

CALIFORNIA COASTAL COMMISSION

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



October 22, 2015

Jay Dobrowalski
Ventura County Planning Division
800 South Victoria Avenue
Ventura, CA 93009

RE: Appealability of Permit Modifications

Dear Mr. Dobrowalski:

In response to your email dated October 10, 2015 regarding the appealability of permit modifications, Commission staff has reviewed the provisions of the Local Coastal Program (LCP), and we appreciate the opportunity to provide input.

As described within Section 8181-10.4 of the Coastal Zoning Ordinance (CZO), there are three types of discretionary permit modifications: Site Plan Adjustment, Minor Modification, and Major Modification. As defined in the parameters of Section 8181-10.4.2(a) of the CZO, a Site Plan Adjustment is a minor change to a coastal development permit that would not alter any of the findings of approval for the underlying permit and would not have any adverse impact on the subject site or surrounding properties. Additionally, these minor changes must not circumvent the purpose or lessen the effectiveness of the approved permit conditions and must be consistent with all other provisions of the LCP. Furthermore, a Site Plan Adjustment can be acted upon by the Planning Director without a public hearing. As a result, Site Plan Adjustments approve plans that include adjustments that are so minor they are substantially in conformance with the originally approved permit, and therefore it is Commission staff's opinion that approval of a Site Plan Adjustment by the County is not appealable to the Commission.

Any proposed change that exceeds the criteria of a Site Plan Adjustment, may be processed as either a Minor or Major Modification. These types of modifications are for more substantial changes in a development, require additional review, and must be acted on through a public hearing process. As such, it is Commission staff's opinion that both Minor and Major Modifications to appealable coastal development permits are appealable to the Commission.

Again, we appreciate the opportunity to provide comments.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline Phelps".

Jacqueline Phelps
Coastal Program Analyst

cc: Brian Baca, County of Ventura
Dan Klemann, County of Ventura

County of Ventura
Planning Commission Hearing
PL21-0035
Exhibit 13 - October 22, 2015 California
Coastal Commission Letter, Appealability of
Permit Modifications