

**ATTACHMENT 1**

**Coastal Commission Action Letter  
Coastal Commission Case No. LCP-4-STB-14-0835-2-Part B  
2013 General Package Ordinance Amendments**

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**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800



March 17, 2016

Peter Adam, Chair  
Board of Supervisors  
County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara, CA 93101

**RE: Santa Barbara County Local Coastal Program Amendment No. LCP-4-STB-14-0835-2-  
Part B (General Package)**

Dear Honorable Chair Adam and Supervisors:

On March 11, 2016 the Coastal Commission approved LCP Amendment LCP-4-STB-14-0835-2-Part B with one (1) suggested modification. The Commission's resolution of certification is contained in the staff report dated February 26, 2016. The suggested modification, as approved by the Commission on March 11, 2016, is attached to this correspondence.

Section 13544 of the Commission's Administrative Regulations requires that after certification, the Executive Director of the Commission shall transmit copies of the resolution of certification and any suggested modifications and findings to the governing authority, and any interested persons or agencies. Further, the certification shall not be deemed final and effective until all of the following occur:

- (a) The local government with jurisdiction over the area governed by the Local Coastal Program, by action of its governing body: (1) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; (2) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and (3) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program. Unless the local government takes the action described above, the Commission's certification with one suggested modification *shall expire six months* from the date of the Commission's action.
- (b) The Executive Director of the Commission determines in writing that the local government's action and the notification procedures for appealable development required pursuant to Article 17, Section 2 are legally adequate to satisfy any specific requirements set forth in the Commission's certification order.
- (c) The Executive Director reports the determination to the Commission at its next regularly scheduled public meeting and the Commission does not object to the Executive Director's determination. If a majority of the Commissioners present object to the Executive Director's determination and find that the local government action does not conform to the provisions of the Commission's action to certify the Local Coastal Program Amendment, the Commission shall review the local

government's action and notification procedures pursuant to Articles 9-12 as if it were a resubmittal.

- (d) Notice of the certification of the Local Coastal Program Amendment shall be filed with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

The Commission and staff greatly appreciate the County's consideration of this matter.

Authorized on behalf of the California Coastal Commission by:

John Ainsworth  
Acting Executive Director

A handwritten signature in black ink that reads "Megan Sinkula". The signature is written in a cursive, flowing style.

By: Megan Sinkula  
Coastal Program Analyst

Cc: Noel Langle, Santa Barbara County Planning and Development Department

**Final Suggested Modification  
LCP Amendment 4-STB-14-0835-2-Part B  
(General Package)**

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**SUGGESTED MODIFICATIONS TO THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE**

The County's proposed and approved amendment language to the certified Implementation Plan/Coastal Zoning Ordinance is shown in straight type. Language approved by the Commission to be added to the certified Implementation Plan/Coastal Zoning Ordinance is shown in double underline.

<b>SUGGESTED MODIFICATION NO. 1</b>
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Subsection 1(a) of Section 35-162, **Nonconforming Structures and Uses**, shall be modified as follows:

1. **Structural change, enlargement, or extension.**
  - a. **Enlargements or extensions allowed in limited circumstances.**
    - 1) Except as listed below or otherwise provided in this Article, a nonconforming structure shall not be enlarged, extended, moved, or structurally altered unless the enlargement, extension, etc., complies with the height, lot coverage, setback, and other requirements of this Article.
    - 2) **Allowed structural alterations.**
      - a) **Seismic retrofits allowed.** Seismic retrofits as defined in Section 35-58 (Definitions) and in compliance with Section 35-169.2 (Applicability) may be allowed but shall be limited exclusively to compliance with earthquake safety standards and other applicable Building Code requirements, including State law (e.g., Title 24, California Code of Regulations).
      - b) **Normal maintenance and repair.** Normal maintenance and repair may occur provided no structural alterations are made.
      - c) **Historical landmarks.** A structure that has been declared to be a historical landmark in compliance with a resolution of the Board may be enlarged, extended, reconstructed, relocated, and/or structurally altered provided the County Historical Landmarks Advisory Commission has reviewed and approved the proposed structural alterations and has determined that the proposed structural alterations will help to preserve and maintain the landmark in the long-term. However, such a structure shall not be enlarged, extended, reconstructed, relocated, and/or structurally altered if the nonconforming structure is inconsistent with any coastal resource protection policies of the LCP (regardless of historic status).
      - d) **Conforming residential uses and residential accessory uses.** A nonconforming structure that is devoted to a conforming residential use or that is normally or historically accessory to the

primary residential use may be structurally altered in a manner that is not otherwise allowed in compliance with Subsection 1.a.1, above, provided that the alteration does not result in a structure that extends beyond the existing exterior, and, for structures that are 50 years old or greater, the Director determines that the alteration will not result in a detrimental effect on any potential historical significance of the structure. However, structural alterations to a nonconforming structure shall be prohibited if the nonconforming structure and/or the structural alterations are inconsistent with any coastal resource protection policies of the LCP.

- 3) **Permit required.** The issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) or Land Use Permit in compliance with Section 35-178 (Land Use Permits), as applicable, is required prior to the commencement of any structural alteration allowed in compliance with Subsections 1.a.1 or 1.a.2, above, unless the alteration is determined to be exempt in compliance with Section 35-169.2 (Applicability).
- 4) **Accessory living quarters.** No living quarters may be extended into an accessory structure located in the required front, side, or rear setbacks by any addition or enlargement.
- 5) **Loss of nonconforming status.**
  - a) An existing nonconforming structure that is enlarged, extended, moved, reconstructed, or structurally altered in violation of Subsection 1.a, above, shall no longer be considered to be nonconforming and the rights to continue the nonconforming structure shall terminate unless the enlargement, extension, moving, reconstruction, or structural alteration is specifically allowed by this Article.
  - b) If the rights to continue the nonconforming structure are terminated then the structure shall either be demolished or altered so that the structure may be considered a conforming structure. Failure by the owner to either demolish the structure or alter the structure so that it may be considered a conforming structure shall be considered a violation of this Article and subject to enforcement and penalties in compliance with Section 35-185 (Enforcement, Legal Procedures, and Penalties).