

Gaviota Neighbors Group

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COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

November 4, 2016

Chair Peter Adam
Santa Barbara County Board of Supervisors
105 East Anapamu Street
Santa Barbara, California 93101

Re: Gaviota Coast Plan

Dear Chair Adam and Board of Supervisors,

The undersigned Gaviota landowners offer our comments on the updated Gaviota Coast Plan (GavPlan), the Final EIR and the proposed Ordinance Amendments. Many of us have participated in the creation of the Community Plan for the Gaviota Areas since the process began in 2009. It is our hope that as the stakeholders most directly affected by its outcome, you and the other members of the Board will seriously consider these recommendations.

Collectively, we represent over 73,500 acres, or fully 93% of the privately owned land in the Plan Area. While our lands are different in terms of agricultural production, environmental resources and impacts from the interface of urban and other non-agricultural uses, we have coalesced around several primary subjects, which we believe are essential to achieving a Plan that results in broad community support and will sustain agriculture, enhance public recreation, and protect natural resources. We are concerned that the Final EIR and the Plan have not sufficiently addressed our concerns as property owners and the associated impacts to our lands. We appreciate your thoughtful consideration of these recommendations.

The following are the primary comments that we have regarding the Gaviota Plan along with our recommendations based on the decisions of the Planning Commission.

1. **Mountainous Zoning (MT-Gav)**

We wish to thank the Planning Commission and staff for retaining the GavPAC's recommendation to retain the AG-II Zoning for private lands. The re-zoning of private lands to Mountainous Zoning had the potential to affect most of our lands between the USFS boundary and Highway 101.

Our Request: Retain the AG-II Zoning for private land; only rezone public land Mountainous Zoning and adopt the Steep Slope Guidelines for agriculture.

2. **ESHA Mapping Requirements** – (Dev Std NS-3: Rare Plants; Dev Std NS-4: Sensitive Wildlife Species; Dev Std NS-5: Wetlands)

We agree with the Planning Commission that when a landowner submits a discretionary permit application, that the required ESHA surveys and mapping for wetlands and other sensitive species should focus on the proposed project site and not the entire parcel.

Our Request: Retain the Planning Commission’s recommended Development Standards that provide for ESHA mapping to be focused exclusively on the proposed project site and not the whole parcel.

3. **Wildfire Protection – Defensible Space and the ESHA Overlay Designation (Ordinance 35.28.100 – Environmentally Sensitive Habitat Area Overlay Zone)**

The Proposed ESHA Overlay has the potential to prevent vegetation clearing beyond a 100 foot perimeter from a structure unless the Fire Department approves a greater distance. The proposed ESHA Ordinance allows the Fire Department to approve up to 300 feet of clearance from a structure. Given the requirements of most of our insurance companies we request that a greater distance of fuel modification be allowed if required by the Fire Department.

Our Request: Adopt the language proposed by the Fire Safe Council to amended Ordinance 35.28.100 – ESHA Overlay Zone that would allow the Fire Department to determine the appropriate distance of defensible space necessary to protect structures and agricultural resources from wildfire.

4. **Agricultural Tiered Permit Structure (Ordinance Amendments Section 35-460)**

We agree with the Planning Commission’s adoption of the GavPAC’s Agricultural Tiered Permit Structure. This program reduced land use permits for select land uses as a way to allow modest and compatible ancillary profit centers ranches and farms in order to enhance their economic viability and survival.

Our Request: Support the Agricultural Tiered Permit Structure which reduced land use permits, includes new allowed agricultural and recreational uses and exempts for certain traditional agricultural uses for the inland areas.

5. **Agricultural Exemptions/Categorical Exclusions** – (Action AG-7)

We support staff's determined that the best course of action to provide land use exemptions throughout the coastal zone is to work with the Coastal Commission staff.

Our Request: That the Action Item AG-7 language be amended to be more directive such as: "The County ~~should~~ shall pursue the Categorical Exclusion process..."

6. **ESH Chaparral Designation** – (Policy NS-2 Natural Resource Protection).

Chaparral and coastal scrub or their alliances should not be specifically designated as Environmentally Sensitive Habitat. Designating chaparral and coastal scrub as ESH will generate unnecessary impacts to agriculture that have not been adequately evaluated in the FEIR. The ESH designation conflicts with the community's goal of supporting agriculture and balancing enhanced resource protection with new recreation opportunities.

Our Request: Remove the designation of chaparral and coastal sage scrub as ESH.

7. **Fire Protection** (Dev Std LU-3)

The Plan adds new Design Guidelines which gives the County the authority to dictate the location of a new structure.

Our Request: Amend Dev Std LU-3 which allows the County the opportunity to influence, but not dictate, the siting of future building sites, including private residences and agricultural structures.

*Recommended Language: **Dev Std LU-3: Fire Protection.** Development ~~shall~~ should be sited to minimize exposure to fire hazards and reduce the need for grading, fuel modification (including thinning of vegetation and limbing of trees), and clearance of native vegetation to the maximum extent feasible. Building sites should be located in areas of a parcel's lowest fire hazard, ~~and should minimize the need for long and/or steep access roads and/or driveways.~~*

8. **Community Wildfire Protection Plan**

The creation of a Community Wildfire Protection Plan will provide the neighbors of the Gaviota Plan Area to work closely with the Fire Department and other emergency responders to develop a plan that can create a higher level of protection for this region.

Our Request: Adopt the recommended Action Item and consider a directing County Staff to assist the community in the development of a Wildfire Protection Plan for the Gaviota Pan Area.

Recommended Language – Action FIRE-GAV-1: The County shall support the development of a Community Wildfire Protection Plan for the Gaviota Plan Area in compliance with the Community Wildfire Protection Plan Development Process for Santa Barbara County, adopted on August 2, 2011.

9. **Home Size – (Land Use Section: Chapter 5)**

The Gaviota Plan’s Visual Resource Policies, including the Site Design Hierarchy, were adopted by the Planning Commission instead of recommending a future square footage cap on residential home size.

Our Request: Based on the adoption of the Plan’s Visual Resource Policies, including the Site Design Hierarchy, reject the call for an arbitrary square footage cap on residences in the Gaviota Plan Area.

10. **Willing Seller Language (Trails Map Definition and Standards)**

The “takings” language has not been fully restored to the original “willing seller” phrase adopted by the GavPAC.

Our Request: Fully restore the GavPAC recommended “no-takings” language.

11. **Incentives/Residential Second Units (Action LU-4)**

The Plan’s designation of a broad program (Alternative 3) to allow RSUs based on a range of incentive options for a property owner was carefully considered as a means to keep family members on the ranch or farm and reduce the incentive to subdivide. The staff has eviscerated the Incentive Program down to allowing a Residential Second Unit (RSU) for landowners with property only located on the PRT map, either on the coast or in the inland areas. (See Table 4-10 on page 53 of LUDC ordinances.)

This eliminates most of the landowners from participating in this program and is discriminating. All other previously recommended incentives were discarded and we were told this issue may be studied in another work program at some undetermined later date in the presumably distant future. This is blatantly unfair to all the other landowners in the Plan Area.

Our Request: Restore the Plan's designation of Alternative 3, which allows RSUs based on a range of incentive options, including the establishment of a permanent agricultural, conservation or scenic viewshed easement on a parcel.

12. **Trail Siting Guidelines – Appendix C**

Staff removed an entire section in the Trail Siting Guidelines developed by the GavPAC and stated their intention to add standard Guidelines used in other instances. The GavPAC Guidelines were developed by a special GavPAC subcommittee in cooperation with trails groups and property owners. These Guidelines support Privacy and Security. These important Guidelines must be reinstated. The Class I impacts associated with public have the potential to adversely affect natural resources and visual resources in the Plan Area and are not fully analyzed in the environmental analysis or mitigated. The elimination of the Privacy and Security Sections of the Trail Siting Guidelines give public trails a free pass from natural resource protections, private property conflicts and adherence to the carefully crafted Visual Resources Policies.

Our Request: Reinstate these sections of the Trail Siting Guidelines. Without these protections, most of the Class I impacts in the Plan will not be mitigated. There is no reason trails should get a wholesale exemption. Trails should adhere to the same standards as all other development activities. In addition, a simple provision should be added to the Guidelines requirement that trails through ESHA's be managed access developed by the entity holding the trail easement and the landowner.

13. **Mitigation Banks – (Action NS-6 Mitigation Banks)**

Mitigation Banks should be an integral approach for the County to further protect resources in the Gaviota Plan area.

Our Request: Support the County's consideration of mitigation banks or an in-lieu fee program as an alternative policy approach to mitigation.

14. **Educational Experience** – It is important not only for landowners but also the agricultural industry to be able to offer educational experiences to educate the public and provide instructional programs that include real-world relevant experiences about agriculture. This program was discussed throughout the Plan process, but is now missing.

Our Request: Retain Educational Experience in the Definitions Section of the Ordinance Amendments, and amend **Section 35.42.240 – Rural Recreation** to add a section on Educational Experiences with the Development Standards recommended by the GavPAC.

As owners and managers of the private lands throughout the Gaviota Plan Area, we would like to emphasize the value of generally accepted agricultural and rangeland management practices which occur throughout the Gaviota Plan Area. Our collective stewardship of the land provides a significant benefit to the biological diversity of the region and overall health of the environment. The importance of our collective operations to the region and maintaining our existing agricultural facilities, such as cattle watering systems and ranch roads, serve multiple benefits to the Gaviota Plan Area including the preservation of the overall viewshed, protecting riparian corridors, providing firebreaks, and protecting habitat and wildlife corridors.

One of the primary reasons the GavPAC was so successful over the 4 years of meetings and deliberations is that they approached their task as a collaborative effort and developed comprehensive and integrated recommendations. The GavPAC members and the stakeholders who attended the meetings knew their views and perspectives would be heard and considered equally. Not every member agreed with every component of the final report, but they all knew that the recommendations developed, when taken together as a package, represented the best approach for all involved, not just a majority.

Again, we, as a group, have met a number of times in thoughtful discussion of the planning process which resulted in these recommendations. We sincerely believe that our recommendations will help ensure the adoption of a successful Plan that can receive maximum community support.

We most appreciate your consideration of these comments and look forward to participating in your hearing process.

Sincerely,

Abercrombie Ranch

Las Varas/Edwards Ranch

Reagan Ranch

Briarcliff Trust

Lookout Ranch

Rock Creek

Brinkman Ranch	Mathis Gaviota Ranch	Running Deer Ranch
Canada El Capitan Oaks	McNabb Ranch	Running Springs
Cojo Jalama Ranches	Mezger Ranch	Running Springs Ranch
Coyle Ranch	Miller Ranch	Seib Ranch
Dos Pueblos Ranch	Noquoi Falls Ranch	Surmeier Ranch
Dry Creek Ranch	Oak Canyon Ranch	Swoboda Ranch
El Bulito Ranch	Oak Crest Ranch	Three Hawks Ranch
El Capitan Ranch	Oak Knoll Ranch	Vanderhave Ranch
El Capitan Ranchos HOA	Orella Ranch	Vazquez Ranch
Fletcher Ranch	Paradiso del Mar	Vista de las Olas
Freeman Ranch	Parks Land and Cattle Co.	Whiteoak & Green Ranch
Fun Dog Ranch	Parsons Ranch	Zacara Ranch
Greek Ranch	Quail Run Ranch	
Grimm Ranch	Rancho Aguajitos	
Henning Family Ranch	Rancho Arbolado	
Hoffman/Erburu Ranch	Rancho Guacamole	
Hollister Ranch	Rancho Tajiguas	
La Paloma Ranch	Raptors Roost Ranch	