



County of Santa Barbara Planning and Development

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November 14, 2019

RE: Non-conforming Structures and Uses Impacted by the Thomas Fire and Subsequent January 9, 2018 Debris Flow

Dear Property Owner:

This letter is being sent to all property owners known to have structures impacted by the Thomas Fire or subsequent 1/9/18 Debris Flow. The Santa Barbara County Planning and Development Department (P&D) understands that a number of structures damaged or destroyed in the 1/9/18 Debris Flow may have been considered “legal non-conforming.” The purpose of this letter is to inform affected property owners of the associated time limit to repair structures that are considered “legal non-conforming” and how to request an initial extension to that time limit if you have not already initiated the process of rebuilding.

The term “legal non-conforming” is used when a structure was originally constructed legally but does not conform to the current zoning regulations in place. Pursuant to Sections 35.491.020.E and 35.491.030.B of the Montecito Land Use and Development Code, repair and reconstruction of a legal non-conforming structure or use is allowed when the structure is damaged or destroyed by a calamity beyond the control of the property owner. Pursuant to Sections 35.491.020.E.3 and 35.491.030.B.3, repair or reconstruction of a non-conforming structure or use must commence within 24 months of the time of damage. This 24-month time limit may be extended by the Director of P&D, provided a written request for a time extension is filed with the Department before the expiration of the 24-month period. The specific time extension length available to the Director ranges from 12 to 24 months depending on the type of non-conformance.

In the event that you have a non-conforming structure meeting the criteria listed above and will require a time extension to rebuild, please submit a written time extension request to your case manager before the 24-month time period lapses. Justification for delays in repairs could include the following: awaiting the release of advisory flood maps, working with your insurance company, or arranging personal affairs. If you do not know who your case manager is, please call Supervising Planner Joseph Dargel at (805) 568-3573 and he will assist you.

Thank you,

Jeff Wilson
Assistant Director