

Preliminary Draft

This document provides the County’s draft of potential policy revisions and potential new policies per the Coastal Resiliency Project. The purpose of this draft is to solicit comments from the public.

To provide comments on this document, or to find out more about the project, contact Selena Evilsizor at (805) 568-3577 or at sevilsizor@countyofsb.org

Potential Changes to the Santa Barbara County (SBC) Coastal Land Use Plan (CLUP)

Potential Changes to Existing Policies		
SBC CLUP Policy Number	Current SBC CLUP Policy Text	Policy text revisions are shown in strikeout / <u>underline</u>
<p>Policy 2-12</p> <p>Policy Type: Development</p> <p>Topic: Hazards</p>	<p>The densities specified in the land use plan are maximums and shall be reduced if it is determined that such reduction is warranted by conditions specifically applicable to a site, such as topography, geologic or flood hazards, habitat areas, or steep slopes. However, density may be increased for affordable housing projects provided such projects are found consistent with all applicable policies and provisions of the Local Coastal Program. (amended by 93-GP-11)</p>	<p>The densities specified in the land use plan are maximums and shall be reduced if it is determined that such reduction is warranted <u>by due to site-specific conditions specifically applicable to a site</u> such as topography; geologic or <u>flood or fire hazards;</u> <u>coastal bluff or shoreline retreat;</u> habitat areas; or steep slopes. However, density <u>densities</u> may be increased for affordable housing projects provided such projects are found consistent with all applicable policies and provisions of the Local Coastal Program. (amended by 93-GP-11)</p>
<p>Policy 2-17</p> <p>Policy Type: Planned Development</p> <p>Topic: Resource protection; Hazards; Housing</p>	<p>Use of flexible design concepts, including clustering of units, mixture of dwelling types, etc., shall be required to accomplish as much as possible all of the following goals:</p> <ul style="list-style-type: none"> a. protection of the scenic qualities of the site; b. protection of coastal resources, i.e., habitat areas, archaeological sites, etc.; c. avoidance of siting of structures on hazardous areas; d. provision of public open, space, recreation, and/or beach access; e. preservation of existing healthy trees; and f. provision of low and moderate housing opportunities. 	<p>Use <u>To the maximum extent feasible, use</u> of flexible design concepts, including (e.g., clustering of units, and/or a mixture of dwelling types, etc.) <u>and flexible building design (e.g., flood proofing such as breakaway walls or elevated utilities)</u> shall be required <u>in planned development, in order to accomplish as much as possible</u> all of the following goals:</p> <ul style="list-style-type: none"> a. protection of the scenic qualities of the site; b. protection of coastal resources, i.e. (e.g., public access, water quality, <u>habitat areas, or</u> archaeological sites, etc.); c. avoidance of siting of structures on <u>within hazardous areas (including reasonably foreseeable hazards from sea level rise during the anticipated life of the development [typically 75 years for residential and commercial development])</u>; d. provision of public open space, recreation, and/or beach access; e. preservation of existing healthy trees; and f. provision of low and moderate <u>income</u> housing opportunities.
<p>Policy 3-1</p> <p>Policy Type: Seawalls and</p>	<p>Seawalls shall not be permitted unless the County has determined that there are no other less environmentally damaging alternatives reasonably available for protection</p>	<p>Seawalls shall not be permitted unless the County has determined that there are no other <u>feasible,</u> less environmentally damaging alternatives reasonably</p>

SANTA BARBARA COUNTY COASTAL LAND USE PLAN – COASTAL RESILIENCE POLICIES

August 2017

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<p>Shoreline Structures</p> <p>Topic: Shoreline armoring</p>	<p>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.</p>	<p>available for protection of existing principal structures. The County prefers and encourages <u>Priority shall be placed on:</u> (1) non-structural solutions to shoreline erosion problems, including [e.g., beach replenishment, removal of endangered structures and prevention of land divisions on shorefront property subject to erosion]; <u>and, will seek</u> and landscape scale – rather than single lot - solutions to shoreline hazards on a larger geographic basis, than a single lot circumstance. <u>Where permitted To the maximum extent feasible,</u> seawall design and construction shall respect to the degree possible <u>preserve</u> natural landforms, and shall not result in the loss of public trust lands. Development involving seawalls shall include: (1) adequate - Adequate provision for lateral beach access; shall be made and the project shall be designed <u>(2) colors, materials, and designs</u> to minimize visual impacts. by the use of appropriate colors and materials.</p>
<p>Policy 3-2</p> <p>Policy Type: Seawalls and Shoreline Structures</p> <p>Topic: Shoreline armoring</p>	<p>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.</p>	<p>Revetments, <u>breakwaters</u>, groins, <u>seawalls</u>, cliff retaining walls, pipelines and outfalls, and other such construction that may alter natural shoreline processes shall be permitted when: <u>(1) required to serve coastal dependent-uses or to protect existing structures or public beaches in danger from erosion;</u> <u>(2) no better alternative exists</u> designed to eliminate or mitigate adverse impacts on local shoreline sand supply; and <u>(3) they are designed</u> so as not to block lateral beach access.</p>
<p>Policy 3-4</p> <p>Policy Type: Bluff Protection</p> <p>Topic: Bluff erosion; hazards</p>	<p>In areas of new development, above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years, unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used. The County shall determine the required setback. A geologic report shall be required by the County in order to make this determination. At a minimum, such geologic report shall be prepared in conformance with the Coastal Commission’s adopted Statewide Interpretive Guidelines regarding “Geologic Stability of Bluff top Development.”(See also Policy 4-5 regarding protection of visual resources.)</p>	<p>In areas of new <u>New</u> development <u>(including additions and shoreline renovation)</u>, above-ground structures, shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion or <u>slope instability, factoring in the effects of sea level rise, without the use of a shoreline protective device, over the anticipated life of the development (minimum of 75 years for single family residences and commercial structures for a minimum of 75 years,</u> unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used; <u>otherwise determined on a case-by-case basis for public infrastructure).</u> The County</p> <p><u>Applications for development shall determine the required setback. A include a geologic report shall be required by the County and hazards analysis in order to make this: (1) assist the County in making the determination. At a of the minimum bluff top setback requirement for the proposed development; and (2) set forth an analysis of how physical impacts (e.g., erosion, flooding, and wave runup) from locally relevant sea level rise projections (i.e., low, medium, and high sea level rise scenarios) based on best available science will constrain the developable site area during the lifetime of the development (minimum 75-year for 50-year)</u></p>

SANTA BARBARA COUNTY COASTAL LAND USE PLAN – COASTAL RESILIENCE POLICIES

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		<p>timeframe. such geologic report shall be prepared in conformance with the Coastal Commission’s adopted Statewide Interpretive Guidelines regarding “Geologic Stability of Blufftop Development.”</p> <p><u>The analysis shall be prepared according to the requirements set forth in Section 35-67 of the County of Santa Barbara Coastal Zoning Ordinance (Development Standards for Bluff Development) and is subject to review and approval by the County as part of the Coastal Development Permit application review process.</u></p> <p>See also Policy 4-5 regarding protection of visual resources.</p>
<p>Policy 3-5</p> <p>Policy Type: Bluff Protection</p> <p>Topic: Bluff erosion and stability</p>	<p>Within the required bluff top setback, drought-tolerant vegetation shall be maintained. Grading, as may be required to establish proper drainage or to install landscaping, and minor improvements, i.e., patios and fences that do not impact bluff stability, may be permitted. Surface water shall be directed away from the top of the bluff or be handled in a manner satisfactory to prevent damage to the bluff by surface and percolating water.</p>	<p>Within the required bluff top setback, drought-tolerant vegetation shall be maintained, <u>using native plants and materials to the maximum extent feasible.</u> Grading <u>Minor grading, as may be that is required to establish proper for drainage or to install landscaping, and minor improvements, i.e., patios and fences that do not impact bluff stability,</u> may be permitted. Surface water shall be directed away from the top of the bluff or be handled in a manner satisfactory <u>managed</u> to prevent damage to the bluff by surface and percolating water.</p>
<p>Policy 3-8</p> <p>Policy Type: Geologic Hazards</p> <p>Topic: Hazards</p>	<p>Applications for grading and building permits, and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami runup, landslides, beach erosion, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, a geologic report shall be required. Mitigation measures shall be required where necessary.</p>	<p>Applications for <u>new development (including additions and shoreline renovation)</u> shall be reviewed for adjacency to, threats from, and impacts related to <u>on</u> geologic hazards arising from seismic events, <u>wave runup,</u> tsunami runup, landslides, beach <u>or bluff</u> erosion, or other geologic hazards such as (e.g., expansive soils and or subsidence areas), <u>and reasonably foreseeable hazards due to sea level rise during the anticipated life of the proposed project (typically 75 years for single family residences and commercial structures; otherwise determined on a case-by-case basis for public infrastructure).</u> In areas of known geologic hazards, a geologic report <u>and hazards analysis</u> shall be required. <u>The analysis shall be prepared by a qualified California licensed professional (e.g., Professional Geologist, Engineering Geologist, Geotechnical Engineer, Civil Engineer, and/or Coastal Engineer, as applicable). The analysis shall identify any hazards affecting the proposed project based on the best available science, any necessary mitigation measures, and contain substantial evidence that the project site, with mitigation, is suitable for the proposed development and that the development will adequately protect life and property from geologic hazard.</u> Mitigation measures shall be <u>applied to development when required, to avoid or minimize impacts related to geologic hazards and sea level rise.</u> where necessary.</p>

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<p>Policy 3-11</p> <p>Policy Type: Flood Hazard Overlay Designation</p> <p>Topic: Flooding</p>	<p>All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</p>	<p>All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway <u>unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.</u> off-setting improvements in accordance with HUD regulations are provided.</p> <p>If the proposed development falls within the floodway fringe, development may be permitted, <u>Development may be permitted within the floodway fringe;</u> (as identified on the current Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency) provided that:</p> <ul style="list-style-type: none"> • creek setback requirements are met; and • finish floor elevations are above the projected 100-year flood elevation; and • <u>the development meets the criteria and the standards mandated by the County's participation in the Federal Flood Insurance Program.</u> <p><u>Development is permitted within areas identified as potentially subject to future flooding as sea levels rise (as identified on the Santa Barbara County Coastal Hazard Screening Maps) provided that:</u></p> <ul style="list-style-type: none"> • <u>a hazards analysis is prepared using locally-relevant sea level rise projections (i.e., low, medium, and high sea level rise scenarios) to determine potential site- or project-specific hazards;</u> • <u>the analysis sets forth siting and design alternatives and mitigation measures to avoid existing or projected flooding and inundation impacts; and</u> • <u>the permitted development will not result in an obstruction to flood control.</u>
<p>Policy 3-14</p> <p>Policy Type: Hillside and Watershed Protection</p> <p>Topic: Hazards</p>	<p>All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p>All development shall be <u>sited and</u> designed to fit the <u>minimize altering</u> altering <u>alteration of</u> existing site topography, soils, geology, <u>and</u> hydrology, <u>and any other existing conditions</u> and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion, or other hazards, <u>including those associated with sea level rise,</u> shall remain in open space.</p>

SANTA BARBARA COUNTY COASTAL LAND USE PLAN – COASTAL RESILIENCE POLICIES

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<p>Policy 6-9</p> <p>Policy Type: Energy (Oil and Gas)</p> <p>Topic: Oil and Gas Processing Facilities</p>	<p>Applicants for oil and gas processing facilities shall prepare and keep updated emergency response plans to deal with the potential consequences of hydrocarbon leaks or fires. These emergency response plans shall be approved by the County’s Emergency Services Coordinator and Fire Department.</p>	<p>Applicants for oil and gas processing facilities shall prepare and keep updated emergency response plans to <u>address deal with</u> the potential consequences of hydrocarbon leaks or fires. These emergency response plans shall be approved by the, <u>as well as facility impacts from increased coastal flooding and erosion due to sea level rise. The County’s Office of Emergency Services Coordinator Management and Fire Department shall review and, if found to be adequate, approve these emergency response plans.</u></p>
<p>Policy 6-16</p>	<p>The pipeline shall be sited and constructed in such a manner as to inhibit erosion.</p>	<p>The pipelines shall be sited and constructed in such a manner as to inhibit erosion, <u>taking into account areas subject to likely future erosion during the anticipated lifespan of the pipeline as sea level rises.</u></p>
<p>Policy 7-1</p>	<p>The County shall take all necessary steps to protect and defend the public’s constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include:</p> <ol style="list-style-type: none"> Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds. Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County’s ability to assume liability and maintenance costs. Actively seeking other public or private agencies to accept offers of dedications, having them assume liability and maintenance responsibilities, and allowing such agencies to initiate legal action to pursue beach access. 	<p>The County shall take all necessary steps to protect and defend the public’s constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include:</p> <ol style="list-style-type: none"> Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds; Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County’s ability to assume liability and maintenance costs; Actively seeking other public or private agencies to accept offers of dedications, having them assume liability and maintenance responsibilities, and allowing such agencies to initiate legal action to pursue beach access; <u>and</u> <u>Pursuing new public accessways if existing easements or corridors are lost or inaccessible due to sea level rise.</u>
<p>Policy 7-4</p> <p>Policy Type: Coastal Access and Recreation</p> <p>Topic: ESHA; habitats</p>	<p>The County, or appropriate public agency, shall determine the environmental carrying capacity for all existing and proposed recreational areas sited on or adjacent to dunes, wetlands, streams, tidepools, or any other areas designated as “Habitat Areas” by the land use plan. A management program to control the kinds, intensities, and locations of recreational activities so that habitat resources are preserved shall be developed, implemented, and enforced. The level of facility development (i.e., parking spaces, camper sites, etc.) shall be correlated with the environmental carrying capacity.</p>	<p>The County, or appropriate public agency, shall determine the environmental carrying capacity for all existing and proposed recreational areas sited on or adjacent to dunes, wetlands, streams, tidepools, or any other areas designated as “Habitat Areas” <u>by in</u> the land use plan <u>or by a qualified biologist-A (i.e., that the proposed recreational activities are of the kind, intensity, and location to ensure protection of habitat resources).</u> The County shall ensure that a management program <u>is developed and implemented</u> to control the kinds, intensities, and locations of recreational activities so that habitat resources are preserved shall be developed, implemented, and enforced. The level of facility development (i.e. e.g., parking spaces, or camper sites, etc.) shall be correlated with the environmental carrying capacity <u>of the recreational area. As County</u></p>

SANTA BARBARA COUNTY COASTAL LAND USE PLAN – COASTAL RESILIENCE POLICIES

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		<p>beach park development plans are updated, they shall incorporate measures to adapt to sea level rise over time and provide for the long term protection and provision of public improvements, coastal access, public opportunities for coastal recreation, and coastal resources including beach and shoreline habitat. Where feasible, any facilities that are removed or reduced to address carrying capacity should be replaced at an appropriate location, to ensure public access and recreational resources are protected and enhanced.</p>

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SANTA BARBARA COUNTY COASTAL LAND USE PLAN – COASTAL RESILIENCE POLICIES

August 2017

PRELIMINARY DRAFT – FOR DISCUSSION PURPOSES ONLY

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Reference No. (for discussion purposes only)	Policy Type	Topic	Potential New Policy Language
1	New Potential Policy: Shoreline Management	Shoreline Management Planning	The County shall collaborate with the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON), local coastal cities, relevant state and federal agencies, and nonprofit organizations on shoreline management planning research and methods along the southern coastline of Santa Barbara County, including beach erosion from sea level rise and possible sediment management solutions.
2	New Potential Policy: Development	Hazards: Real Estate Disclosures	Prior to issuance of a Coastal Development Permit for new development or shoreline renovation in areas shown on the Coastal Hazards Screening Map, property owners shall record a Notice to Property Owner (NTPO). The NTPO must notify current and future property owners of current and future hazards associated with anticipated sea level rise, including accelerated coastal bluff retreat, erosion, wave run up, and flooding/inundation.
3	New Potential Policy: Development	Subdivision of New Lots in Hazardous Areas	Land divisions, including lot line adjustments, shall be allowed only if: (1) it can be demonstrated that the resulting lots can accommodate development that would be safe from geologic, seismic, flooding, and other hazards, including reasonably foreseeable hazards resulting from sea level rise; and (2) lot configurations, building sites, and access roads comply with all applicable hazard policies and regulations of the LCP. In addition, all proposed lots and access roads must comply with all applicable fire safety regulations.
4	New Potential Policy: Development	Setbacks for Beachfront Development	New beachfront development (including additions and shoreline renovation) along shoreline segments that lack coastal bluffs shall be set back a sufficient distance to ensure that the new beachfront development will be located outside of areas subject to existing or reasonably foreseeable future shoreline hazards (e.g., shoreline erosion, inundation, flooding, storm surge, sea level rise, and wave uprush) without reliance on a shoreline protective device over the anticipated life of the development (minimum of 75

SANTA BARBARA COUNTY COASTAL LAND USE PLAN – COASTAL RESILIENCE POLICIES

August 2017

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Potential New Coastal Land Use Policies			
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			years for single family residences and commercial structures, unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used; otherwise determined on a case-by-case basis for public infrastructure). A site-specific Coastal Hazard and Wave Run-up Study shall be required that is prepared according to the requirements set forth in Section 35-61 of the County of Santa Barbara Coastal Zoning Ordinance (Development Standards for Beach Development) and is subject to review and approval by the County as part of the Coastal Development Permit application review process-
5	New Potential Policy: Public Access Facilities	Public access facilities	Shoreline and bluff area public access and recreation areas and facilities (e.g., overlooks, trails, stairways and/or ramps, parks, visitor-serving accommodations) may be allowed within sea level rise hazard areas provided that the public access facilities: <ol style="list-style-type: none"> 1. are consistent with all other applicable LCP policies; 2. are sited and designed to be relocated and/or removable without significant damage to shoreline and/or bluff areas, utilizing a phased approach when possible to ensure that coastal access opportunities are maximized; 3. do not require shoreline protective devices; and 4. will not cause, expand, or accelerate instability of a bluff.
6	New Potential Policy: Emergency Shoreline Protection Needs	Emergency Shoreline Protection	The County will encourage and work with owners of property that is subject to oceanfront erosion hazards, in order 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 generally similar erosion hazards, property owners should develop a coordinated response to the hazards.
7	New Potential Policy: Development Within the Bluff-top Setback	New development; bluff erosion and stability	Minor ancillary development that does not require structural foundations or excavation grading, does not impact bluff stability, and can be readily removed and/or relocated (e.g., decks, fences, patios, and walkways) may be permitted within the bluff top

SANTA BARBARA COUNTY COASTAL LAND USE PLAN – COASTAL RESILIENCE POLICIES

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			setback area if consistent with the protection of coastal resources. The ancillary development shall be removed or relocated landward at the owner’s expense when threatened by erosion. Coastal armoring and bluff retaining walls are prohibited to protect these ancillary structures from bluff retreat. The coastal bluff setback does not apply to minor development associated with passive recreational uses (e.g., signs, benches, and trails).
8	New Potential Policy: Transportation	Impacts to U.S. Highway 101 from Sea Level Rise	The County should consult with the California Department of Transportation to protect access to the coast and to minimize impacts of sea level rise on U.S. Highway 101. Areas that will become regularly inundated by the ocean or are at risk of periodic inundation from storm surge and sea level rise should be identified. A combination of structural and non-structural measures to protect local and regional access and use of Highway 101 should be considered with a preference towards non-structural solutions, unless the structural solutions are less environmentally damaging.
9	New Potential Policy: Hazards; Development	Hazards	<p>Coastal Hazards Screening Map. The Coastal Hazards Screening Map included as part of this Land Use Plan shows areas subject to beach and bluff erosion, slope stability, and wave uprush hazards based on model results using data from sea level rise scenarios, aerial photos, and other sources and provides a conservative, general screening-level evaluation tool for coastal hazards. Any areas subject to beach and bluff erosion, slope stability, and wave uprush hazards that are not designated on the map shall also be subject to the policies and regulations of the LCP.</p> <p>The Screening Map shall be updated and modified accordingly as new and more accurate sea level rise hazard models and empirical evidence becomes available.</p> <p>The County may act on a Coastal Development Permit application in compliance with the policies and regulations of the LCP, even if the Coastal Hazards Screening Map is found to be in need of amendment, but has not been amended as of the time action on</p>

SANTA BARBARA COUNTY COASTAL LAND USE PLAN – COASTAL RESILIENCE POLICIES

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			<p>the Coastal Development Permit application.</p> <p>Where the physical extent of a hazard on the project site is different than those indicated on the Map, the Coastal Development Permit shall require findings regarding the physical extent of the hazard and detailed justification for modifications at the project site based on substantial evidence.</p>

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New Definitions Proposed For Inclusion in the Coastal Land Use Plan and Coastal Zoning Ordinance:

BLUFF: A high bank or bold headland with a broad, precipitous, sometimes rounded cliff face overlooking a plain or a body of water with at least ten feet of vertical relief.

COASTAL BLUFF: A bluff, as defined herein, whose toe is now or was historically subject to marine erosion (see figures below).

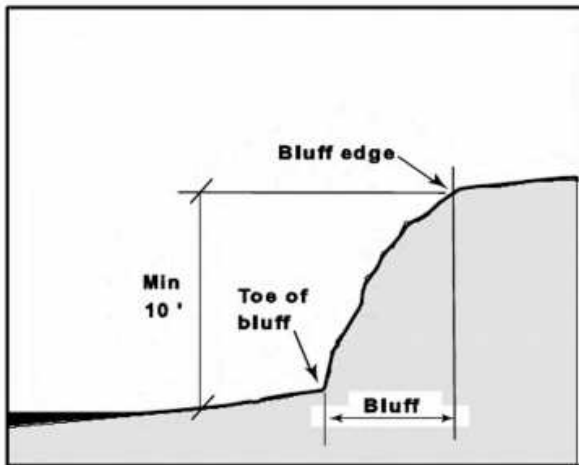


Diagram of a Generalized Coastal Bluff

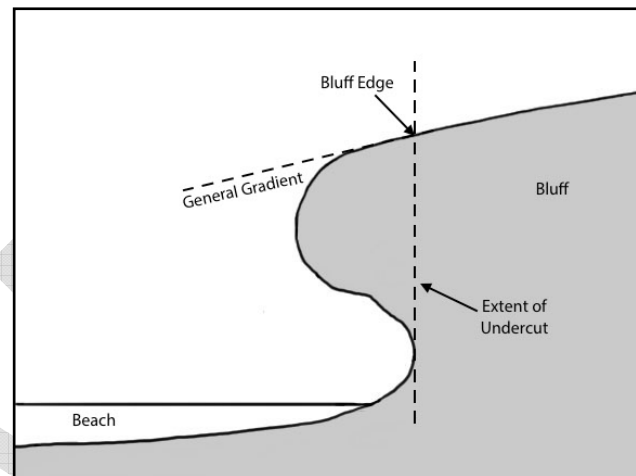


Diagram of an Undercut Coastal Bluff

BLUFF EDGE: The bluff edge is the upper termination of a bluff, cliff, or sea cliff (see Figure 1 below). In cases where the top edge of the bluff is rounded away from the face of the bluff, the bluff edge shall be defined as that point nearest the bluff face beyond which the downward gradient is maintained continuously to the base of the bluff (see Figure 2 below). In a case where there is a step-like feature at the top of the bluff, the landward edge of the topmost riser shall be considered the bluff edge. Artificial fill placed near the bluff edge, or extending over the bluff edge does not alter the position of the bluff edge (see Figure 3 below). Where a coastal bluff curves landward to become a canyon bluff, the termini of the coastal bluff edge shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the coastal bluff line along the seaward face of the bluff, and a line coinciding with the general trend of the bluff line along the canyon facing portion of the bluff (see Figure 4 below).

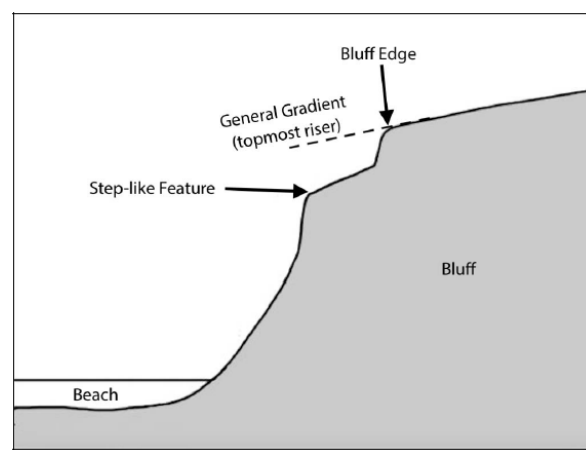
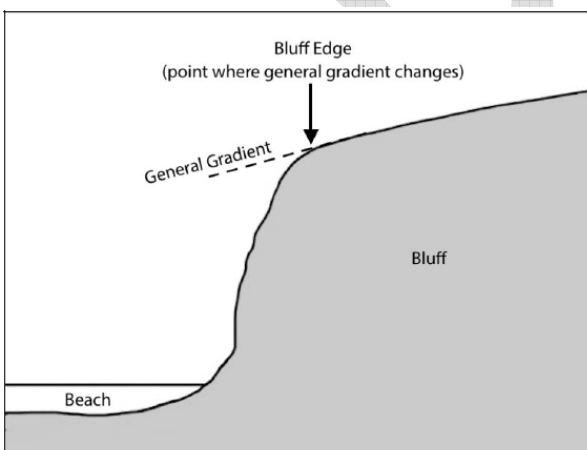


Figure 1: Bluff Edge

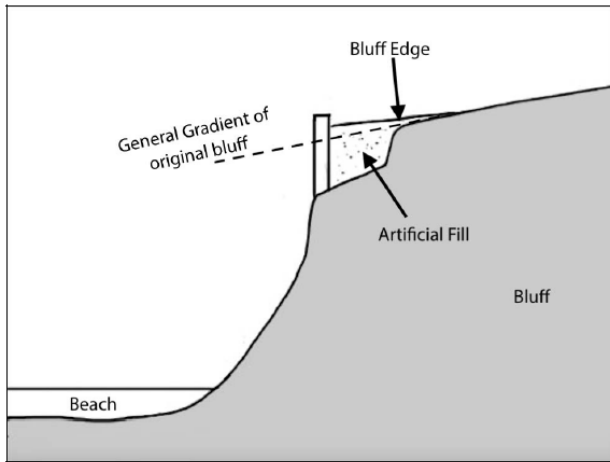


Figure 2: Bluff Edge with Step-like Feature

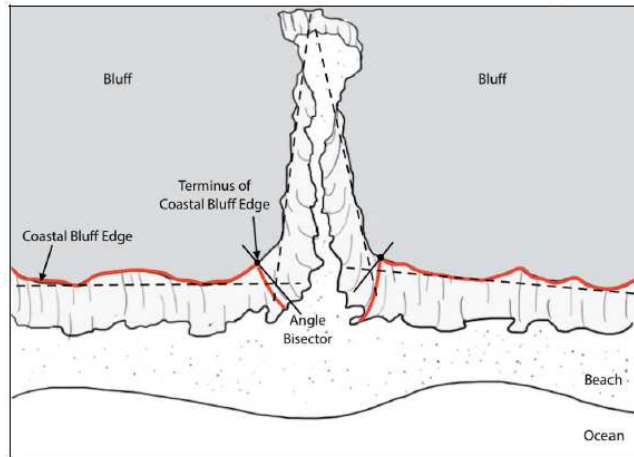


Figure 3: Bluff Edge with Artificial Fill

Figure 4: Coastal Canyon Bluff Edge

SHORELINE RENOVATION: Changes to existing development located adjacent to the shoreline which results in an alteration of 50% or more of exterior walls and/or major structural components of the floor, roof, and foundation, or a 50% increase in floor area.

SHORELINE PROTECTIVE DEVICES: Constructed features such as seawalls, revetments, riprap, earthen berms, cave fills, and bulkheads that block the landward retreat of the shoreline and are used to protect structures or other features from erosion and other hazards.

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