



**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:** June 21, 2016  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director Glenn Russell, Ph.D. (805) 568-2085  
Contact Info: Dianne Black, Assistant Director (805) 568-2086  
**SUBJECT:** Submittal to the California Coastal Commission for certification amendments to the Santa Barbara County Local Coastal Program

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrences:** N/A

**Recommended Actions:**

That the Board of Supervisors adopt the attached resolutions (Attachments 1 and 2) and direct staff to submit the following amendments to the Santa Barbara County Local Coastal Program to the California Coastal Commission for certification:

- a) Ordinance No. 4964 that amends the Article II Coastal Zoning Ordinance by adopting a series of amendments that revise existing procedures and regulations, add new procedures and regulations, and correct and clarify existing language.
- b) Ordinance No. 4969 that amends the Article II Coastal Zoning Ordinance by revising the maximum allowable height of structures located within the Montecito Community Plan area that are subject to the ridgeline and hillside development guidelines.
- c) Resolution No. 16-129 that amends the Montecito Architectural Guidelines and Development Standards by revising standards that address the visual appearance, height, size, bulk, and scale of residential development.

## **Summary Text:**

The following actions by the Board of Supervisors constitute amendments to the Santa Barbara County's certified Local Coastal Program and therefore are required to be submitted to the California Coastal Commission for review and certification.

### **Ordinance No. 4964.**

Ordinance No. 4964 (Case No. 15ORD-00000-00004), adopted by the Board of Supervisors on May 3, 2016, amends Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, by adopting a series of amendments that revise existing procedures and regulations, add new procedures and regulations, and correct and clarify existing language.

The attached resolution (Attachment 1), that submits Ordinance No. 4964 for certification, follows the amendment process provided for 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 Local Coastal Program. 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 of Supervisors 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 Local Coastal Program 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 2016.

### **Ordinance No. 4969 and Resolution No. 16-129**

Ordinance No. 4969 (Case No. 16ORD-00000-00003), and Resolution No. 16-129, as adopted by the Board of Supervisors on May 17, 2016, amend Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, and the existing *Montecito Architectural Guidelines and Development Standards*, by revising existing regulations and guidelines in order to implement the Montecito Architectural Guidelines and Development Standards Limited Update.

The attached resolution (Attachment 2), that submits both Ordinance No. 4969 and Resolution No. 16-129 for certification, follows the amendment process provided for in the Coastal Commission administrative regulations [Division 5.5 of Title 14, California Code of Regulations, Section 13554] for what are considered minor amendments to the County's Local Coastal Program. Minor amendments include:

- Changes in wording which make the use as designated in the zoning ordinances, zoning maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the executive director of the Coastal Commission or the Coastal Commission to be consistent with the land use plan as certified by the Coastal Commission.
- Changes in the notification and hearing procedures that are consistent with the requirements of the Coastal Act.

If, after review of the amendment by the Executive Director of the Coastal Commission, the Executive Director determines that the amendment qualifies as a minor amendment, then:

- Notice of this determination is provided to known interested parties and the Executive Director reports his determination in writing to the Coastal Commission at the next meeting along with any objections to the determination that have been received.
- If one-third of the appointed members of the Coastal Commission object to the determination, then the determination of minor amendment does not become effective and the amendment is then subject to review and hearing by the Coastal Commission

Also, as allowed by Section 13551(b) of Title 14 of the California Code of Regulations, the resolution submitting this minor amendment for certification requests that the amendment take effect immediately upon approval by the Coastal Commission without further action by the Board of Supervisors. In this case this amendment will take effect following concurrence by the Coastal Commission with the Executive Director's determination that the amendment qualifies as a minor amendment.

There is no limitation on the number of resolutions per calendar year that the County may adopt transmitting minor amendments to the certified Local Coastal Program to the Coastal Commission for review and certification.

### **Fiscal Analysis:**

Funding for this ordinance amendment work effort is budgeted in the Planning Support program of the Administration Division on page D-287, and the Long Range Planning program on page D-295, of the adopted Planning and Development Department's budget for fiscal years 2015 through 2017. There are no facilities impacts at this time.

### **Special Instructions:**

The Clerk of the Board shall send copies of the signed and numbered resolutions to the Planning and Development Department, attention Noel Langle.

**Attachments:**

1. Resolution Submitting Article II Coastal Zoning Ordinance Amendment Ordinance No. 4964
2. Resolution Submitting Article II Coastal Zoning Ordinance Amendment Ordinance No. 4969 and Montecito Architectural Guidelines and Development Standards Resolution No. 16-129

**Authored by:**

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