



# Las Virgenes Homeowners Federation, Inc.

Post Office Box 353, Agoura Hills, California 91301

*The voice and conscience of the Santa Monica Mountains since 1968*

## **KEEPING HORSES IN THE SANTA MONICA MOUNTAINS!**

### **The Facts About our New LCP and Equestrian Facilities**

Let's all take a deep breath, a step back, and discuss the "facts" about our new Santa Monica Mountains Local Coastal Program (LCP) and the permitting of equestrian facilities.

Swirling misinformation has seemingly stirred up a hornet's nest of confusion, fueling understandable fear and angst among some of our horse property owners.

If you have horses and you don't know what to do about the County's new LCP, hopefully this will quell some of your anxiety and/or mistrust, and motivate you to take action.

Let's start by making something perfectly clear - LA County is on our side. The new LCP supports horses and horse keeping in the Santa Monica Mountains.

Those of us that live and own property in the coastal zone are all governed by and subject to state law - the California Coastal Act - which was adopted by the people of the state of California and put into effect in 1977. These laws and regulations have henceforth been upheld and enforced by the Coastal Commission. There is nothing new about that.

Neither is the fact that the Coastal Commission has always required a coastal development permit (CDP) for development - horse facilities included.

The Santa Monica Mountains Local Coastal Program (LCP) – is new. It was voted into law by our Board of Supervisors and certified last year by the Coastal Commission, who passed their authority to enforce the Coastal Act onto LA County. This means the County, not the Coastal Commission, is responsible for approving almost all development in the coastal zone, including equestrian facilities.

**As a horse property owner in the coastal zone am I better off now under the new LCP? **Yes – and here’s why:****

The LCP represents the culmination of a 10-year outreach, collaborative effort between LA County and the stakeholders. The equestrian community played an integral role in that – helping to formulate pro-horse policies that have become part of the LCP. LA County went to bat for us to keep horsekeeping in the Santa Monica Mountains and preserve a place for horses as they have traditionally existed in the coastal zone. That was not the direction the Coastal Commission was taking, with countless enforcement cases against residents and imposing thousands and thousands of dollars in fines per day – along with more and more pressure to crack down heavily on so-called violators. Their trend was to gradually ease out horses and LA County’s was the opposite - to ensure horses stayed.

As a matter of fact, the new LCP has key horse-friendly features that are not found anywhere else in any other LCP in the state of California – like the “Special Compliance Program”. The LCP also now allows for private horse boarding, which was not permitted prior, and it increases by roughly 1200% the area where horses can be kept compared to the previous Coastal Commission practice.

The new LCP guarantees that coastal property owners will always have the ability to keep horses - and LA County is bound to administer the LCP’s policies and abide by the law.

So, here are **three** options to consider and/or take advantage of if you have unpermitted equestrian facilities (e.g. stable, barn, pipe corrals, hay-shed) on your property:

**\*1.** You can qualify for an exemption. Your facilities are “grandfathered” in if they were installed prior to Jan. 1, 1977.

**\*2.** You can apply for a coastal development permit (CDP) (a requirement under previous Coastal Commission authority, too). Comparatively speaking it will be less aggravation, quicker, and cost less across the board than it did in pre-LCP days – with a cost savings of about \$6000 for a CDP.

**\*3.** You can apply for a Special Compliance Program (SCP) permit by Oct. 2016 that will allow you to lawfully keep a horse facility on your property that technically violates the LCP for up to 24 years. Even though the bulk of the cost has to be paid initially, if you spread the cost out over the term of 24 years, it amounts to \$720 a year, or roughly \$60 a month.

### **\*DO YOU QUALIFY FOR AN EXEMPTION?**

If your horse facilities were installed before Jan. 1 1977, they are ‘grandfathered’ in. You don’t ‘have’ to do anything at all!

If however, you would like to be extra cautious (perhaps your evidence isn’t as crystal clear as you would like it to be; or you have a neighbor who doesn’t like your horses, etc.), you can ask the County to help you assess/gather proof - and ultimately hopefully obtain a permanent **“Letter of Exemption” for \$1200**. It’s your call entirely and your peace of mind. The letter also runs with your property so it is great to have that enhancement/proof on hand if and when you decide to sell.

### **\*DO YOU WANT TO APPLY FOR A CDP? IDEAL TIME IS NOW.**

If you’ve lived in the coastal zone and have equestrian facilities, but haven’t applied previously for a CDP - you know you should get permitted. Now is the time to work with the County to get one. The County is highly motivated to assist and bring its equestrian facility owners into compliance. It has done a good job of streamlining the process and cutting planning and coastal fees. It is now quicker and

costs less money than it did before.

**Here is a CDP Comparison Pre-LCP to New LCP:**

Pre-LCP (the old way)

First, you were required to get an “Approval in Concept” from the County which involved a plot plan, biological/environmental review and the Environmental Review Board. Cost was \$8000.

Then, you had to take that County approval to the Coastal Commission to get your CDP which cost an additional \$11,000.

Your total cost for a CDP prior to our new LCP was about \$19,000.

New LCP

The new LCP brings the permitting authority back to the County and restores local control, with one-stop efficiency. Now, you just have to deal with the County, no more Coastal Commission.

Total cost for a CDP under the County’s new LCP is \$13,000.

**So, under the new LCP you will save about 30%, or close to \$6000 to obtain a Coastal Development Permit (CDP).**

Once you have a CDP, it follows your property in perpetuity, (as long as you don’t change your horse facilities), which is a great thing for your property value!

**\*DO YOU WANT TO APPLY FOR A “SPECIAL COMPLIANCE PROGRAM” PERMIT BEFORE THE OPPORTUNITY EXPIRES IN OCT. 2016?**

One of the key new horse policies in the LCP, is the opportunity for horse owners to get a special compliance permit - instead of a coastal development permit - because their horse facilities don’t or can’t meet all of the more stringent permitting requirements. Note however - this chance expires in October of 2016 – and it will not be extended or amended for additional time. The Coastal Commission, with pressure

from environmental organizations, made that quite clear when it agreed to include this key policy in the County's LCP. This is the window of opportunity – after that it will be gone.

Here is how it works:

The Special Compliance (SCP) Program permit is available for up to three terms of 8 years each. The initial fees are \$9600 and \$3000-\$5400 for biological and environmental studies. Working with the County will involve monitoring and implementing best management practices. The renewal fee for the next two 8-year extensions will be about \$1150 each.

Thus, the total cost to legally permit an unlawful horse facility (one that cannot meet the conditions necessary to get a CDP) is about \$17,280 for 24 years. That averages out to a cost of about \$720 a year to get a lawful facility and peace of mind with no fear of retribution from neighbors or anyone else for that matter.

Yes, getting coastal development permits (CDP's) – has always been expensive – and even more so prior to the new LCP when permits had to be obtained from the Coastal Commission.

At least the County has streamlined what it can to reduce both the stress and cost.

The reality however, is there is increasing pressure from environmental groups, activists, and even water boards to clean up and tighten clean water standards – and horses and horsekeeping have always been a target in the Santa Monica Mountains. So, although alternatively to the three options outlined here, you could choose to do nothing - this is risky business - which will certainly get riskier as time goes on. Furthermore, the Special Compliance Program opportunity ends in Oct. 2016. And, the County is required to operate within the confines of the law.

We encourage you with all due haste to take action; contact LA County's Santa Monica Mountains LCP regional planning specialists at **818.880.3799**. Get their counsel – confidentially. This is another redeeming feature the County is offering because we are all vested in making this work together. The County will privately consult with each and every horse property owner to figure out what the best possible option/solution is.

And subsequently, you decide what works for you....

*\*Note – Numbers are approximate and have generally been rounded off. Worst-case scenarios are represented - so in many instances, the permitting costs in the new LCP could be even less than reflected here.*

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### **Here is the Comparison Cost Detail Between Pre-LCP and New-LCP:**

#### **Assumptions:**

- Property owner wants to add horse facilities (2 horses, a barn, pipe corrals, structure for hay) or permit them
- The house is permitted
- Horse facilities will be between 1,000 sq feet and 10,000 sq feet.
- No grading involved
- No other entitlements needed

#### **PRE-LCP**

- In Sensitive Environmental Resource Areas (SERA):
- Plot plan - \$1,221
- Environmental review - \$3,056
- ERB - \$3,555

Then the applicant needs to take County approval and go get CDP from California Coastal Commission (CCC):

- CCC CDP - \$11,080

**TOTAL COST - \$18,912**

## **PRE-LCP**

- Not in a SERA:
- Plot plan - \$1,221

Then the applicant needs to take County approval and go get CDP from CCC:

- CCC CDP - \$11,080

**TOTAL COST - \$12,301**

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## **NEW LCP**

- If major, minor, or Special Compliance Program CDP needed:
- CDP from LA County - \$9,601
- Environmental review - \$3,056
- One Stop Fee - \$798.25 (Optional)

**TOTAL COST - \$13,133.25**

- If administrative CDP needed:
- CDP from LA County - \$1,479
- Environmental review - \$320
- One Stop Fee - \$798.25

**TOTAL COST - \$2,275.25**

- If CDP exemption is possible:
- CDP letter of exemption: \$1,159

**TOTAL COST - \$1,159**

Worst-case scenario – getting a CDP under the new LCP costs an applicant about \$6000 less than before.

\*\*If project is eligible for an exemption, a permit for oak tree encroachment may be required. This fee is \$1,086. Oak tree permits are not an additional fee for CDPs.