



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: Planning and Development
Department No.: 053
For Agenda Of: July 08, 2014
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn Russell, Ph.D. Director, (805) 568-2085
Director(s)
Contact Info: Alice McCurdy, Deputy Director, (805) 568-2518
SUBJECT: Isla Vista Temporary Bluff Safety Fencing Emergency Permit;
Case No. 14EMP-00000-00006, Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Recommended Actions:

Auditor-Controller Concurrence

As to form: N/A

That the Board of Supervisors:

1. Receive and file this report on Emergency Permit 14EMP-00000-00006, which authorized the temporary installation of safety fencing along the bluff top of six (6) County of Santa Barbara and/or Isla Vista Parks & Recreation District parks and/or open space areas in the community of Isla Vista. A copy of the Emergency Permit is included herein as Attachment A;
2. Determine that issuance of the emergency permit is exempt from the California Environmental Quality Act (CEQA) pursuant CEQA Guidelines section 15269(c), as this action was necessary to prevent or mitigate an emergency as specified in Attachment C of this Board Letter; and
3. Determine that receiving and filing this report is not a project pursuant to CEQA Guidelines section 15378(b)(5), as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

Background:

In order to better protect the public's safety, especially during the graduation season, temporary safety fencing was urgently needed to mitigate the hazardous condition at several ocean front parks and/or open space areas along Del Playa Drive which have no bluff fencing or only low fencing that does not adequately deter public access to the hazardous bluff areas.

Issuance of the emergency permit allowed the temporary installation of the requested safety fencing immediately, thereby reducing the risk to life as quickly as possible while the University of California Santa Barbara (UCSB), County of Santa Barbara, and Isla Vista Recreation and Park District jointly prepare a permanent fencing solution to prevent future serious injury or death from accidental falls from the bluffs.

Summary Text:

Section 35-171.2 of the Article II Coastal Zoning Ordinance authorizes the Director of the Planning and Development Department (P&D) to temporarily defer standard permit requirements of the Coastal Zoning Ordinance and issue an Emergency Permit when emergency action is warranted. Section 35-171.6 of the Article II Coastal Zoning Ordinance requires the Director to submit a written report describing the emergency action to the Board of Supervisors after issuing an Emergency Permit.

On June 2, 2014, the Community Services Department (Parks Division) applied for an Emergency Permit to allow installation of temporary fencing along the subject parks and/or open space parcels of land. These parcels were identified as having hazardous bluff conditions with either no bluff fencing, or only low fencing that has historically not prevented public access to the hazardous bluff areas. The temporary safety fencing serves as an interim measure while the University of California Santa Barbara (UCSB), County of Santa Barbara, and Isla Vista Recreation and Park District jointly identify and submit a permanent fencing solution to P&D and the California Coastal Commission.

P&D formally issued the subject Emergency Permit on June 2, 2014, and California Coastal Commission staff was notified the same day. Pursuant to Article II Coastal Zoning Ordinance Section 35-171.5.3, an Emergency Permit does not constitute an entitlement to the erection of permanent structures. Section 35-171.5.3 requires an application for a Coastal Development Permit and any discretionary permit no later than 30 days following the granting of an Emergency Permit.

Issuance of the Emergency Permit is consistent with the Coastal Land Use Plan, including the Isla Vista Master Plan, and the Article II Coastal Zoning Ordinance, as the action provides an immediate response to a hazardous condition in the interest of health, safety, and public welfare. P&D granted the Emergency Permit with the issuance of a categorical exemption (CEQA Guidelines Section 15269(c)). A copy of the CEQA Exemption is included herein as Attachment C.

Pursuant to Article II, Section 35-171.5.1, a notice was mailed to surrounding property owners and residents, and three (3) notices were posted at each location after completion of the temporary fencing installations.

Fiscal and Facilities Impacts:

The total cost to process the emergency permit was \$2,831.00 and is budgeted under the Permitting Program on page D-168 of the 2013/2015 fiscal year budget. Future permitting costs will be paid by the applicants.

Attachments:

Attachment A: Emergency Permit 14EMP-00000-00006

Attachment B: Fencing Location Map

Attachment C: CEQA Exemption

Authored by:

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