolution is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

Summary Text:

On October 3, 2017, the Board adopted Ordinance Nos. 5016 and 5017. These ordinances amend Article II, the Santa Barbara County Coastal Zoning Ordinance, to implement land use regulations regarding STRs, and make other minor clarifications, corrections, and revisions. Ordinance 5017 also establishes a new STRS-Coastal Historic Overlay District. Since these Ordinances amended Article II, which is part of Santa Barbara County's certified LCP, it constitutes an amendment to the LCP and therefore must be submitted to the California Coastal Commission for review and certification.

The attached resolution (Attachment 1), which directs staff to submit the LCP amendments to the Coastal Commission for certification, follows the amendment process set forth in the Coastal Commission administrative regulations [Division 5.5 of Title 14, California Code of Regulations, Section 13551(b)(2)] for what are considered major amendments to the County's LCP. Therefore, following review and action by the Coastal Commission, the Board will have six months from the date of the Coastal Commission's action to evaluate any suggested modifications to the amendments approved by the Coastal Commission and decide whether or not to accept the modifications [Division 5.5 of Title 14, California Code of Regulations, Section 13537(b)].

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

Local governments may adopt a maximum of three resolutions per calendar year transmitting major amendments to the certified LCP to the Coastal Commission 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 Santa Barbara County's first submittal for 2017.

Fiscal Analysis:

Staff salaries and other costs for the entire project, including CCC submittal, are budgeted in the Long Range Planning Budget Program on page D-286 of the Planning and Development Department's Fiscal Year 2016-17 Budget. Total project cost since FY 2015/2016 is \$160,000, including an estimate to cover costs associated with the CCC certification process.

Special Instructions:

The Clerk of the Board shall send copies of the signed and numbered resolution to the Planning and Development Department, attention Jessica Metzger.

Attachments:

1. Resolution for Submittal of a Local Coastal Program Amendment to the California Coastal Commission (Ordinance Nos. 5016 and 5017)

Authored by:

Jessica Metzger, Senior Planner (805) 568-3532