



**COUNTY OF SANTA BARBARA  
PLANNING AND DEVELOPMENT  
LONG RANGE PLANNING  
MEMORANDUM**

Date: August 21, 2018

To: County Planning Commission

From: Dan Klemann, Deputy Director

Subject: Coastal Resiliency Project Local Coastal Program (LCP) Amendment and Requested Information from the August 1, 2018, County Planning Commission Hearing

Long Range Planning Division staff reviewed the proposed LCP amendment (Attachment C of the August 1, 2018, staff report) with the County Planning Commission at its August 1, 2018, hearing. This memorandum discusses questions and comments raised by the County Planning Commission. It also includes additional project information requested at the hearing, as well as the required findings (Enclosure 2) and updated plan policies and ordinance amendments (Enclosure 3, Exhibits 1 and 2, respectively).

Recommended Revisions to Proposed LCP Amendment

The Montecito Planning Commission reviewed the proposed LCP amendment at its July 18, 2018, hearing. It recommended that the County Planning Commission consider 18 revisions to the proposed LCP amendment. On August 1, 2018, the County Planning Commission considered these revisions. Enclosure 1 lists all of the Montecito Planning Commission's recommendations and the County Planning Commission's corresponding comments or recommendations.

After the August 1, 2018, hearing staff updated the Coastal Land Use Plan and Article II, Coastal Zoning Ordinance, amendments with the County Planning Commission's recommendations as described in Enclosure 1. Staff incorporated all of the Montecito Planning Commission's recommendations listed as "Agreed" in Enclosure 1 into the updated policies and development standards. (See Enclosure 3, Exhibit 1 for the updated Coastal Land Use Plan amendment and Enclosure 3, Exhibit 2 for the updated Article II amendment.) The County Planning Commission should consider taking formal action on these revisions. Staff has also enclosed the findings for approval and County Planning Commission resolution to this memorandum. (See Enclosure 2 and Enclosure 3, respectively.)

On August 1, 2018, the County Planning Commission recommended edits to two Coastal Land Use Plan Policies and one Article II, Coastal Zoning Ordinance, development standard. Staff has edited the policies and development standard, as discussed below, and as shown in Enclosure 3, Exhibits 1 and 2.

1. **Coastal Land Use Plan Policy 3-3.** The County Planning Commission recommended rephrasing proposed Policy 3-3 to more clearly describe that adaptation planning efforts will occur before emergency conditions arise. Staff has modified proposed Policy 3-3 to address this recommendation and shift the emphasis solely from “protection” to the development of comprehensive adaptation strategies where needed. The proposed revision is shown in bold text below.

~~Policy 3-3: The County will encourage and work with owners of property that is subject to threats from sea level rise and coastal hazards to develop responses to such hazards with an emphasis on non-structural solutions, and prior to the development of emergency conditions. Where contiguous properties are subject to similar coastal hazards, property owners should be encouraged to develop a coordinated response to the hazards.~~

**Prior to emergency conditions, the County will encourage and work with landowners whose property is subject to threats from sea level rise and coastal hazards to develop appropriate adaptation strategies, such as protect (e.g., soft, non-structural measures), accommodate (e.g., floodproofing retrofits), and/or retreat (e.g., relocate or remove existing development). Where contiguous properties are subject to similar coastal hazards, landowners should develop coordinated adaptation strategies.**

2. **Coastal Land Use Plan Policy 3-7.** The County Planning Commission requested that staff revise proposed Policy 3-7 to clarify that sea level rise monitoring results will be presented to the Board of Supervisors. Staff also updated the reporting requirement from five to ten years, or more frequently as necessary, consistent with the Coastal Commission’s model policies. Therefore, staff has modified proposed Policy 3-7, as shown in bold text below.

~~Policy 3-7: Sea level rise along the Santa Barbara County coastline shall be monitored and reported approximately every five years, to compare modeled projections against measurable changes in sea level. The Sea Level Rise Coastal Hazards Screening Map may then be updated if monitoring results and best available sea level rise hazard models provide evidence that an update is needed. The County shall monitor sea level rise, compare modeled projections against measurable changes in sea level, and report the results to the Board of Supervisors every five years, or more frequently as necessary to incorporate new sea level rise science and information on coastal conditions. The County shall update the Sea Level Rise Coastal Hazards Screening Map and sea level rise scenario standard if monitoring demonstrates a significant difference between modeled projections and measurable changes in sea level rise.~~

The County may act on a Coastal Development Permit application in compliance with LCP policies and standards, even if the Sea Level Rise Coastal Hazards Screening Map needs an update, but has not been updated as of the time of action on the Coastal Development Permit application.

3. **Article II, Coastal Zoning Ordinance Section 35-172.3.3 (Shoreline Protective Devices).** Both proposed Policy 3-4 and Article II, Section 35-172.3.3.a., are based on California Coastal Act Section 30235, which states, in part:

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when

required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply . . . (Public Resources Code Section 30235)

The Montecito Planning Commission recommended that staff modify Article II, Section 35-172.13.3.b., to require that permitted shoreline protective devices not result in the loss of public beach access. The County Planning Commission agreed (refer to Enclosure 1) so staff has added this recommended text. The proposed revisions are shown in bold text below.

### 3. ~~Seawalls and Shoreline Structures~~ Shoreline Protective Devices.

For purposes of this section, “existing principal structure” means a principal structure (e.g., residential dwelling, accessory dwelling unit, or public recreation facility) that was legally established on or before [effective date of the proposed sea level rise/coastal hazard LCP amendment].

- a. Shoreline protective devices shall only be permitted when required to serve coastal-dependent uses, protect existing principal structures or protect public beaches in danger from erosion, when designed to eliminate or mitigate adverse impacts on local shoreline sand supply, and when there is no less environmentally damaging alternative. Shoreline protective devices shall be sited to avoid sensitive resources, if feasible, and adverse impacts on all coastal resources shall be mitigated. ~~Seawalls shall not be permitted unless the County has determined that there are no other less environmentally damaging alternatives reasonably available for protection of existing principal structures. The County prefers and encourages non-structural solutions to shoreline erosion problems, including beach replenishment, removal of endangered structures and prevention of land divisions on shorefront property subject to erosion; and, will seek solutions to shoreline hazards on a larger geographic basis than a single lot circumstance. Where permitted, seawall design and construction shall respect to the degree possible, natural landforms. Adequate provision for lateral beach access shall be made and the project shall be designed to minimize visual impacts by the use of appropriate colors and materials.~~
- b. Shoreline protective devices shall meet the following standards:
  - 1) No other feasible, less environmentally damaging alternative exists, including but not limited to relocation of the threatened development, beach nourishment, non-structural drainage and native landscape improvements, or other similar non-structural options.
  - 2) Non-structural options (e.g., dune or bluff revegetation or beach nourishment) shall be prioritized over other protection methods. Where non-structural options are not feasible, soft protection methods (e.g., sand bags or revetments that are combined with dune restoration) shall be used and prioritized before any more significant hard shoreline protective devices (including, but not limited to, seawalls, revetments, breakwaters, groins, bluff retention devices, etc.) are permitted.
  - 3) Landscape-scale solutions on a larger geographic basis are prioritized over single-lot shoreline protective devices.
  - 4) The proposed shoreline protective device shall be sited and designed to eliminate or mitigate adverse impacts on local shoreline sand supply, and to avoid other coastal resource impacts to the maximum extent feasible.

- 5) The design and construction shall preserve natural landforms and be visually subordinate to the natural character of the shoreline.
  - 6) The proposed shoreline protective device shall not result in the loss of public trust lands or public beach access.
  - 7) Adequate lateral beach access is included where feasible.
  - 8) Colors, materials, and designs shall minimize visual impacts.
- c. At a minimum, Coastal Development Permits for shoreline protective devices shall include conditions of approval that require the following:
- 1) Mitigation if avoidance of adverse impacts to shoreline sand supply, public access, biological resources, or other coastal resources is infeasible.
  - 2) Removal at such time as the existing structure, public beach, or use requiring protection is removed, redeveloped, ceases to exist, or the protection device is no longer needed for its permitted purpose, whichever comes first.
  - 3) Recordation of a Notice to Property Owner (NTPO) to notify current and future property owners that the public trust boundary could move inland as a result of coastal forces including sea level rise such that the device, or portion of it, is no longer located on private property, and at which point the device or portion of it that is on public trust land will no longer be authorized pursuant to the County's coastal development permit. Any portion of the development on public land may then have to be removed or properly permitted by the Coastal Commission and either State Lands Commission or other trustee agency of the public tidelands, who may deny the permit(s) if the development substantially interferes with public trust uses of the land or is otherwise not in accordance with law.
- b. ~~Revetments, groins, cliff retaining walls, pipelines and outfalls, and other such construction that may alter natural shoreline processes shall be permitted when designed to eliminate or mitigate adverse impacts on local shoreline sand supply and so as not to block lateral beach access.~~

#### Additional Information Requested at the August 1, 2018, Hearing

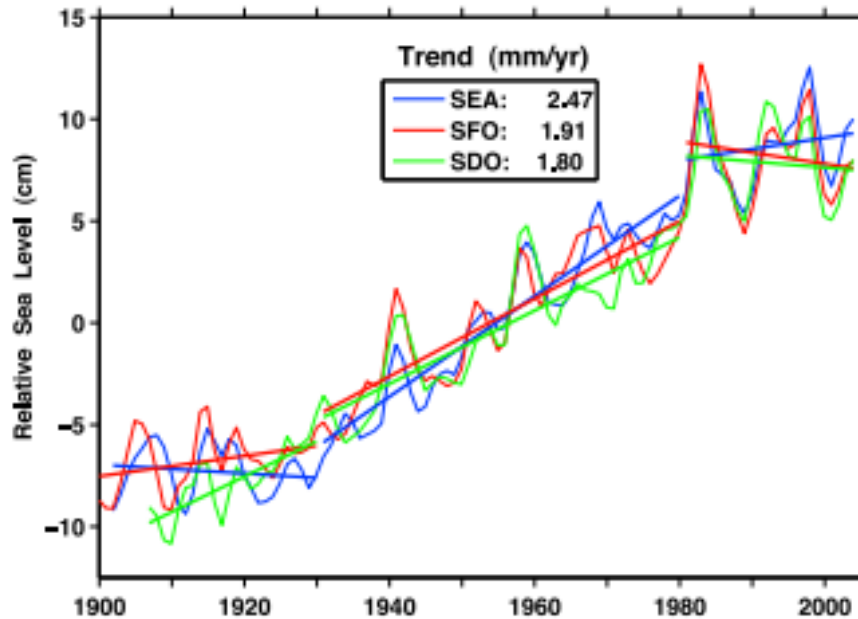
The following list includes information that the County Planning Commission requested at the August 1, 2018, hearing.

1. **Sea Level Rise Historical Data.** The average global rate of sea level rise ranged from 0.5 – 0.7 inches/year for the 20<sup>th</sup> century, but since 1990 the rate has more than doubled to an average of 1.3 inches/year.<sup>1</sup> Figure 1 below shows relative sea level rise at the three oldest tidal gauges on the west coast, Seattle (SEA), San Francisco (SFO), and San Diego (SDO), over the 20<sup>th</sup> century.<sup>2</sup> The

<sup>1</sup> Gary Griggs, Joseph Arvai, Dan Cayan, Robert DeConto, Jenn Fox, Helen Fricker, Robert Kopp, Claudia Tebaldi, Liz Whiteman (California Ocean Protection Council Science Advisory Team Working Group), "Rising Seas in California: An Update on Sea-Level Rise Science," California Ocean Science Trust, April 2017.

<sup>2</sup> Peter Bromirski, Arthur Miller, Reinhard Flick, and Guillermo Auad, "Dynamical suppression of sea level rise along the Pacific coast of North America: Indications for imminent acceleration," Journal of Geophysical Research, vol. 116 (2011): 1-13.

sea level rise trends from 1900 to 2000 at these three locations range from 0.07 to 0.1 inches per year, or approximately 7 to 10 inches in 100 years.



**Figure 1. Relative sea level rise at the Seattle (SEA), San Francisco (SFO), and San Diego (SDO) tidal gauges since 1900.**

Source: Bromirski et.al. 2011

Note: 1 mm = 0.04 inches. The sea level rise trend at SEA is 0.1 inches/year, at SFO is 0.08 inches/year, and at SDO is 0.07 inches/year.

The Santa Barbara harbor tidal gauge has been in operation since 1973. The relative sea level has risen steadily over that period. Between 1975 and 2018, mean sea level at the Santa Barbara harbor tidal gauge rose at an average of 0.04 inches per year.<sup>3</sup> However, between 2005 and 2018 average mean sea level change increased by an order of magnitude as compared to the previous 30 years, rising to 0.3 inches per year, or 3.8 inches in the past 13 years.

As exemplified by the tidal gauge measurements globally and locally, historical sea level rise is not a direct indicator of future rise, and the rise continues to accelerate. The most recent models show that sea level rise will continue to rise significantly, faster than historical rates, through the end of this century and beyond.

- 2. Sea Level Rise Scenario Comparison Chart.** The County Planning Commission asked which sea level rise scenarios local coastal cities and counties plan to use in proposed LCP amendments. Table 1 provides information on the sea level rise scenarios or standards used in the draft LCP amendments of local coastal cities and counties as of August, 2018.

<sup>3</sup> NOAA/National Ocean Service. "Water Levels – NOAA Tides and Currents Products." NOAA.gov. <https://tidesandcurrents.noaa.gov/waterlevels.html?id=9411340> (accessed on August 16, 2018).

**Table 1. Proposed Sea Level Rise Standards in Local LCP Amendments**

<b>Jurisdiction</b>	<b>Low (Approximately 12 inches by 2100)</b>	<b>Medium (Approximately 30 inches by 2100)</b>	<b>High (Approximately 60 inches by 2100)</b>	<b>Undecided</b>
Santa Barbara County		X		
City of Carpinteria				X
City of Goleta				X
City of Santa Barbara			X	
Ventura County				X
San Luis Obispo County				X

3. **Inter-Jurisdictional Coordination.** Coordination and public outreach have been an integral part of this project since its inception in 2014. First, Long Range Planning convened a technical stakeholder group, which met seven times during the modeling and mapping phases of the project. The stakeholders encompassed a wide range of local professionals and interested parties from city and state agencies, utilities and special districts, civic and environmental organizations, and local tribes. Second, County staff consulted with Coastal Commission staff very early in the policy development process. County and Coastal Commission staff undertook two iterations of policy recommendations and feedback. Third, staff implemented a wide-ranging public outreach process from August through October 2017. Long Range Planning staff held two public workshops, one beach demonstration event, and made presentations at several targeted meetings of County and community advisory and nonprofit groups. Additionally, staff made presentations to other local and regional planning professionals at conferences and regional working groups. Finally, staff briefed the Montecito and County Planning Commissions and the Board of Supervisors in winter 2017/2018.
  
4. **Rolling Easements.** The County Planning Commission briefly discussed rolling easements as a possible strategy to provide continuous public access in coastal hazard areas. Typically, a rolling easement prohibits shoreline protection and requires removal of existing structures to allow for inland migration of the shoreline.<sup>4</sup> This concept conflicts with existing County and Coastal Act policies that allow for the protection of existing development, such as existing Coastal Land Use Policies 3-1 and 3-2 and Coastal Act Section 30235. Rolling easements also pose taking and other legal issues and may not be legally defensible. Therefore, staff does not recommend exploring rolling easements as part of this planning effort.

Enclosures:

1. County Planning Commission Consensus on the Montecito Planning Commission’s Recommendations
2. Findings for Approval
3. County Planning Commission Resolution  
 Exhibit 1: Board of Supervisors Resolution Amending the Coastal Land Use Plan  
 (Case No. 17GPA-00000-00004)

<sup>4</sup> Titus, James. *Rolling Easements*. United States Environmental Protection Agency, Climate Ready Estuaries Program, 2011.

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**Exhibit 2: Board of Supervisors Ordinance Amending the Coastal Zoning Ordinance  
(Case No. 17ORD-00000-00015)**

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