

DIVISION 11 PERMIT PROCEDURES

Sec. 35-169. Coastal Development Permits. *(Amended by Ord. 4594 & 4595, 3/5/08)*

Sec. 35-169.1 Purpose and Intent.

This Section establishes procedures and findings for the approval, issuance and effective time periods for Coastal Development Permits that are required by this Article. The intent of this section is to ensure that development is in conformity with the provisions of this Article, the Comprehensive Plan including the Coastal Land Use Plan and any applicable Community Plan and any permit conditions established by the County, and to provide public hearing opportunities for development that is defined as appealable to the Coastal Commission in compliance with Section 35-182 (Appeals).

Sec. 35-169.2 Applicability.

1. Before using any land or structure, or commencing any work pertaining to any development or use in the Coastal Zone of the County, wherein permits are required under the provisions of this Article, a Coastal Development Permit shall be issued unless other regulations of this Article specifically indicate that such activity is exempt. Activities which are exempt from the issuance of a Coastal Development Permit shall comply with all applicable regulations of this Article including but not limited to use, setback, and height, as well as all required provisions and conditions of any existing approved permits for the subject property. The following activities shall be exempt from the issuance of a Coastal Development Permit:
 - a. Repair and maintenance activities that do not result in addition to, or enlargement or expansion of, the object of such repair or maintenance activities (see Section 35-169.10).
 - b. The installation of fences, walls, gates and gateposts pursuant to Section 35-123 (Fences, Walls, Gates and Gateposts) only if the development will: (1) not be located between the first public road and the sea or within or adjacent to a wetland, beach, coastal bluff, or an environmentally sensitive habitat area; and (2) not result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including where there is substantial evidence of prescriptive rights); and (3) not result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas, and public roadways.
 - c. Installation of irrigation lines, not otherwise requiring a Grading Permit pursuant to Chapter 14 of the Santa Barbara County Code.
 - d. Installation, testing, placement in service, or the replacement of any necessary utility connection between an existing service facility and any development that has been granted a Coastal Development Permit (see Section 35-169.10).
 - e. Buildings or structures, except for telecommunications facilities regulated under Sections 35-144F and 35-144G, having an aggregate value of less than \$2,000.00, as determined by the Planning and Development Department.
 - f. The addition of solar collection systems to existing buildings or structures.
 - g. Grading, excavation, or fill which does not require a Grading Permit pursuant to Chapter 14 of the Santa Barbara County Code.
 - h. Any development proposed or undertaken on any tidelands, submerged lands, or on public trust lands, whether filled or unfilled. (Public Resources Code Section 30519).
 - i. The following improvements and structures shall be exempt provided that the parcel on which they are located is not within 300 feet of the edge of a coastal bluff or the inland extent of any beach, or not within or contiguous to an Environmentally Sensitive Habitat

area:

- 1) Decks, platforms, walks, and driveways which do not require a Grading Permit pursuant to Chapter 14 of the County Code and are not over 30 inches above grade and not over any basement or story below.
 - 2) Skylights, windows, and doors.
 - 3) Window awnings that are supported by an exterior wall and project no more than 54 inches from such exterior wall.
 - 4) Spas, hot tubs and fish ponds that do not exceed 120 square feet of total development, including related equipment, or contain more than 2,000 gallons of water.
 - 5) One-story detached accessory buildings used as tool and storage sheds, playhouses, gazebos, pergolas and similar uses, provided such buildings or structures do not exceed 12 feet in height, the roof area does not exceed 120 square feet, and no plumbing or electrical work is required.
 - 6) Retaining walls (retaining earth only) which are not over four feet in height measured from the bottom of the footing to the top of the wall and do not require a Grading Permit pursuant to Chapter 14 of the County Code.
 - 7) Structures and related development required for temporary motion picture, television and theater stage sets and scenery, and still photographic sessions, provided that such development does not require alterations of the natural environment such as removal of vegetation, grading or earthwork.
 - 8) In the RR, A-I, and A-II districts, agricultural accessory structures that are roofed and supported by posts or poles, do not exceed 500 square feet of roof area, are unenclosed on all sides, and have no plumbing or electrical facilities.
- j. Propane tanks located in residential or agricultural zone districts.
- k. Performance testing and installation of dry wells, except for lots in designated Special Problem Areas for sewage disposal.
- l. Seismic retrofits to existing structures. Seismic retrofits are limited to the addition of foundation bolts, hold-downs, lateral bracing at cripple walls, and other structural elements required by County Ordinance 4062. The seismic retrofits shall not increase the gross square footage of the structure, involve exterior alterations to the structure, alter the footprint of the structure, nor increase the height of the structure.
- m. Pursuant to the intent of Section 30610 (g) of the Public Resources Code and this Article, the restorations or reconstruction of conforming buildings or structures, other than a public works facility, damaged or destroyed by a disaster, as determined by Planning and Development. For the purposes of this Section only, disaster shall be defined as any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of the owners. The restored or replaced structure shall conform to all provisions of the zone district requirements (including permitted uses), shall be for the same use, shall be in the same footprint location, shall not exceed either the floor area, height, or bulk of the damaged or destroyed structure by more than 10 percent. For the purposes of this Section only, the definition of structure shall include landscaping and any erosion control structure or device; and bulk shall be defined as total interior cubic volume as measured from the exterior surface of the structure. If the Planning and Development Department determines that the exterior design or specifications are proposed to be

changed, the restored or replaced structure, shall be subject to the provisions of Section 35-184, Board of Architectural Review, if otherwise subject to such review (e.g., the site is within the D-Design Control Overlay District).

- n. Ground or roof mounted receive only satellite dish and wireless television antenna one meter in diameter or less which is used solely by the occupants of the property on which the antenna is located for the non-commercial, private reception of communication signals (e.g., television).
 - o. Interior alterations that do not result in an increase in the gross floor area within the structure, do not increase the required number of parking spaces, or do not result in a change in the permitted use of the structure.
 - p. Recordation of a Final or Parcel map following an approved tentative map, except vesting tentative maps.
2. The approval of a development plan as provided in Section 35-174 (Development Plans) shall be required prior to the approval of any Coastal Development Permit for a structure that is not otherwise required to have a discretionary permit and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that, together with existing structures on the lot will total 20,000 square feet or more of gross floor area.

Sec. 35-169.3 Contents of Application.

As many copies of an application as may be required shall be submitted to the Planning and Development Department. Said application shall include:

- 1. A site plan which shall indicate clearly and with full dimensions the following information, if applicable:
 - a. North arrow and scale of drawing.
 - b. Site address.
 - c. Lot dimensions and boundaries.
 - d. All proposed and existing buildings and structures and their locations, size, height, and use.
 - e. Distance from proposed structure(s) to property lines, centerline of the street or alley and other existing structures on the lot.
 - f. Walls and fences: location, height and materials.
 - g. Name and widths of streets (right-of-way) abutting the site.
 - h. Off-street parking: location, dimensions of parking area, number of spaces, arrangement of spaces and internal circulation pattern.
 - i. Access: pedestrian, vehicular, service; and delineations of all points of ingress and egress.
 - j. Signs: location, size, height and method of illumination.
 - k. Loading zones: location, dimensions, number of spaces.
 - l. Lighting: general nature, locations and hooding devices.
 - m. Proposed street dedications and improvements.
 - n. Landscaping, if required.
 - o. Method of sewage disposal: show position of septic tank and leach lines, if applicable.
 - p. For commercial and industrial projects indicate where applicable: