



# GAVIOTA COAST PLAN COASTAL COMMISSION STAFF REPORT SUGGESTED MODIFICATIONS

Board of Supervisors Hearing  
May 15, 2018

# Gaviota Coast Plan LCP Amendment

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## Background

- Fall 2016
  - ▣ Plan Approved
  - ▣ Submitted to Coastal Commission (CC)
- Spring 2018
  - ▣ CC Staff Report with Suggested Modifications
  - ▣ CC Hearing Scheduled

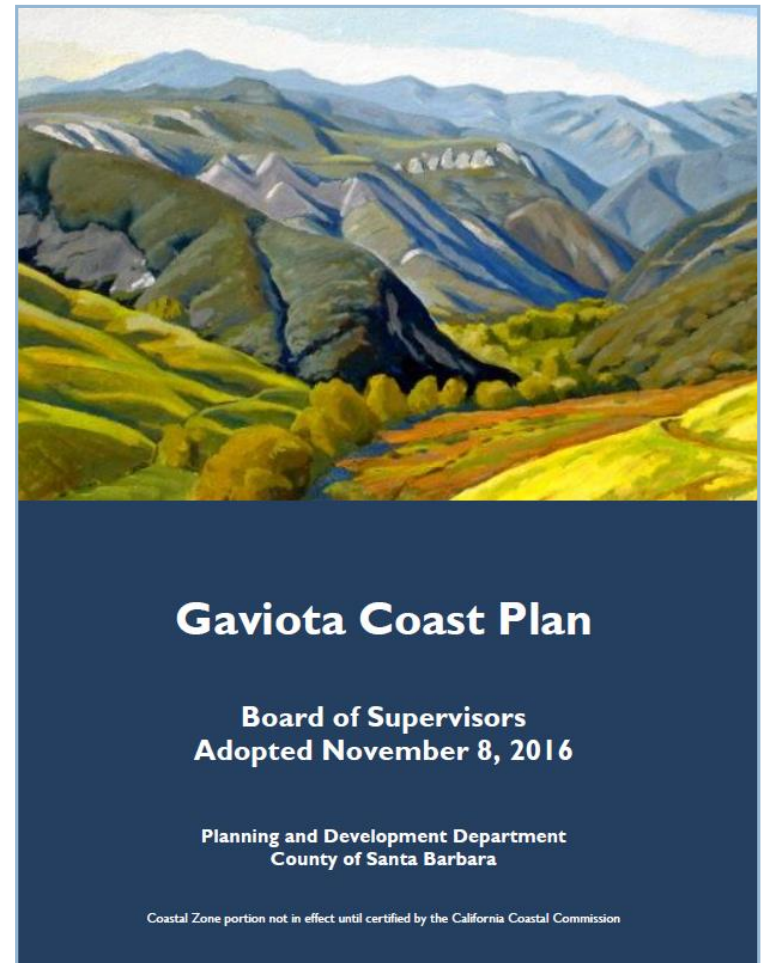
## Purpose of Hearing

- Provide Public with Opportunity to Comment
- Provide Comment Letter to Coastal Commission
- Authorize Staff to Withdraw and Resubmit Gaviota Coast Plan LCP Amendment

# Coordination with CC Staff

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- Suggested Modifications
  - ▣ GCP Policies, Standards
  - ▣ Article II
- Several Modifications Removed or Revised



# Principal Suggested Modifications of Concern

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- Article II Suggested Modifications
  - ▣ Permit Requirements for Certain Types of Agricultural Development
  - ▣ Permit Requirements for Certain Residential Accessory Structures
- Policy NS-4: Environmentally Sensitive Habitat (ESH) Criteria & Habitat Types
- Policy LU-13: Bluff-Top Development
- Policy REC-8: Prescriptive Rights modification

# Article II Permit Requirements

## Certain Agricultural Development

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- County Practice – All Ag Exempt
- CC Staff Suggested Modifications
  - ▣ New Cultivation or Grazing – CDP
  - ▣ Cultivation or Grazing on Land Cultivated or Grazed Previous 10 years – Exempt
- County Request Exempt New If:
  - ▣ Not on slopes  $\geq 30\%$
  - ▣ Grading  $\leq 50$  cu yd
  - ▣ Not within 100 ft stream, ESH
  - ▣ No removal of protected trees
  - ▣ Approved by CC in 2010

# Article II Permit Requirements

## Certain Residential Accessory Structures

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- CC Staff Suggested Modifications
  - ▣ Principal Permitted Use
    - CDP no hearing, not appealable to CC
  - ▣ Non-Principal Permitted Use
    - CDP with hearing, appealable to CC
  - ▣ One-Family Dwelling on AG-II – Principal Permitted Use
  - ▣ Residential Accessory Structures – Non-Principal Permitted Use
- County Request
  - ▣ Allow as Principal Permitted Use

# Policy NS-4

## Environmentally Sensitive Habitat

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- Criteria to Determine ESH
- Lists Habitats that Meet Criteria & Identifies as ESH
- County Adopted “Rare” Types of Chaparral
  - ▣ Pursuant to State Rarity Rankings
- CC Staff Suggested Modifications
  - ▣ Remove “Rare” such that all chaparral types would be considered ESH
- County Request
  - ▣ Restore “Rare” to Policy NS-4 for chaparral

# Land Use Policy LU-13

## Bluff-Top Development

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- CC Staff Suggested Modifications
  - ▣ New Policy LU-13
  - ▣ Includes coastal bluff-top setback to consider 100 years bluff erosion
- Other CC Published Guidance
  - ▣ Consider 75 to 100 years bluff erosion
  - ▣ Defer to local jurisdiction for appropriate timeframe
- County Request
  - ▣ Delete erosion rate and defer to Coastal Resiliency LCP Amendment for countywide standard

# Policy REC-8 – Protection of Coastal Access Prescriptive Rights

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- CC Staff Suggested Modifications
  - ▣ If substantial evidence that implied dedication or prescriptive rights may exist
    - County would protect the public access area through public acquisition or permit conditions for new development
  - ▣ County does not have authority to recognize unajudicated prescriptive rights
- County Request
  - ▣ Delete prescriptive rights suggested modification from Policy REC-8

# Next Steps

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- June 2018 – Coastal Commission Must Act to Certify
- Withdraw & Resubmit to Allow Hearing in July 2018



# Staff Recommendation Summary

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- Receive & File this Report
- Provide Direction on Contents of a Comment Letter to Coastal Commission
- Authorize Chair to Sign Letter
- Direct Staff to Present Board's Comment to Coastal Commission
- Authorize Staff to Withdraw and Resubmit
- Determine Board's Action Exempt from CEQA per §15265