



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and
Development
Department No.: 053
For Agenda Of: Set Hearing on June 19,
2018, for July 3, 2018
Placement: Departmental
Estimated Time: 1.0 hour on July 3, 2018
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Dianne M. Black, Director, Planning and Development (805) 568-
Director(s) 2086
Contact Info: Daniel T. Klemann, Deputy Director, Long Range Planning (805)
568-2072

SUBJECT: Eastern Goleta Valley Community Plan Environmentally Sensitive Habitat/Riparian
Corridor Land Use and Zoning Overlays Map Update

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

That the Board of Supervisors (Board):

On June 19, 2018, set a hearing for July 3, 2018, to consider a resolution amending the Land Use Element of the Santa Barbara County Comprehensive Plan, and an ordinance amending Section 35-1 of the Santa Barbara County Land Use and Development Code (LUDC), of Chapter 35, Zoning, of the County Code, to adopt amendments to the Eastern Goleta Valley Community Plan (EGVCP) Environmentally Sensitive Habitat/Riparian Corridor (ESH/RC) Land Use and Zoning Overlays Map, for the Rural Area.

On July 3, 2018, the Board's action should include the following:

- a) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings (Attachment 1).
- b) Determine that no additional environmental review document shall be prepared for this project pursuant to CEQA Guidelines Sections 15168(c)(2) and 15162, as reflected in the findings for approval (Attachment 1).

- c) Adopt a resolution amending the Land Use Element of the Santa Barbara County Comprehensive Plan to update the EGVCP ESH/RC Land Use Overlay for the Rural Area (Case No. 17GPA-00000-00001) (Attachment 2).
- d) Adopt an ordinance amending Section 35-1 of the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, amending the EGVCP ESH/RC Zoning Overlay Map for the Rural Area, (Case No. 17RZN-00000-00001) (Attachment 3).

Summary Text:

In June 2016, the Board of Supervisors incorporated a focused update of the Eastern Goleta Valley Community Plan (EGVCP) Environmentally Sensitive Habitat/Riparian Corridor (ESH/RC) Land Use and Zoning Overlays Map into the Long Range Planning Division's work program. The work program and budget allowed for a limited, focused update of the map within the Rural Area of the EGVCP area based on existing inventories, 2015 aerial photo imagery, and limited fieldwork to validate the mapping updates. The 2015 aerial photography was used to refine the boundaries of existing mapped habitats and depict sensitive chaparral habitats.

The Project includes updating the sensitive vegetation habitats in the Rural Area (15,377 acres) of the EGVCP area, building upon and updating the existing ESH/RC Land Use and Zoning Overlays. The Project does not revise existing EGVCP policies and development standards that protect ESH and RC, nor does it amend the regulations of the ESH and RC overlays of the LUDC. Thus, the regulations protecting ESH and RC and the process for determining the presence and extent of these sensitive habitats will not change. The existing policies and regulations protect ESH and RC wherever they occur, regardless of whether they are depicted on the overlay map. The map is a tool used by County staff to implement these policies and regulations. The Project will provide property owners, County staff, and the public with better information regarding the approximate locations of sensitive habitats to implement and enforce the ESH and RC overlay regulations.

Background:

On October 20, 2015, the County Board of Supervisors adopted the EGVCP, which updated the Goleta Community Plan for the unincorporated eastern part of Goleta and incorporated some additional land east of State Route 154 into the EGVCP area. The EGVCP also expanded the list of habitats identified as environmentally sensitive in Policy ECO-EGV-5.4 (Attachment 4).

The ESH Overlay applies to all qualifying lands in the Urban, Inner-Rural, and Mountainous Areas, and Existing Developed Rural Neighborhoods (EDRN). The RC Overlay applies to qualifying lands zoned Agriculture in the Rural Area. These overlays are a combination of land use and zoning overlays (maps) and LUDC overlay regulations that implement the policies of the EGVCP and direct the protection of these sensitive habitats. The existing adopted maps provide approximate locations of riparian habitats and oak woodlands, but not other habitats identified by Policy ECO-EGV-5.4, such as coastal sage scrub, chaparral that supports rare or vulnerable vegetation alliances, or sensitive native flora or animal species.

1.0 Project Description

1.1 Project Scope

The EGVCP ESH/RC Land Use and Zoning Overlays Map Update (Project) has two essential components: (1) development of a geographic information system (GIS) vegetation database and map based on aerial photo imagery interpretation and limited fieldwork, and (2) mapping revisions to update

the EGVCP ESH/RC Land Use and Zoning Overlays, to the extent feasible, based on the requirements of Policy ECO-EGV-5.4.

1.2 Vegetation Mapping Overview

The first component of the Project was the development of a GIS vegetation database and map based on aerial photo imagery interpretation and limited fieldwork. Staff contracted with Aerial Information Systems (AIS), Inc. to develop the GIS vegetation database and map based on a methodology developed by the California Department of Fish and Wildlife (CDFW). Details of the vegetation mapping process are provided in the report prepared by AIS (Attachment 5) and the vegetation map can be found in Attachment 6.

The GIS vegetation database and map identify and depict vegetation alliances, or types, consistent with national and state standards and the CDFW methodology. This mapping is at a level of detail that the County has not been able to achieve in previous mapping efforts. Previous mapping efforts in the Rural Area of the EGVCP area were only able to map generic riparian habitats and oak forests and unable to distinguish any type of shrubby vegetation. The new map identifies different types of riparian habitats, such as sycamore and willow, and can distinguish between many different types of chaparral and coastal sage scrub. This enhanced mapping detail allows more qualifying habitat types to be identified and mapped as ESH.

In addition to identifying the vegetation alliances and delineating their boundaries, the GIS database includes extensive information (attributes) that further describes the vegetation within each vegetation alliance polygon, including land use, tree cover, shrub cover, and herbaceous cover, as well as types and levels of disturbance, among others (Attachment 5). Of particular importance to this project, the database also includes the global and state rarity rankings, which allows sensitive vegetation alliances to be easily identified and classified as ESH.

1.3 Updating the ESH/RC Land Use and Zoning Overlay Maps

The second component of the Project involves mapping revisions to update the ESH/RC Land Use and Zoning Overlays. Following completion of the vegetation database and map, AIS prepared an administrative draft of the proposed update to the ESH/RC Land Use and Zoning Overlays pursuant Policy ECO-EGV-5.4 under direction from County staff. The following were mapped as ESH, and where appropriate, as RC on agricultural lands:

- Any vegetation alliance that qualifies as one of the defined sensitive habitats, per Policy ECO-EGV-5.4 (Attachment 4).
- Any vegetation alliance that carries a state rarity ranking of S1, S2, or S3 and/or a global rarity ranking of G1, G2, or G3, as assigned by the CDFW.
 - Appendix B of the AIS report (Attachment 5) provides a list of all vegetation alliances identified and mapped in the project area and their state and global rarity rankings.
- All riparian habitats and stream corridors including:
 - Non-native vegetation stands where the canopy covers and protects the stream itself as well as providing connectivity and coverage that maintains the stream corridor as a wildlife corridor.

- Streams that were not covered by a riparian vegetation alliance connecting upstream and downstream riparian habitats.

Due to the Project’s limited scope and other constraints including steep and difficult terrain, private property and limited access, not all habitat types defined by Policy ECO-EGV-5.4 were able to be mapped. For example, ESH such as native grasslands, sensitive native flora, vernal pools, and raptor/turkey vulture roosts require site specific, on the ground investigations by biologists to determine locations and extent. While not mapped, they are still protected by Policy ECO-EGV-5.4.

1.4 Final Staff Review and Edits

Staff reviewed the administrative draft of the ESH/RC Overlay map and identified vegetation types and polygons that had a high level of human-made disturbance or alterations. These polygons were removed from consideration for mapping as ESH and RC. Staff also made final adjustments to the ESH/RC boundaries to remove major roads, such as State Route 154, and other roads or driveways when divided lengthwise by different vegetation types, and upon considerations of unique situations that did not fit easily into any category.

Attachment 7 depicts the existing adopted ESH/RC Land Use and Zoning Overlays, the proposed update, and the mapped vegetation alliances to allow direct comparison between the existing and proposed overlays. The overlays to be adopted depict the proposed update, as shown in the exhibits to Attachments 2 and 3.

Most changes to the boundaries are relatively minor resulting in an overall increase in mapped ESH acreage and an overall decrease in mapped RC acreage. (See the table below.)

ESH and RC Mapped Acreage			
	Existing	Proposed	Change
ESH	1,939	2,175	+ 236
RC	393	329	- 64

The changes result primarily from improvements in the accuracy of recent aerial photo imagery and the experience of the AIS photo interpreters. In the past, many aerial photos lacked the resolution to distinguish types of vegetation (i.e., they were blurry or grainy), displayed significant shadow effects that made it difficult to distinguish boundaries, and/or did not align well with actual features on the ground, such as slopes or creeks. With the new imagery, the proposed updated map includes many minor boundary adjustments, and in other locations adds or removes areas as necessary based on the clarity of the new vegetation map. However, as with the existing ESH/RC Overlays, the boundaries depicted are approximate, and site-specific investigations on the ground are necessary to provide a precise determination of the presence and extent of ESH or RC.

1.5 Use of the ESH/RC Land Use and Zoning Overlays

The overlay map depicts some, but not all, locations of sensitive habitats, reflecting a snapshot in time. Conditions on the ground can change more quickly than the frequency of map updates. Whether to apply the ESH/RC Overlay policies and regulations depends on actual conditions on the ground at the time of a proposed development. The map is one resource to be used in determining the presence and extent of ESH or RC and, consequently, whether to prepare a biological report and apply ESH or RC policies and regulations to a development project. The map is not the final or sole factor used in determining the presence and extent of ESH or RC. Rather, the determination of presence and extent of ESH or RC must be made on a case-by-case basis, informed by the map and other available resources,

including the California Natural Diversity Database, archived biological resources reports, and other biological resources from various sources included in the Planning and Development Department's GIS database map layers. A final determination may also require the services of a qualified biologist to prepare a site specific biological resources study and report.

2.0 Stakeholder Input and Public Outreach

Upon completion of the vegetation mapping effort and the draft update to the ESH/RC Land Use and Zoning Overlays, the Planning and Development Department held a community meeting on March 27, 2018, to introduce the GIS vegetation database and map and the draft updated ESH/RC Overlays. The meeting was noticed broadly by email to individuals on the interested parties list for Eastern Goleta Valley and other individuals requesting email notification, by mail to all landowners that might be affected by the proposed updates to the overlays, and by a display ad in the *Santa Barbara News-Press*. Approximately 20-25 people attended. Several people expressed concerns that although the updated map is a significant improvement over the existing map, it does not map all of the sensitive habitats that are protected by EGVCP policy. Stakeholders also requested that better education, disclaimers, and information regarding the use of the map and its limitations be incorporated.

In response to these concerns, staff proposes enlarging the existing disclaimer as displayed on the maps and is exploring other opportunities to make the disclaimer more visually prominent when downloading the map from the County's website. Staff proposes to revise the disclaimer by adding new text referencing the critical ESH/RC policies of the EGVCP as follows:

The extent of ESH and RC habitats depicted on the map is approximate and based on known resources at the time of adoption of the map. In some cases, the precise locations of habitat areas ~~is~~are not known (e.g., isolated wetlands, vernal pools, native grasslands) and ~~is~~are therefore not mapped. In addition, chaparral, which covers most of the Rural Area that is not in agricultural production, and other identified ESHs pursuant to EGVCP Policies ECO-EGV-5.2 and 5.4, may not be shown on this map. Before removing vegetation or beginning any activity that requires a permit, including removal of chaparral or other ESHs, which might require a permit absent any proposed development, please consult the EGVCP and Planning and Development staff and/or have an onsite survey completed by a qualified biologist.

Finally, staff is exploring opportunities to make other public information regarding biological resources that staff uses when reviewing permit applications easily available via the Planning and Development Department website.

3.0 Environmental Review

On October 20, 2015, the Board of Supervisors adopted the EGVCP and certified the associated Program Environmental Impact Report (EIR) (14EIR-00000-00005). As discussed in the CEQA Findings (Attachment 1), this Program EIR fulfills the environmental review requirements for the Project in accordance with CEQA Guidelines Section 15168(c)(2). Section 15168(c)(2) provides that an agency can approve a subsequent activity in the program as being within the scope of the project covered by the certified Program EIR and no new environmental document would be required if the agency finds that pursuant to CEQA Guidelines Section 15162, no new effects could occur or no new mitigation measures would be required. The Project is a subsequent activity within the scope of the previously approved EGVCP covered by the certified Program EIR, and the Project would not result in new effects, would not increase the severity of impacts discussed in the Program EIR, and would not require new mitigation measures. Thus, no new environmental document is required. See Attachment 1 for more information.

4.0 Planning Commission Recommendation

On May 2, 2018, the County Planning Commission voted 5-0 to recommend the Board approve the ESH/RC Land Use and Zoning Overlays map update for the EGVCP Rural Area, with minor map revisions (Attachment 8, Planning Commission Action Letter). More specific, on a lot zoned AG-II-40, approximately 0.47 acres were removed from the proposed RC Overlay. The RC Overlay protects riparian habitats. In this location, several oak trees should not have been included within the revised RC Overlay as they are not part of the riparian tree canopy or riparian habitat.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Funding for the project is included in the Board of Supervisors-adopted Planning and Development Department budget in the Long Range Planning Budget Program on page D-302 of the adopted Fiscal Year 2017-2018 budget. Current fiscal year project cost to date is approximately \$83,000. There are no facilities impacts.

Special Instructions:

The Clerk of the Board shall provide a copy of the minute order and signed resolution and ordinance to the Planning and Development Department, attention David Villalobos.

Attachments:

1. Findings for Approval
2. Board of Supervisors Resolution – Land Use Element Amendment (Case No. 17GPA-00000-00001)
3. Ordinance Amending County Zoning Map (Case No. 17RZN-00000-00001)
4. EGVCP Policy ECO-EGV-5.4
5. Vegetation Mapping – Eastern Goleta Valley Community Plan Area: Final Vegetation Mapping Report. Prepared by John Menke, Deborah Johnson, and Anne Hepburn. Aerial Information Systems, Inc. March 2018.
6. Vegetation Map
7. Existing and Proposed Update ESH/RC Overlays for the Rural Area
8. Planning Commission Action Letter
9. Planning Commission Hearing – Comment Letters

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