

# COUNTY OF SANTA BARBARA CALIFORNIA

## PLANNING COMMISSION

COUNTY ENGINEERING BUILDING  
123 E. ANAPAMU ST.  
SANTA BARBARA, CALIF. 93101-2058  
PHONE: (805) 568-2000  
FAX: (805) 568-2030

TO THE HONORABLE BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION  
HEARING OF AUGUST 20, 2008

**RE: Santa Barbara Ranch; 03DVP-00000-00041**

The proposed project involves the request of Santa Barbara Ranch LLC, as applicant, for approval of various legislative actions and land use entitlements allowing the development of between 54 and 72 new residential dwellings, equestrian center, agricultural support facilities, a worker duplex, public amenities (including access road, parking and restroom, hiking, biking, equestrian trails near the coastal bluff, an educational kiosk and a coastal access stair structure), and creation of conservation easements for permanent protection of open space and agriculture. The proposed site encompasses Santa Barbara Ranch and Dos Pueblos Ranch, together totaling 3,254 acres and 85% of the lots comprising the Official Map of Naples Townsite. The two ranches are zoned for AG-II-100 and Unlimited Agriculture, two miles west of the City of Goleta, AP Nos. 079-040-005 to 081-240-018, Third Supervisorial District. As part of its deliberations, the Planning Commission will consider a Final Environmental Impact Report ("FEIR") for the proposed project and make a recommendation on the document's certification to the Board of Supervisors. Subject to meeting protocol and agenda format adjustments as the Planning Commission may deem appropriate, it is expected that the following topics will be considered in the order listed: (i) Project Description; (ii) Final EIR; (iii) Issue Analysis; and (iv) Project Deliberation.

Initial application was filed on November 4, 2003, and accepted as complete on September 3, 2004, encompasses areas both within and outside of the Coastal Zone, and includes the following Case Nos.: 04EIR-00000-00014, 03GPA-00000-00005, 03GPA-00000-00006, 03GPA-00000-00007, 08ORD-00000-00009, 03RZN-00000-00005, 03RZN-00000-00006, 03ORD-00000-00012, 03ORD-00000-00013, 05AGP-00000-00011, 08COC-00000-00001 through 08COC-00000-00004, 08LLA-00000-000xx through 08LLA-00000-000xx, 08TRM-00000-000xx, 08DVP-00000-00024 through 08DVP-00000-00025, 03DVP-00000-00041, 08CUP-00000-00042 through 08CUP-00000-000045, 03CUP-00000-00065 through 03CUP-00000-00083, 08CDP-00000-000080 through 08CDP-00000-000123, 08LUP-00000-00344, 03LUP-00000-01188 through 03LUP-00000-01203 and 03LUP-00000-00739. (Note: "xx" denotes cases for which specific number assignments are pending. Case nos. may also change pending the outcome of project deliberations.) All actions of the Planning Commission are advisory to the Board of Supervisors, and portions of the project are appealable to the California Coastal Commission following Board action. Appeal procedures will be described in conjunction with hearings conducted by the Board. (Continued from 6/30/08, 7/10/08, 7/21/08, 8/13/08)

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Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of August 20, 2008, Commissioner Jackson moved, seconded by Commissioner Blough and carried by a vote of 4-1 (Brown no) to:

Adopt the attached Planning Commission Resolution, as revised, and recommend that the Board of Supervisors:

- a. Adopt the Findings in Attachment A of the staff report, dated August 18, 2008, consisting of CEQA Findings (A-1), Project Findings (A-3) and Policy Consistency (A-4), as revised by the redlined changes in Attachment 1 and further modified below as the result of the hearing on August 20, 2008;
- b. Certify the Final EIR (including the Confirming Analysis attached to the CEQA Findings) and adopt the Mitigation Monitoring and Reporting Program (A-2) in Attachment A of the staff report, dated August 18, 2008, as revised by the redlined changes in Attachment 1 and further modified below as the result of the hearing on August 20, 2008;
- c. Adopt the Resolutions and Ordinances in Attachment B of the staff report, dated August 18, 2008, (as revised by the redlined changes in Attachment 1 and further modified below as the result of the hearing on August 20, 2008) consisting of: (i) Resolution Amending Resolution Amending Comprehensive Plan (Attachment B-1); (ii) Resolution Amending Coastal Land Use Plan; (Attachment B-2); (iii) Resolution Amending Special Problems Area Designation (Attachment B-3); (iv) Ordinance Amending Land Use and Development Code (Attachment B-4), (v) Ordinance Amending Zoning Map (Attachment B-5); and (vi) Ordinance Approving Development Agreements (Attachment B-6); and
- d. Approve Alternative 1B subject to the Conditions of Approval in Attachment C of the staff report, dated August 18, 2008, (as revised by the redlined changes in Attachment 1 and further modified below as the result of the hearing on August 20, 2008) with modification of the Project Description as follows: (i) eliminate the beach access structure, wildlife pavilion and westerly loop trail; and (ii) delay implementation of the coastal trail and related public access improvements pending a determination of interconnections with adjacent properties to the east and west of the project site.

Commissioner Blough moved, seconded by Commissioner Valencia and carried by a vote of 3-2 (Brown/Cooney no) to recommend to the Board of Supervisors to allow the applicant to separate the inland project from the coastal project so they can process the inland project through the County separately without approval from the Coastal Commission.

**REVISIONS TO THE PROJECT DOCUMENTS**  
(indicated by double ~~strikethrough~~ and double underline)

**CEQA Findings (A-1)**

**I.B.7 Project Recommendation.** During the public review process and as a result of feedback received in connection with meetings of the Planning Commission, CBAR, AAC, and APAC, the Applicant presented a further refinement of Alternative 1. The refinement (hereinafter referred to as “Alternative 1B”) involves: the relocation of fourteen lots outside of the Coastal Zone to further reduce visual impacts within the Highway 101 public view corridor; the reduction and relocation of development envelopes on DPR south of Hwy 101 to minimize impacts to sensitive cultural resources; the elimination of one home site on DPR, north of Hwy 101; an increase in acreage devoted to agricultural preservation; and introduction of an architectural style to better reflect the agrarian and rural character of the project area. As a result of these changes, coupled with the Final EIR’s conclusion that Alternative 1B is the environmentally superior alternative, the Planning Commission has recommended approval of Alternative 1B in place of the MOU Project as originally proposed. In addition the Planning Commission recommended elimination of the beach access stairway, wildlife pavilion and the westerly loop return trail along Langtry Avenue.

**II.A., Third Paragraph**

The Santa Barbara Ranch Project Environmental Impact Report (EIR), 04EIR-00000-00014, was presented to the Planning Commission, and all members of the Planning Commission reviewed and considered the EIR and its accompanying response-to-comments. In addition, all Planning Commissioners have reviewed and considered testimony and additional information presented regarding the EIR at or prior to public hearings on December 10, 2007, January 2, 2008, February 6, 2008, April 3, 2008, May 5, 2008, May 29, 2008, June 5, 2008, June 30, 2008, July 10, 2008, July 21, 2008, August 13, 2008, and August 20, 2008. The EIR consists of the Proposed Final EIR dated June 2008, the June 30, 2008 Corrections and Clarifications for the Proposed Final EIR, and the Confirming Analysis of Alternative 1B dated August 4, 2008 and updated to reflect further testimony provided at the Planning Commission hearing of August 20, 2008 hearing (collectively the Final EIR).

**II.D., First Paragraph**

The Board recognizes the Final EIR incorporates information obtained and produced after the Revised Draft EIR was completed, and that the EIR contains additions, clarifications, and modifications. This information was provided to the Planning Commission and to the public in the Planning and Development staff report dated June 30, 2008 in an attachment to the staff report titled *Corrections and Clarifications for the Proposed Final EIR, Santa Barbara Ranch Project, June 30, 2008*. Upon direction by the Planning Commission to proceed with the project configuration known as Alternative 1B, a Confirming Analysis of Alternative 1B was prepared on August 4, 2008, and updated to reflect further

testimony on August 20, 2008. The Board has reviewed and considered the Final EIR and all of this information. The Final EIR, and the Confirming Analysis of Alternative 1B, does not add significant new information to the Revised Draft EIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the Project sponsor declines to adopt that would clearly lessen the significant environmental impacts of the Project. No information indicates that the Revised Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Revised Draft EIR. Thus, recirculation of the EIR is not required. The Board finds that the changes and modifications made to the EIR after the Revised Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

**Mitigation Monitoring and Reporting Program (A-2)**

Mitigation Measure	Mitigation Requirements and Timing	Method of Monitoring	Timing of Monitoring	Party Responsible for Monitoring
<u>SBR-20</u>	<p>The applicant shall prepare a beach-access SWQMP for the public parking area, picnic area, restrooms and coastal access trail. <del>The beach access stair structure originally proposed for the Project was deleted at the direction of the Planning Commission on July 21, 2008.</del> The SWQMP shall identify improvements and BMPs to minimize discharge of litter and pollutants from the parking and picnic areas to surface waters, minimize erosion, and collect and control dog waste. These measures include specific drainage improvements: bioswales to treat and absorb runoff; maintained trash cans; "mutt-mitt" dispensers; and public education signage. All approved structural improvements from the SWQMP shall be shown on site, building and grading plans. The SWQMP shall be reviewed and approved by County Project Clean Water, P&amp;D, and Flood Control, and Parks and Recreation, as appropriate prior to issuance of a CDP.</p> <p><b>Coastal Protection</b></p>	The SWQMP applies to the parking area, picnic area, restroom and coastal access trail.	Prior to Final Planning Approval for coastal access improvements	SBC P&D SBC Project Clean Water
(WQ-1d) (Bio-6)				
<u>SBR-32</u> (Bio-4)	Alternative 1B has been revised to delete the proposed beach access stairway <u>at Santa Barbara Ranch.</u> The project will provide	The applicant shall submit plans for the proposed	Prior to Final Planning Approval for the	SBC P&D and a qualified local biologist

segments of the Coast (De Anza) Trail as proposed, and will construct a trail from just south of the UPRR tracks at the eastern boundary of Santa Barbara Ranch, where the Coast Trail joins the adjoining segment on the Makar property, along the alignment originally proposed for the loop trail, to a terminus at the approximate location of where the former wildlife pavilion was to be located the information kiosk. The information kiosk or ocean overlook structure shall be provided, and trail terminus shall include interpretative displays approved by P&D with appropriate supporting biological information.

In the event that the design returns to the originally proposed beach access on Santa Barbara Ranch, the following mitigation measure shall apply: The CDP approved for the public coastal access trail, and viewing platform/beach access stairway shall require that the applicant post information at the trail head, in the public information kiosk, and at the viewing platform/beach access stairway, informing visitors that no pets are allowed on the trail and beach, and that the beach access is closed during the months of March through July. Other activity restrictions or beach access closure dates may be approved by P&D with appropriate supporting biological information. The purpose of the pet restriction and closure period is to minimize harassment and adverse effects to the harbor seal haul-out area and to minimize the effects of visitor use on the plants and animals found in the Naples Reef and adjacent marine and beach habitat, including Southern sea otters.

**Coastal Access Structure**

**SBR-56  
(VIS -3)**

~~Based on Planning Commission direction July 21, 2008, The Coastal Beach Access component of the project has been deleted, and an alternative vertical beach access is to be provided proposed on nearby property (Las Varas Ranch). In the event that beach access at Santa Barbara Ranch is reconsidered, the following mitigation would apply:~~ To minimize impacts to visual resources by the proposed beach access stairway/viewing platform the structure material colors and texture selected shall be selected to blend with adjacent coastal bluffs, as shown in the photo simulations. The particular color and treatment proposed shall be subject to BAR approval. This measure addresses impact Vis-7.

public information and notices to SBC P&D for review and modification as needed. The applicant will submit final plans for the trail to the bluff kiosk, consistent with the Planning Commission direction.

P&D will review and/or request modifications to the plans and management procedures, which shall be completed prior to approval of a CDP for the access facilities.

access road, parking area, coastal access trails and related facilities in Lots 93, 97, 119, and 122.

approved by the County

Color boards for the coastal access structure shall be submitted for review and approval

Installation shall be monitored to ensure compliance with approved color boards

Prior to issuance of final CDP for the stairway/viewing platform

During construction

SB P&D and BAR

The County will ensure that muted tones will be selected and approved by the BAR prior to issuance of the CDP, and Permit Compliance staff shall inspect materials and construction as necessary to document compliance with this condition.

**New Coastal Trail and De Anza Trail**

SBR-59  
(REC-1)

The trail and beach access on Santa Barbara Ranch has been deleted from the project, and an alternative vertical beach access is proposed on nearby property (Las Varas Ranch). In the event that Las Varas Ranch spur and beach access are not implemented, the following coordination shall be initiated: The applicant shall submit a design that maintains the Coast Trail segment on the property along the south side of Highway 101 in a manner that is acceptable to the Santa Barbara County Parks and Planning and Development Departments. In the event it is not feasible to locate the Coast Trail entirely south of the highway, an alternate alignment acceptable to both Parks and Recreation and P&D shall be developed.  
(For illustration of Las Varas Ranch spur and beach access, see Exhibit 15 of the Planning Commission Staff Report, hearing date August 20, 2008)

The applicant shall provide revised trail design plans for review and approval by P&D and by the Parks and Recreation Department.

Prior to Final Planning Approval for construction of the Coast Trail and public access trails and facilities

SB Parks Department and P&D

The applicant shall provide revised trail design plans for review and approval.

Prior to issuance of CDP for construction of the Coast Trail and public access trails and facilities

Post-construction the Coast Trail shall be photo-documented and inspected to ensure compliance with approved trail plans.

Prior to final inspection clearance for any residential unit south of Highway 101

**Project Findings (A-3)**

**LB.7 Project Recommendation.** During the public review process and as a result of feedback received in connection with meetings of the Planning Commission, CBAR, AAC, and APAC, the Applicant presented a further refinement of Alternative 1. The refinement (hereinafter referred to as “Alternative 1B”) involves: the relocation of fourteen lots outside of the Coastal Zone to further reduce visual impacts within the Highway 101 public view corridor; the reduction and relocation of development envelopes on DPR south of Hwy 101 to minimize impacts to sensitive cultural resources; the elimination of one home site on DPR, north of Hwy 101; an increase in acreage devoted to agricultural preservation; and introduction of an architectural style to better reflect the agrarian and rural character of the project area. As a result of these changes, coupled with the Final EIR’s conclusion that Alternative 1B is the environmentally superior alternative, the Planning Commission has recommended approval of Alternative 1B in place of the MOU Project as originally proposed. In addition the Planning Commission recommended elimination of the beach access stairway, wildlife pavilion and the westerly loop return trail along Langtry Avenue.

**Policy Consistency (A-4)**

~~Policy Consistency Analysis~~

POLICY CONSISTENCY ANALYSIS

PRELIMINARY DRAFT  
SANTA BARBARA COUNTY

SANTA BARBARA RANCH PROJECT

POLICY CONSISTENCY ANALYSIS

Applicable Policies and Facts Supporting Findings

Requirement	Preliminary Consistency Determination
<p>HE: Policy 1.3: Fees paid in lieu of providing affordable housing pursuant to the Inclusionary Housing Program shall be deposited in the county's Housing Trust Fund and used for the development and/or rehabilitation of affordable housing and special needs housing within the HMAs from which they are collected.</p>	<p><del>Alternative 1B is Consistent.</del> Conditions of approval require contribution of in-lieu fees in compliance with HE: Policy 1.3.</p> <p><u>Not Applicable.</u> The Alternative 1B design entails an internal transfer of development rights to areas outside of the Coastal Zone, resulting in: (i) an overall reduction of 164 lots under the Official Map of Naples (235 legal lots – 71 total lots proposed for development proposed = 164 lot reduction); (ii) 52 less dwellings that what is deemed buildable at Santa Barbara Ranch alone (125 buildable SBR lots – 73 total dwellings proposed for development = 52 less dwellings). Under Development Standard 1.2.1 of the County's Housing Element Implementation Guidelines, the provision of affordable housing is required for all housing projects with five or more <i>net</i> new lots or units. Furthermore, Development Standard 1.2.4 expressly exempts <i>existing</i> legal units or lots from the computation of affordable housing requirements.</p>
<p>CLUP: Policy 3-2 - Retenments, groins, cliff retaining walls, pipelines and outfalls, and other such construction that may alter natural shoreline processes shall be permitted when designed to eliminate or mitigate adverse impacts on local shoreline sand supply and so as not to block lateral beach access.</p> <p>CLUP: Policy 3-3 - To avoid the need for future protective devices that could impact sand movement and supply, no permanent above-ground structures shall be permitted on the dry sandy beach except facilities necessary for public health and safety, such as lifeguard towers, or where such restriction would cause the inverse condemnation of the parcel by the County.</p>	<p><u>Alternative 1B is Consistent.</u> The Alternative 1B proposal would not construct cliff retaining walls, pipelines, outfalls, or other such construction that would alter natural shoreline processes. A beach access structure that was originally proposed by the applicant has been eliminated in deference to sensitive marine resources and visual resources and an alternative vertical beach access is proposed on nearby property (Las Varas Ranch). In the event that beach access at Las Varas Ranch is not pursued, then it is possible that the beach access stairway proposed on Santa Barbara Ranch may be reconsidered by decision makers. If constructed, the stairway on Santa Barbara Ranch would not involve a revetment, groin, or cliff retaining wall. The beach access structure would measure approximately 10 feet by 20 feet on the beach. This structure could cause a small and seasonally variable amount of sand to accumulate at the base of the structure. Sand supply in the project area is highly variable from year to year and seasonally, and at certain periods of the year there is very little sand at the base of the bluff. Based on the relative small size of the structure and the wide variability of sand movement throughout the project area, this structure would not be large enough to adversely impact the local shoreline sand supply in such a way as to cause the need for future protective devices.</p>

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**CLUP: Policy 3-6** - Development and activity of any kind beyond the required blufftop setback shall be constructed to insure that all surface and subsurface drainage shall not contribute to the erosion of the bluff face or the stability of the bluff itself.

**Alternative 1B is Consistent.** Required minimum structural setbacks and development envelope (i.e., landscaping area) setbacks from the bluff edge and from the top of banks would minimize potential impacts to bluff stability. The preliminary grading and drainage plan provides for controlled runoff into the surface drainages that flow to the bluff. Mitigation measures include use of BMPs to ensure that surface runoff does not adversely impact bluff area erosion.

The trail and beach access on Santa Barbara Ranch has been deleted, and an alternative vertical beach access is proposed on nearby property (Las Varas Ranch). In the event the spur trail and beach access at Las Varas Ranch is not pursued, then it is possible that the beach access stairway proposed on Santa Barbara Ranch may be reconsidered by decision makers. The proposed beach access stairway would be constructed as a free-standing structure in an existing narrow canyon that provides drainage from the bluff top to the beach. Construction would involve placement of several concrete pilings into bedrock in order to avoid construction in the highly erosive canyon walls and bluff face. Drainage and erosion control features would be installed to avoid excessive runoff. Mitigation measures would require that the design be reviewed and approved by a registered geotechnical engineer to ensure that the structure does not contribute to or accelerated bluff or beach erosion.

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**CLUP: Policy 3-7** - No development shall be permitted on the bluff face, except for engineered staircases or accessways to provide beach access, and pipelines for scientific research or coastal dependent industry. Drainpipes shall be allowed only where no other less environmentally damaging drain system is feasible and the drainpipes are designed and placed to minimize impacts to the bluff face, toe, and beach. Drainage devices extending over the bluff face shall not be permitted if the property can be drained away from the bluff face.

**Alternative 1B is Consistent.** ~~No bluff face improvements are proposed under Alternative 1B.~~ The trail and beach access on Santa Barbara Ranch has been deleted, and an alternative vertical beach access is proposed on nearby property (Las Varas Ranch). In the event the spur trail and beach access at Las Varas Ranch is not pursued, then it is possible that the beach access stairway proposed on Santa Barbara Ranch may be reconsidered by decision makers. If constructed on Santa Barbara Ranch, this beach access stairway would be a free-standing structure in an existing narrow canyon that provides drainage from the bluff top to the beach. Construction would involve placement of several vertical concrete pilings into bedrock in order to avoid construction in the highly erosive canyon walls and bluff face. Drainage and erosion control features would be installed to avoid excessive runoff. Diversion of drainage away from the bluff (i.e., upland) is not practical given the local topography. The structure would include a drainage pipe from the top of the structure to the beach. Mitigation measures would require that the design of the access stairs and drainpipes be reviewed and approved by a registered geotechnical engineer to ensure that the structure does not contribute to or accelerate bluff or beach erosion.

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**CLUP: Policy 9-10** - Light recreation such as birdwatching or nature study and scientific and educational uses shall be permitted with appropriate controls to prevent adverse impacts.

**Alternative 1B is Consistent.** Alternative 1B would allow passive recreational use of the blufftop and beach areas, accessed laterally from beach access points provided on other properties (Las Varas Ranch to the west and Makar to the east). Mitigation measures include access restrictions and public education.

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**CLUP: Policy 9-24** - Recreational activities near or on areas used for marine mammal hauling grounds shall be carefully monitored to ensure continued viability of these habitats.

**Alternative 1B is Consistent.** The rocky and sandy shoreline extends along the length of the coastal bluff, and to the north (upcoast) and south (downcoast) of the project site. Naples Reef is a regionally significant reef complex with offshore shallow reefs, and an extensive intertidal area that is exposed at low tide. This intertidal area is located immediately seaward of ~~the no longer proposed beach access stairs and extends along~~ length of the SBR bluff area and to the south of the site. The harbor seal haul-out is located on the beach approximately one-quarter mile east of the SBR property. These areas are presently accessed from existing coastal access points (e.g., Haskell's beach), and via a network of informal trails on the surrounding properties. ~~Alternative 1B would result in increased public use of the beach as compared to present use patterns. Increased use could result in damage to the intertidal zone habitat (e.g., trampling, collecting, or harassment of wildlife) and disturbance to the seals.~~ Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail

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**CLUP: Policy 9-25** - Marine mammal rookeries shall not be altered or disturbed by recreational, industrial, or any other uses during the times of the year when such areas are in use of reproductive activities, i.e., mating, pupping, and



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pup care.

across the property with linkage to future trail segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach.

In the event that beach access at Las Varas Ranch cannot be implemented, then it is possible that beach access originally proposed at Santa Barbara Ranch may be reconsidered by decision makers. Under this option, a mitigation measure (Bio-4) has been identified to prohibit dogs and other pets from the beach area and to restrict beach access during specific months to avoid times of high use at the seal haul out area and to minimize effects by visitors on the beach and reef areas.

No unauthorized vehicles would be allowed on beaches adjacent to the intertidal areas. The following two policies are related to protection of oak trees and other native trees in the project area. These policies are addressed in a single response.

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**CLUP: Policy 9-30** - In order to prevent destruction of organisms which thrive in intertidal areas, no unauthorized vehicles shall be allowed on beaches adjacent to intertidal areas.

**CLUP: Policy 9-31** - Only light recreational use shall be permitted on public beaches which include or are adjacent to rocky points or intertidal areas.

**CLUP: Policy 9-32** - Shoreline structures, including piers, groins, breakwaters, drainages, and seawalls, and pipelines, should be sited or routed to avoid significant rocky points and intertidal areas.

**Coastal Plan Policy 9-33** - Naples reef shall be maintained primarily as a site for scientific research and education. Recreational and commercial uses shall be permitted as long as such uses do not result in depletion of marine resources. If evidence of depletion is found, the County shall work with the Department of Fish and Game and sport and commercial fishing groups to assess the extent of damage and implement mitigation measures.

**Alternative 1B is Consistent.** The rocky and sandy shoreline extends along the length of the coastal bluff, and to the north and south of the project site. Naples Reef is a regionally significant reef complex with offshore shallow reefs, and an extensive intertidal area that is exposed at low tide. This intertidal area is located immediately seaward of the no longer proposed beach access stairs and extends along the length of the SBR bluff area and to the south of the site. The harbor seal haul-out is located on the beach approximately one-quarter mile east of the SBR property. These areas are presently accessed from existing coastal access points (e.g., Haskell's beach), and via a network of informal trails on the surrounding properties. The trail and beach access stairway on Santa Barbara Ranch has been deleted, and an alternative vertical beach access is proposed on property to the west (Las Varas Ranch).

In the event that beach access at Las Varas Ranch is not pursued, then it is possible that the stairway proposed on Santa Barbara Ranch may be reconsidered by decision makers. If constructed, the stairway on Santa Barbara Ranch would not affect any significant rock points or intertidal areas. This scenario ~~Alternative 1B~~ would result in increased public use of the beach as compared to present use patterns. Increased use could result in damage to the intertidal zone habitat (e.g., trampling, collecting, or harassment of wildlife) and disturbance to the seals. A mitigation measure (Bio-4) has been identified to prohibit dogs and other pets from the beach area and to restrict beach access during specific months to avoid times of high use at the seal haul out area and to minimize effects by visitors on the beach and reef areas.

No dogs, pets, horses or unauthorized vehicles would be allowed on beaches adjacent to the intertidal areas.

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**Coastal Act § 30211:**

Development shall not interfere with the public's right of access to the sea where acquired through use, custom, or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

**Alternative 1B is Consistent.** Alternative 1B proposes to construct and maintain a public coastal access trail system that includes parking, and restrooms. The originally proposed beach access stairway on Santa Barbara Ranch has been deleted, and an alternative vertical beach access is to be provided proposed on nearby property (Las Varas Ranch). Discussion of the proposed access is provided above under Coastal Act § 30210.

No public beach access currently exists on the DPR property, and none is proposed. A proposed Coastal Trail segment would traverse the SBR and DPR properties along Dos Pueblos Canyon Road and adjacent to Highway 101, allowing future connections to other Coastal Trail segments and other present and future beach access points located to the east and west of the combined properties.

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**Coastal Act § 30214:** (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics; (2) The capacity of the site to sustain use and at what level of intensity; (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses; (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. (c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public

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**Alternative 1B is Consistent.** Alternative 1B would provide public recreational opportunities, and would not generate significant impacts to other regional recreational facilities. A draft OSHMP has been submitted, as required by the proposed NTS zoning, and the OSHMP will be reviewed by P&D to ensure that appropriate public uses are identified and enforced, and to ensure that natural resources and agricultural operations of the project area, including the coastal bluffs and blufftop vegetation, grazing areas, beaches, and the Naples reef area, are not impacted from overuse. The project area is not served by public transportation and public transportation is not proposed. Therefore, the new coastal access will generally be available to motor vehicles (parking lot), and to hikers, bicyclists and equestrians. Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail across the property with linkage to future trail segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach.

## **Ordinance Amending Land Use and Development Code (Attachment B-4)**

### **Section 15:**

- e. **Boarding and raising of animals.** Boarding and raising of animals for commercial purposes is expressly prohibited ~~except in conjunction with lawfully permitted equestrian facilities.~~

## **Development Agreements (Attachment B-6)**

### **Ordinance, Section 3:**

For the Inland Area Development Agreement (Case No. 03ORD-00000-00012), Exhibit A, this ordinance shall not become effective until all of the following events have occurred: (i) ~~the modifications appearing in Exhibit C have been incorporated into the Development Agreement;~~ (ii) the Development Agreement, as modified, has been fully executed by all the parties; (iii) ~~written consent of Dos Pueblos Ranch has been evidenced to the satisfaction of the County with respect to the activities that occur on Dos Pueblos Ranch pursuant to Section 2.02(a) of the Development Agreement;~~ (iv) thirty calendar days following the passage of this ordinance; and (v) ~~the~~ the effective date of approval of WA-ACE Easement Exchange Case No. 05AGP-00000-00011, General Plan Amendment Case No. 03GPA-00000-00005, General Plan Amendment Case No. 03GPA-00000-00006, Vesting Tentative Tract Map Case No. 08TRM-00000-00006/TM 14,755 and Final Development Plan Case No. 08DVP-00000-00024.

#### **Ordinance, Section 4:**

For the Coastal Area Development Agreement (Case No. 03ORD-00000-00013), Exhibit B, this ordinance shall not become effective until all of the following events have occurred: (i) ~~the modifications appearing in Exhibit C have been incorporated into the Development Agreement;~~ (ii) the Development Agreement, as modified, has been fully executed by all the parties; (iii) ~~written consent of Dos Pueblos Ranch has been evidenced to the satisfaction of the County with respect to the DPR Trail Segment that occurs on Dos Pueblos Ranch pursuant to Section 2.02(c) of the Development Agreement;~~ (iv) thirty calendar days following the passage of this ordinance; and (v) ~~the~~ the effective date of final approval by the Board of Supervisors and California Department of Conservation of WA-ACE Easement Exchange Case No. 05AGP-00000-00011, final approval by the Board of Supervisors General Plan Amendment Case No. 03GPA-00000-00006, final approval by the Board of Supervisors Final Development Plan Case No. 08DVP-00000-00024, final approval by the Board of Supervisors Final Development Plan Case No. 08DVP-00000-00025; and (vi) ~~the~~ the amendments to the Local Coastal Program are certified by the Coastal Commission pursuant to Public Resources Code 30514.

#### **Ordinance, Section 5:**

The vesting provisions of Article 4 specified in the Inland Area Development Agreement (Case No. 03ORD-00000-00012) and Coastal Area Development Agreement (Case No. 03ORD-00000-00013), Exhibits A and B, respectively, shall apply to and encompass those portions of the Santa Barbara Ranch Project located on Dos Pueblos Ranch south of Hwy 101 (Case Nos. 08LUP-00000-00466 and 8CDP-00000-00098 through 00101) subject to, and contingent upon, the County receiving written consent from the owners of Dos Pueblos Ranch with respect to the creek restoration activities that occur on Dos Pueblos Ranch

pursuant to Section 2.02(a) of the Inland Area Development Agreement and the trail segment dedication that occur on Dos Pueblos Rand pursuant to Section 2.03(c) of the Coastal Area Development Agreement.

### **Ordinance, Section 56**

Before the expiration of 15 days after its passage, a summary of it shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

### **Exhibit A**

**Section 2.02(a). Creek Corridor, Open Space and Watershed Protection.** Within sixty (60) days after the execution of this Agreement, or such additional time as the Director of Planning may grant, Developer shall pay the sum of \$100,000 to a non-profit conservation organization of Developer's choice to initiate planning to enhance areas of natural, scenic, wildlife, biological, open space, and drainage corridors within Dos Pueblos Creek consistent with ongoing agricultural use on lands within the Dos Pueblos Creek drainage ("**Creek Restoration Plan**"). The non-profit conservation organization shall be fully independent of the Developer, shall be fully qualified and experienced in conserving open space and/or natural resources, shall use its best faith efforts to complete a Creek Restoration Plan within ~~one of the one~~ (1) year after the Effective Date of this Agreement and the Developer shall offer all reasonable assistance to accomplish this outcome. Prior to commencement of grading or construction of the Inland Project, Developer shall pay the sum of \$300,000 to a non-profit conservation organization of Developer's choice to be used to implement the Creek Restoration Plan. The non-profit conservation organization shall use its best faith efforts to fully implement the Creek Restoration Plan within three (3) years of after the Effective Date of this Agreement, and the Developer shall offer all reasonable assistance to accomplish this outcome. Implementation of the Creek Restoration Plan shall be subject to and shall not occur until (i) the approval and permitting Creek Restoration Plan by governmental agencies as required by law, (ii) final approval and recordation of an Agricultural Conservation Easement from the California Department of Conservation with respect to the Inland Project Site, (iii) withdrawal of the Notice of Violation issued by the California Department of Fish & Game and the claims asserted in that notice, and (iv) consent of Dos Pueblos Ranch with respect to the activities that occur on Dos Pueblos Ranch. Developer shall condition the payment of the foregoing sums to the non-profit organization to require the non-profit organization to: (i) expend the funds for creek restoration elsewhere on the Gaviota Coast in the event that the Creek Restoration Plan is not implemented within five (5) year of the Effective Date for any reason; (ii) obtain the County's written consent as to the alternate creek restoration project prior to expending said

funds; and (iii) complete the alternate creek restoration project within seven (7) years of the Effective Date. The expressed intent of this subsection and the Developer's obligation hereunder is to initiate planning and restoration efforts with the expectation that the Developer's financial contribution will be used to leverage other resources to complete the Creek Restoration Plan.

## **Exhibits A and B**

**Section 1.02 Term.** The term of this Agreement (the "Term") shall commence upon the Effective Date and continue for a period of ~~fifteen (15)~~ twenty (20) years and such additional time as provided in Section 5.08.

**Section 4.03 Applicable Law.** The rules, regulations, official policies, standards and specifications applicable to the Inland Project (the "Applicable Law") shall be those set forth in this Agreement, the MOU, and the Inland Project Approvals. In connection with the Inland Project Approvals certain portions of the Inland Project Site will be rezoned to the Naples Town Site District ("NTS"), as set forth in Exhibit D, and other portions of the Inland Project will be subject to the zoning in force and effect on the Effective Date, as set forth in Exhibit E. Applicable Law shall also include the NTS with respect to those areas zoned for the NTS and the applicable zoning in force and effect on the Effective Date with respect to those portions of the Inland Project Site not zoned NTS. With respect to matters not addressed by this Agreement, the MOU, the Inland Project Approvals or applicable zoning, shall be those rules, regulations, official policies, standards and specifications (including County ordinances and resolutions) governing permitted uses, building locations, timing of construction, densities, design, heights, fees, exactions, and taxes in force and effect on the Effective Date. In specific regard to fees, the amount payable by the Developer shall be those sums that are calculated according to fee schedules in effect at the time that permits are issued. The category of fees applicable to the project are those in place as of the Effective Date. Notwithstanding the foregoing, in the event application is made for a new project that is not related to the Inland Project Approvals, this Agreement shall not prevent the County from denying or conditionally approving such application on the basis of the rules, regulations and policies in effect at the time of such denial or conditional approval of such application.

## **Conditions (C-1)**

### **Project Description:**

**A.1. Overall Scope.** The Project entails the development of 71 new residential dwellings, equestrian center, agricultural support facilities, a worker duplex, public amenities (including access road, parking and restroom, wildlife interpretive kiosk and coastal access trails), and creation of conservation easements for permanent protection of open space and agriculture. The Project

site encompasses the Santa Barbara Ranch ("SBR") and the Dos Pueblos Ranch ("DRP"), together totaling 3,249 acres and 85% of the lots comprising the Official Map of Naples Townsite. The two ranches are zoned for AG-II-100 (Coastal Zone) and Unlimited Agriculture (non-Coastal Zone), and are located two miles west of the City of Goleta, AP Nos. 079-040-005 to 081-240-018, Third Supervisorial District.

**A.2. Pending Applications.** The Project, as described in Paragraph A.1. above, is a refinement and the result of earlier applications submitted by the Applicant. Specifically, the Applicant has previously submitted applications to developed 16 inland lots on ~~Santa Barbara Ranch~~ SBR and a subsequent application to develop a 54-unit large lot rural estate development under a Memorandum of Understanding entered into by and between the County and the owners of ~~Santa Barbara Ranch~~ SBR on December 3, 2002. The approvals granted herein are subject to, and contingent upon the Applicant's: (i) formal withdrawal of all applications previously filed in connection with the Naples Townsite, identified as Case Nos. 03CUP-00000-00065 through 03CUP-00000-00080 (Minor Conditional Use Permits in for individual septic systems on 16 inland SBR lots) 03LUP-00000-01188 through 03LUP-00000-01203 (Land Use Permits allowing development of a single family home and associated improvements on 16 inland lots); and (ii) acknowledgment that the MOU Project, previously filed under Case Nos. 03DVP-00000-00041, 03CUP-00000-00082 and 03CUP-00000-00083, have been superseded by Alternative 1B.

**A.3.a.(iii) Development Agreements, Case Nos. ORD-00000-00012 and 03ORD-00000-00013.** Adoption of Development Agreements under the authority of Government Code Section 65864 et.seq., and Chapter 35.86 of the County's Land Use and Development Code, for the purpose of vesting the project (one for inland areas and one for areas within the Coastal Zone). A development agreement constitutes a contractual commitment between the parties that, for a specified time period, ~~freeze~~ confine the rules, regulations, and policies that are applicable to a particular development to those which ~~as they~~ exist at the time of approval.

**A.3.a.(iv) Special Problems Designation, Case No. 08MIS-00000-00002.** Removal of Special Problems designation for those portions of the Official Map of Naples and rezoning to Naples Townsite (under Case Nos. 08ORD-00000-00009, 03RZN-00000-00005 and 03RZN-00000-00006. Special Problem Area designations are adopted by Resolution of the Board pursuant to Section 10-13.2 of the County Code. The designation provides for additional review authority over applications for development through the County's Special Problem Area Committee. The Special Problem Area designation would be replaced by development review provisions of the Naples Townsite zone district and associated ~~e~~Conditions of ~~project~~ Approval.

**A.3.b.(i)(c), (iii)(c), (iv)(c), (v)(c), (vi)(c), (vii)(c), (viii)(c) and (ix)(c) Project Exhibits:** ...Project Description for Alternative 1B dated July 22, 2008 ~~to be inserted~~.

**A.3.b.(iv) Lot Mergers (hereinafter collectively referred to as “Lot Mergers”).** Voluntary mergers of 228 legal lots shown on the Official Map of Naples resulting in a total of 18 lots. One merger combines 10 existing Naples lots on Dos Pueblos Ranch, south of Hwy 101, into a single lot of 31.68 acres (DP-17). The proposed DP-17 lot area currently is improved with an aquaculture facility that raises abalone and other marine life for commercial sales purposes, and other related agricultural support facilities and structures. No change of existing use or improvements are proposed. A second merger combines ~~218~~ 219 existing Naples lots on Santa Barbara Ranch, north and south of Hwy 101, into a final configuration of ~~17~~ 27 lots totaling ~~481~~ 485 acres. The lot mergers on Santa Barbara Ranch include all existing Naples lots ~~except for~~ including Lot 132 on which a single family residence has already been constructed under a prior permit. Development of the reconfigured lots would be governed by the terms and conditions of Case Nos. 08DVP-00000-00024, 08DVP-00000-00025 and 03DVP-00000-00041.

**A.3.b.(v) Vesting Tentative Tract Map (Case Nos. 08TRM-00000-00006/TM 14,755).** Subdivision of 563 acres on the north side of Hwy 101 to create 40 residential parcels within 274 acres, a single agricultural parcel of 289 acres, and one large designated remainder parcel of 2,003 acres (DP-11). The Map designates development and landscape envelopes for each lot (defined as the outer limits of ground disturbance of placement of structures and improvements), areas designated for an Agricultural Conservation Easement under the provisions of Government Code Section 51256, areas designated for private open space and conservation (with development rights dedicated to the County, and areas designated for an Private Agriculture Conservation Easement (with use restrictions recorded by means of Covenants, Conditions and Restrictions, totaling). Development of the subdivided lots would be governed by the terms and conditions of Case No. 08DVP-00000-00024 and the Map provides for phasing in accordance with Section 66456.1 of the Subdivision Map Act.

**A.3.b.(vi) Final Development Plans (Case Nos. 08DVP-00000-00024, 08DVP-00000-00025 and 03DVP-00000-00041).** Final Development Plans depicting the geographic location, design attributes and overall layout of all structures, road, utilities (including package treatment plants and water treatment/reclamation/storage facilities), coastal access and related improvements proposed in connection with the development of those portions of the Project that are concurrently rezoned to Naples Townsite under Case No. 03RZN-00000-00005 and 03RZN-00000-00006. The Inland Final Development Plan, Case No. 08DVP-00000-00024, encompasses ~~50~~ 49 residential lots located outside of the Coastal Zone on portions of Santa Barbara Ranch and Dos Pueblos Ranch, Lots

49, 50, 51, 104, 105, 108, 134, 135, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 107A, DP-1A, DP-1B, DP-1C, DP-10A, DP-10B, ~~DP-10C~~, DP-2A, DP-2B, DP-2C, DP-3A, DP-3B, DP-4, DP-5A, DP-5B, DP-5C, DP-5D, DP-6A, DP-6B, DP-7A, DP-7B, DP-8A, DP-8B, DP-9A and DP-9B. The Coastal Final Development Plan, Case No. 03DVP-00000-00041, encompasses 16 residential lots located within the Coastal Zone on Santa Barbara Ranch, Lots 12, 35, 39, 41, 42, 43, 63, 66, 69, 70, 71, 91, 93, 97, 119 and 122 and includes an equestrian center and agricultural support facilities (including farm employee dwelling ) located on Lot 97, a new entry gatehouse at Langtry Lane, two new security gates for access roads north of Hwy 101, a public access restroom facility, 30-space public parking lot, ~~marine wildlife interpretive pavilion~~ and three new mailbox/callbox shelters. The CalTrans Final Development Plan, Case No. 08DVP-00000-00025, encompasses areas currently zoned TC Transportation Corridor and AG-II-100 and includes improvements to the existing Hwy 101 northbound on and off ramps to provide a configuration similar to the existing southbound facilities, adjacent to and portions of Lots 49, 51 and 185.

**A.3.b.(vii) Major Conditional Use Permits (Case Nos. 08CUP-00000-00060, 08CUP-00000-00061, 08CUP-00000-00044, 03CUP-00000-00082 and 03CUP-00000-00083).** Authorization for use and operation of major facilities not otherwise allowed as principally permitted under the Naples Townsite zone district and associated regulations of the LUDC. Case No. 08CUP-00000-00060 encompasses coastal trail facilities within the Coastal Zone, paralleling the north and south sides on Hwy 101, on portions of Dos Pueblos Ranch and Santa Barbara Ranch that will retained their current AG-II-100 zoning. Case No. 08CUP-00000-00061 encompasses a sewage package treatment facility located within the Coastal Zone on Lot 188, and serves all connections within coastal portions of Santa Barbara Ranch. Case No. 08CUP-00000-00044 encompasses equestrian facilities located within the Coastal Zone on Santa Barbara Ranch, Lot 97, for non-commercial use by Project residents. Case No. 03CUP-00000-00082 encompasses two package treatment associated water reclamation facilities located outside of the Coastal Zone on Lots 48 and 108, and serves all connections within inland portions of the Project. Case No. 03CUP-00000-00083 encompasses domestic water treatment facilities located within the Coastal Zone on Santa Barbara Ranch, Lots 48 and 185.

**A.3.b.(x) Land Use Permits (Case Nos. 08LUP-00000-00416 thru 08LUP-00000-00465, 03LUP-00000-00344, 08LUP-00000-00466 and 03LUP-00000-00739).** Land Use Permits depicting site-specific details as to physical configuration and building design for all structures, road, utilities (including package treatment plant and water treatment/reclamation/ storage facilities), coastal access and related improvements within areas inland of the Coastal Zone. Case Nos. 08LUP-00000-00416 thru 08LUP-00000-00465 encompass ~~50~~ 49 residential lots located inland of the Coastal Zone on portions of Santa Barbara and Dos Pueblos Ranches, Lots 49, 50, 51, 104, 105, 108, 134, 135, 201, 202, 203,



204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 107A, DP-1A, DP-1B, DP-1C, DP-10A, DP-10B, ~~DP-10C~~, DP-2A, DP-2B, DP-2C, DP-3A, DP-3B, DP-4, DP-5A, DP-5B, DP-5C, DP-5D, DP-6A, DP-6B, DP-7A, DP-7B, DP-8A, DP-8B, DP-9A and DP-9B. Case No. 08LUP-00000-00466 encompasses one residential lot, with an individual septic system, located inland of the Coastal Zone on Dos Pueblos Ranch, south of Hwy 101, Lot DP-12. Case No. 08LUP-00000-00344 encompasses all utilities, roads and service connections for inland portions of the Project that are rezoned to Naples Townsite and exceed prescribed thresholds under the LUDC, as amended. Case No. 03LUP-00000-00739 provides for temporary stockpiling on Lot 51 in association with the previous development of Lot 132 authorized under Case No. 03LUP-00000-00739.

**A.3.b.(x)(c) Project Exhibits:** Vesting Tentative Tract Map & Development Plan - Preliminary Grading, Drainage, Roads and Utilities Plan, Alternative No. 1 - Santa Barbara & Dos Pueblos Ranches dated August 23, 2007, as amended; Santa Barbara/Dos Pueblos Ranch Applicant Alternative (Design Booklet/Master Plan) dated January 14, 2005, and last revised February 27, 2008; Lot Relocation Plan and Prototype Design Plans for Lots 185, 201, 212, 215 and DP3A dated June 17, 2008; Prototype Matrix dated July 14, 2008; Exterior Lighting Concepts dated May 29, 2008; Preliminary Fencing Plan dated June 27, 2008; Design Guidelines dated May 29, 2008, and amended July 9, 2008; Preliminary Landscape Plan dated May 2008; Application and associated exhibits for Case No. 03LUP-00000-00739 (including As-Built Stockpile Plan dated June 2003); Project Description for Alternative 1B dated July 22, 2008 ~~to be inserted~~.

### **General Provisions:**

**B.9. Condition Hierarchy.** ~~As provided in LUDC Section 35.10.040.F.1., if~~ conflicts occur between the Conditions of Approval (including the Design Guidelines adopted pursuant to Condition No. D.1.d), or between the LUDC and the Conditions of Approval, the most restrictive shall control unless specifically indicated otherwise. Within the Coastal Zone, conflicts shall be resolved in manner which on balance is the most protective of significant coastal resources. If conflicts occur between the requirements of LUDC and standards adopted as part of any Development Agreement, or between the Conditions of Approval and any such Development Agreement, the requirements of the Development Agreement shall apply.

### **Environmental Mitigation Measures:**

**C.2. Environmental ~~Action Plan~~ Quality Assurance Program.** As a condition precedent to obtaining Final Planning Approval for any aspect of the Project, the Applicant shall: (i) provide funding for retention of an Environmental Monitor; (ii) obtain County approval of its Retained Monitors; and (iii) prepare an

Environmental Action Plan. The Environmental Monitor shall be under contract with the County to provide plan review, field verification and compliance reporting. Retained Monitors shall be employed directly by the Applicant to undertake pre-construction surveys, monitor construction and report progress. Following selection and approval of the Environmental and Retained Monitors, the Applicant shall prepare an Environmental Action Plan encompassing two basic components: (i) Development Component covering the implementation of Mitigation Measures during the construction phase of the Project; and (ii) Operational Component covering implementation of use restrictions and land management practices within areas designed for open space, sensitive habitat and public access. The Environmental Action Plan shall be subject to review and approval by the County and shall embody the following elements:

**Project Specific Conditions:**

**D.1.a.** All development shall substantially conform to the geographic location, physical configuration, design attributes, and overall layout of all structures, road, utilities and physical alternations shown and described in the Exhibits referenced in the Project Description. The Applicant shall submit architectural drawings of the Project (including design plans for all trail and coastal access improvements) and obtain Preliminary and Final Approval by the Board of Architectural Review (“BAR”) as a condition prerequisite to obtaining Final Planning Approval. Discretion is hereby granted to BAR to finalize site and building designs within the following parameters: (i) the number, distribution and size of structures (by lot) shall substantially conform to Table 2 and the Scope of Development described in Exhibit 13; (ii) the total amount of earthwork shall not exceed the volume shown in Table 2; (iii) building height shall not exceed 16 feet for those portions of the Project area located north of Hwy 101, and 25 feet for those portions of the Project area located south of the highway; (v) building and site design shall substantially conform to the Design Guidelines, as amended, and Prototype Matrix; (vi) all buildings shall be contained within the designated development envelop for each lot; and (vii) the overall Project shall abide by the development standards specified in the NTS zone regulations.

**D.1.c.** The Design Guidelines shall be submitted to the Department and BAR for final review and approval as a condition prerequisite to obtaining Preliminary and Final Design Review approval of the Project. At a minimum, the Design Guidelines shall be amended as follows: (i) incorporate the design review parameters listed in Condition No. D.1.a., the plan requirements listed in Condition No. D.1.e., the visual mitigation measures identified in Condition No. D.1.d, and the updated Prototype Matrix described in Condition No. D.1.b.; (ii) recite applicable Visual Resource policies of the County and requirements for compliance; (iii) restrict ridgeline trees to native species; (iv) articulate measurable LEED standards and interior lighting parameters; (v) devise landscape lighting specifications to reinforce dark sky principles including elimination of

tree uplighting; (vi) complete guidelines for edible landscaping; (vii) reconcile guideline standards with overlapping standards of the NTS development regulations; (viii) utilization of “full horizontal cut off” light fixtures as opposed to “fully shielded lighting;” and (ix) clearly distinguish roles and responsibilities of the design review between the County and HOA, including use of acronyms. In the event of conflict between provisions of the Design Review Guidelines, the development standards specified in the NTS zone district, or the Conditions of Approval prescribed herein, the ~~most restrictive or protective covenant~~ provisions of Condition No. B.9. shall govern.

**D.2.c.** The OSCE shall be reviewed and approved by the Department and County Counsel, and it shall be recorded on the Property prior to and as a condition prerequisite to obtaining Final Planning Approval for any aspect of the Project, including, but not limited to, recordation of subdivision Maps. The terms and conditions of the OSCE and OSHMP shall also: (i) be incorporated in the Conditions, Covenants and ~~Conditions~~ Restrictions (“CC&Rs”) required by Condition No. D.3.c.; and (ii) be reflected on Vesting Tentative Tract Map. Implementation of the OSHMP and OSCE shall be ~~incumbent upon~~ the responsibility of the Applicant and successor HOA, and the CC&Rs shall expressly stipulate these obligations. In addition, the CC&Rs shall expressly provide financing to underwrite the cost of long-term monitoring, maintenance and enforcement of the OSHMP and OSCE. Alternatively, operations and enforcement of the OSHMP and OSCE may be accomplished through creation of a Community Facilities District (or equivalent) as provided in Condition No. D.7.d.

**D.2.e.** All construction staging and equipment storage shall be restricted to designated development envelopes, utility corridors and/or roadways as shown on the Final Development Plans or shall otherwise be located a minimum of 100 feet away from all sensitive resources including streams, drainages, cultural sites and sensitive habitat. During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs. The Applicant shall designate a washout area, acceptable to the Department, and this area shall be shown on the construction and/or grading and building plans. The wash off area shall be designated on all plans prior to and as a condition prerequisite to Final Planning Approval. The washout area(s) shall be in place and maintained throughout construction.

**D.3.a.** The Williamson Act Contract Modifications and Agricultural Conservation Easement Exchange, Case No. 05AGP-00000-00011, shall be

finalized and duly recorded prior to and as a condition prerequisite to obtaining Final Planning Approval for any aspect of the Project or recording any subdivision Map associated therewith. Prior to recordation, the final terms and conditions of the Agricultural Conservation Easement ("ACE") shall be submitted to and approved by County Counsel and the Department, which approval shall not be unreasonably withheld provided that (i) the ACE substantially conforms to the Draft ACE Easement Documents (three total) dated July 14, 2008, as amended, and ACE Easement Maps (two total) dated April 2008; (ii) each ACE document is modified to incorporate the provisions of Rule 1-2.3.C of the County Uniform Rules, requiring non-prime land to be actively engaged in agricultural production, including grazing and/or cultivation; and (iii) the Applicant evidences that a minimum 100-foot separation is provided between each habitable structure within the NTS zone district and the immediately adjacent boundary of any parcel with an agricultural land use or zoning designation. Any substantial deviation between the Draft and Final ACE shall constitute an amendment of these Conditions of Approval and shall be returned to the Review Authority for consideration in the time and manner stipulated for permit amendments in the LUDC.

**D.3.c.** ~~Title to a~~ All common areas of the Property encompassed by the Final Development Plans, as well as all shared improvements (e.g., private roads, entry gates, coastal access and public recreational amenities, water treatment/reclamation and distribution facilities, sewage treatment package plants and distribution system, utility infrastructure and the like) shall be held by the HOA (in fee or by easement) and shall be maintained in a continuous state of good condition and repair in compliance with the OSHMP and OCE. The requirement for HOA ownership and maintenance of the common areas and improvements shall be set forth in CC&Rs. The CC&Rs shall also provide for the establishment of architectural controls consistent with the Design Guidelines and shall require the owner of each lot and successor's in interest, at their sole and individual expense, maintain all common areas and improvements. The County shall be named as a Third Party beneficiary with the right, but not the obligation, to enforce the CC&Rs in the event of default. Furthermore, the CC&Rs shall not be amended without the County's prior written approval. The form and content of the CC&Rs (including the County's third party designation and approval rights) shall be subject to review and approval by County Counsel and the Department, and shall be recorded prior to and as condition prerequisite to granting Final Planning Approval for any aspect of the Project.

**D.3.d.** The Private Agriculture Conservation Easement ("PACE") shall be reviewed and approved by the Department and County Counsel, and shall there be recorded on the Property prior to and as a condition prerequisite to obtaining Final Planning Approval for any ~~aspect of the Project~~ development on SBR (south of Hwy 101), including, but not limited to, recordation of subdivision Maps. The terms and conditions of the PACE also: (i) be incorporated into the CCRs required by Condition No. D.3.c.; and (ii) name the County as a non-signatory third party

beneficiary with the right, but not the obligation, to enforce the PACE. In addition, the CC&Rs shall expressly provide financing to underwrite the cost of maintaining common infrastructure and managing farm/grazing operations to sustain the Property's agricultural viability. Alternatively, operations and enforcement of the PACE may be accomplished through creation of a Community Facilities District (or equivalent) as provided in Condition No. D.7.d.

**D.3.e.** Use of the equestrian facilities located on Lot 97 shall be limited to resident (non-commercial) boarding, raising, training and recreational riding for a maximum of 40 horses subject to the applicable requirements specified in Condition Nos. E.3.d. and E.6.b. No special events shall be conducted and all parking shall be contained on-site; the 30-space parking lot proposed at the northeastern corner of Lot 97 in connection with the coastal trails shall not be used for horse trailers or visitors of the equestrian facility. In addition, the Animal Waste Management Plan required by Condition No. E.6.b. shall include measures for managing animal waste for all equestrian trails developed on the Property. Prior to and as condition precedent to obtain Final Planning Approval for the equestrian facilities, the Applicant shall submit an Equestrian Trails Plan to the Department that clearly denotes the location and design of all equestrian trails and evidences that: (i) all trails are contained outside of areas encumbered by an Agricultural Conservation Easement; (ii) all trails are located away from areas of active agricultural cultivation; (ii) horse riding is restricted to the designated trails and expressly prohibited on coastal beaches; (iii) approval from the property owner and trustee is required for any equestrian use within areas encumbered by an Agricultural Conservation Easement; trail locations are located away from areas of active agricultural cultivation; and (iv) erosion control and positive drainage is provided to ensure food safety is adequately protected; and (v) any disturbance to sensitive vegetation shall be replaced on a 3:1 basis in accordance with the OSHMP.

**D.4.a.** Development envelopes identify the location and limit the area of all ground-disturbance activities and to protect on-site resources. The size, location and configuration of development envelopes shall be restricted to those areas shown on the Vesting Tentative Tract Map and Final Development Plans. Except or unless otherwise provided elsewhere in the Conditions of Approval, No development or earth disturbance shall occur outside of the designated development envelopes (including utility infrastructure), only those uses and improvements shown on the Final Development Plans shall be allowed within these areas. Construction equipment operation shall be confined to the approved development envelopes. Development envelope boundaries shall be staked by a licensed surveyor in the field and only the uses and improvements shown on the applicable subdivision maps and final development plans may be allowed within the boundaries thereof. Development envelope locations shall be described by metes and bounds and recorded on a separate informational map sheet with all subdivision Maps. Prior to Final Planning Approval for development of each lot, a

Notice to Property Owner (NTPO) stating this limitation and including a exhibit depicting the development envelope location shall be recorded against the Property with the County Clerk-Recorder. The development envelope shall be shown on all plans submitted for land use and building permits. Development envelopes shall be staked by a licensed surveyor prior to start of grading or structural development.

**D.4.c.** Landscape and irrigation plans for the Project shall be prepared by a California registered landscape architect and shall be submitted as part of the BAR's Preliminary and Final Design Review pursuant Condition No. D.1.a. Said requirement shall be subject to the following additional terms and conditions: (i) the plans shall specify all plant materials, irrigation facilities, and hardscape improvements, and include a horticultural soils report with laboratory recommendations for soil preparation and maintenance fertilization; (ii) prior to ~~occupancy of any dwelling constructed as part of the Project~~ final building inspection clearance for each affected lot, all private and common area landscaping and irrigation serving each such lot shall be completed and fully installed, including landscaping used to help screen or integrate structures within the Project; (iii) following installation, all landscaping shall be continuously maintained thereafter for a period of not less than three years or until such time that all plant material has been completely established. The Department shall inspect or cause to be inspected all landscaped areas for final clearance prior to final Building Permit inspection. A formal written request for such inspection shall be accompanied by a certification from the Project landscape architect as to the Project's conformity with the approved plans and specifications, together with a 12-month warranty on all landscaping materials.

~~**D.5.a.** The Applicant shall pay in-lieu fees for affordable housing in accordance with the terms and conditions specified in the Development Agreements approved concurrent herewith.~~

**D.6.a.** Prior to, and as a condition prerequisite, Final Planning Approval shall not be granted for any aspect of Final Development Plan Case No. 03DVP-00000-00041 until: (i) an offer is made to the County for grant of easements ~~necessary to accomplish the~~ for coastal access and public recreation improvements shown and described in Exhibit 15 (except as to the SBR and DPR Trail Segments which are governed by the Development Agreement for Coastal Entitlements); and (ii) funds (or an acceptable form of security) are deposited by the Applicant with the County in amount equal to the estimated cost of designing and constructing said improvements (plus the value of the proposed beach stair structure/viewing platform, wildlife pavilion and loop trail along Langtry Avenue, which were initially proposed by the Applicant but have been since been eliminated from the Project), as determined by the Department and Parks Department. The funds are irrevocable and the County may at anytime utilize the funds and accept the easements; provided, further, that the County's use of the funds shall not be

restricted to the Project or Property so long as they are used to develop coastal access improvements along the Gaviota Coast. In lieu of depositing the funds, the County, at its sole discretion, may direct that the Applicant construct any portion or all of the improvements described in Exhibit 15, in which case, such construction shall be completed as a condition precedent to obtaining final Building Permit inspection for any residential unit covered by Final Development Plan Case No. 03DVP-00000-00041. The County shall release funds on deposit at the time of final Building Inspection equal to the improvements constructed.

**D.7.c.** All uses and improvements included within Final Development Plans shall be served by sewage treatment package plants (“STPs”) as shown and described in the Project exhibits. Prior to, and as a condition prerequisite, Final Planning Approval shall not be granted for development of any aspect of the Project affected lot until the Applicant has ~~(i)~~ prepared final construction plans for the STPs that serves such lot and received approval from the Department, evidencing: (i) provision of an uninterrupted power supply and pressurized conveyance system for property operations and prevention of accidental releases of untreated sewage; and (ii) sizing of facilities which are the minimum necessary to serve ~~the Project~~ all of the affected lots served by the STP. In addition, Final Planning Approval is subject to, and contingent upon, the Applicant preparing a Report of Waste Discharge (“ROWD”) and receiving approval from the Regional Water Quality Control Board (“RWQCB”) for each STP. The ROWD shall describe the system and its components, and provide all design calculations to ensure the capacity of the system to treat the anticipated volumes of wastewater and to ensure that the discharge will not contribute to an exceedance of any applicable surface water quality objectives. The ROWD shall also describe the operation and maintenance procedures of the system, and identify the administrative framework and individuals responsible for operation of the system, along with back-up and emergency response provisions.

**D.7.f.** Except as provided herein, all components of the utility infrastructure system (including utility pump and lift stations) shall be contained within development envelopes, utility corridors and/or roadways as shown on the Final Development Plans. For seepage pits (if any are proposed necessary as a determined by final engineering) and utility support equipment (including sewer lift/pump stations) that are not shown on the Final Development Plans, such infrastructure shall be sited outside of known sensitive cultural resource areas, a minimum of 50 feet from any minor stream or drainage course, ~~and~~ 100 feet from any major stream, wetland or environmentally sensitive habitat, and shall be screened from public view. Final design plans for the entire sewer system (including STPs, lift/pump stations, water reclamation facilities and seepage pits) shall be submitted to and approved by the RWQCB and County EHS pursuant to Condition Nos. D.7.b. and E.6.c. prior, and as a condition precedent, to obtaining Final Planning Approval for any aspect of the Project.

**E.2.c.** Prior to Final Planning Approval for any aspect of the Vesting Tentative Tract Map Project, the Applicant shall: (i) dedicate real property for drainage within the subdivision, and easements on the Final Map or by a separate instrument; (ii) acquire and supply proof of drainage easements for off-site drainage conveyances; (iii) sign and return the Maintenance Agreement (Subdivider's or Owner's Agreement), assuring perpetual maintenance of the private drainage improvements required for the development; (iv) submit a copy of the project's CC&Rs for the HOA to the District for review and approval; (v) post surety bonds, letters of credit or other acceptable form of guarantee for drainage improvements in amounts approved by the Public Works Director; and (v) submit to the District electronic drawings in PDF format of the approved Final Map, grading plans, improvement plans, drainage plans, drainage studies and landscape plans on a compact disc along with one hard copy of each.

**E.4.a.** Prior to erection of combustible building materials on a specific lot, the following conditions must be met:

- (1) All roads ~~within the development~~ servicing each such lot shall have a minimum width of 24 feet and shall terminate with an FD approved radius bulb turnaround. No parking will be allowed on either side of the roadways unless widths are increased. (Refer to FD Development Standard #1.) If no curbs and gutters are proposed, then 2 foot compacted shoulders shall be required on both sides of the roadway, per Santa Barbara County Public Works standards. All roads shall be paved. Driveways 150 feet long, or longer, shall have a bulb or hammerhead turnaround. (Refer to FD Development Standard #1.) Driveways serving one residential dwelling are required to have a minimum width of 12 feet. Driveways serving two residential dwellings are required to have a minimum width of 16 feet. Driveways serving three to nine residential dwellings are required to have a minimum width of 20 feet. If any future development is planned for this parcel or will be served by this driveway, the Applicant is encouraged to coordinate these standards into their plans and with other interested parties. Any portion of the driveway exceeding 10 percent in slope shall be paved.
- (3) Because the proposed Project is located within the mapped boundaries of the High Fire Hazard Zone of Santa Barbara County, a Vegetation Management Plan applicable to each lot is required. (Refer to FD Development Standard #6). Special provisions of the Building Code will apply. These provisions will influence both the design of the Project and the type of building materials that may be utilized. Please refer to the County Building and Safety Division for details. Note: Owners of property located within a designated



"Very High Fire Hazard Severity Zone" are required by state law (Government Code Section 51182) to create a firebreak of 100 feet (or to the property line, whichever is nearer) around any structures on their property. This does not apply to single specimens of trees, ornamental shrubbery, or similar plants that are used as ground cover if they do not form a means of rapidly transmitting fire from the native growth to any dwelling or structure. Fuel management will correspond to the guidelines established in the June 20, 2003, "Fire Wise Conceptual Fire Safety and Fuels Management Plan." All provisions of this plan will need to be implemented as a condition precedent to obtaining occupancy clearance.

**E.5.a.** Prior to Final Planning Approval, the Applicant shall: (i) make an offer to dedicate an easement (or multiple easements) that provide for completion of the public access improvements described in Condition No. D.6.a.; (ii) make an offer to dedicate an easement for lateral beach access on all beach areas of ~~Property~~ SBR as measured from the edge of bluffs seaward to the southerly edge of legal parcels; and (iii) enter into an agreement with PD for maintenance of all public access improvements (by the Applicant and successor HOA) in perpetuity.

**Permit Specific Conditions:**

**F.1.a.** Approval of the Vesting Tentative Tract Map shall not become effective until or unless: (i) all required applications have been filed and accepted by the Department as necessary to undertake the Project, including the consent of all Property owners (e.g., Dos Pueblos Ranch and Santa Barbara Ranch, as appropriate); (ii) final approval is granted by the Board and the California Department of Conservation and becomes effective for the Williamson Act Contract Modifications and Agricultural Conservation Easement Exchange Case No. 05AGP-00000-00011, Comprehensive Plan Amendment Case No. 03GPA-00000-00005 and Zoning Ordinance Amendment (Case Nos. 08ORD-00000-00009 and 03RZN-00000-00005; and (iii) all voluntary lot mergers have been completed. Prior to and as a condition prerequisite to recordation, the Applicant shall identify the location of all abandoned oil well test sites within the development envelopes, maintain a ten-foot separation between each site and all structures, and denote this information on the Final Map. The Final Map and ACE documents shall be recorded concurrently.

**F.1.b.** Prior to recordation of the Vesting Tentative Tract Map and subject to approval by the County Surveyor and the Department as to form and content, the Applicant shall include all of the Conditions of Approval associated with or required by this Project on a separate informational sheet to be recorded with the Final Map for each phase of development. All applicable conditions and mitigation measures of the Project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.

**F.1.c.** The Final Map for each phase of development shall be in substantial compliance with the approved Tentative and shall be subject to final review by the County Surveyor prior to recordation. Minor deviations between the Tentative Map and Final Map or minor changes to map conditions shall be permitted only by written consent of the County Surveyor. Any substantial change will require the filing of a formal amendment to the Conditions of Approval and shall be processed in the same manner as for the originally approved Tentative Map. All applicable fees then outstanding at the time of County Surveyor approval shall be paid by the Applicant prior to Map recordation including, but not limited to, outstanding balances owed for Map processing. Copies of the recorded Final Map shall be provided by the Applicant to the Director.

**F.1.d.** The Final Map for each phase of development shall: (i) be prepared by a licensed surveyor or a qualified Civil Engineer, registered in the State of California; (ii) be based on a field survey and monumented in accordance with Chapter 21 of the County Code; and (iii) be signed by all owners of record. Each ~~The~~ Final Map along with required plan review fees in effect at the time of submittal shall also be filed with the Department for compliance review of the Conditions of Approval before the Department will issue Final Map clearance to the County Surveyor. Each ~~The~~ Final Map shall show statistics for net lot area (gross area less any public road right of way) and any open space.

**F.1.e.** Except or unless authorized by subsequent amendment of the Vesting Tentative Tract Map, all roads, utilities and infrastructure necessary to serve the lots comprising the subdivision shall be installed in one or more phases and be completed prior to occupancy of any residential dwelling developed as part of that particular phase ~~the tract~~. Prior to, and as condition prerequisite, Final Planning Approval shall not be granted for development of any lot encompassed within the Vesting Tentative Tract Map until such Map is first amended to indicate that development is to be phased as provided in the Subdivision Map Act. ~~Such amendment, if any, shall be processed in the same time and manner as provided for the original Tentative Map. If the subdivision is to be recorded by multiple Final Maps, additional conditions on the Tentative Map may be imposed by the Review Authority pursuant to Government Code Section 66456.1.~~

**F.1.f.** ~~Title to~~ All areas designated and encumbered with an OSCE and PACE shall be held by the HOA (in fee or by easement) or by any other non-profit group on such reasonable terms and conditions as the Board may prescribe. If the common open space is conveyed to a group other than the HOA, the rights to develop such property with anything except open space or agriculture shall be conveyed to the County.

**F.1.j.** Except as may otherwise be provided in the Development Agreement for Inland Entitlements, a Approval of the Tentative Map shall expire 36 months after

the Date of Final Action. As used herein, the term "Date of Final Action" shall mean the day upon which final action is taken on the entire Project by the local review authority having jurisdiction on the separate matters, effective immediately upon expiration of applicable appeal periods, if any. At the end of that time, the approval shall expire and become void unless otherwise provided in the Subdivision Map Act, Government Code §66452.6. Nothing in this condition shall provide for any expiration periods or time extensions of approvals inconsistent with the Subdivision Map Act.

**F.1.1.** Lot Line Adjustment Case Nos. 08LLA-00000-00010 and 00011, and Conditional Certificates of Compliance Case Nos. 08COC-00000-00001, 00002 and 00003 are approved subject to the following provisions: (i) development shall be limited and conform to that which concurrently approved for Land Use Permit No. 08LUP-00000-00466 and Coastal Development Permit Nos. 08CDP-00000-00098 through-00101, including all conditions applicable thereto; (ii) the form and content of the Maps and exhibits shall be subject to specification and approval by the County Surveyor; (iii) the actions shall not become effective until or unless the voluntary merger of lots comprising DP-17 have been completed; (iv) the actions not become effective until all required applications have been filed and accepted by the Department as necessary to undertake the Project, including the consent of all Property owners (e.g., Dos Pueblos Ranch and Santa Barbara Ranch, as appropriate); and (v) prior to and as a condition prerequisite to recordation, the Applicant shall identify the location of all abandoned oil well test sites within development envelopes, maintain a ten-foot separation between each site and all structures, and denote this information on disclosure documents recorded on the affected lots. Furthermore, Lot Line Adjustment Case Nos. 08LLA-00000-00010 and 00011 shall not accepted for recordation by the County Surveyor until: (i) the Conditional Certificates of Compliance are first accepted and recorded; and (ii) the voluntary merger associated with Lot Line Adjustment Case Nos. 08LLA-00000-00011 is completed.

**F.3.b.** The Conditional Use Permit is not valid until Final Planning Approval for the development and/or use associated with such Permit has been obtained. Failure to obtain said Final Planning Approval shall render the Conditional Use Permit null and void. Upon obtaining Final Planning Approval, the Conditional Use Permit shall be valid. The effective date of the Conditional Use Permit shall be the date of expiration of applicable appeal periods, or if appealed, the date of action by the Board.

**F.4.b.** No Final Planning Approval shall be granted for any Coastal Development Permit approved in connection with Final Development Plan Nos. 03DVP-00000-00041 and 08DVP-00000-00025 until: (i) the Applicant has offered to dedicate the frontage of land which ~~is~~ it owns from the edge of bluff seaward to the Property line; ~~(ii) such offer has been accepted and lawfully recorded~~ in a form acceptable to the Department and County Counsel; and ~~(iii)~~ all required

applications have been filed and accepted by the Department as necessary to undertake development pursuant to each such Permit ~~the Project~~, including the consent of all Property owners (e.g., Dos Pueblos Ranch and Santa Barbara Ranch, as appropriate).

**F.4.c.** The use and/or construction of structures and improvements authorized by this approval cannot commence until the Permit and necessary Building Permits have been issued. Prior to Final Planning Approval, all of the Conditions of Approval that are required to be satisfied in connection with the ~~of the~~ Coastal Development Permit and/or Land Use Permit as applicable must be accomplished. Plans accompanying this Permit shall contain all applicable Conditions of Approval.

**F.4.d.** No permits for development, including grading, shall be issued prior to recordation of the Vesting Tentative Tract Map, Notice of Merger, Lot Line Adjustments and/or Conditional Certificates of Compliance to which ~~the~~ such development pertains. As a condition prerequisite to obtaining Final Planning Approval for individual Land Use Permits and Coastal Development Permits, the Applicant shall obtain Preliminary and Final Design Review approval from BAR.

**F.4.e.f.** Subject to the provisions of one or more Development Agreements approved as part of the Project, ~~The Applicant shall pay all fees including outstanding balances for processing by the County, development impact mitigation fees, water connection fees, sewer fees, school fees, and any additional processing deposits in the time and manner required by ordinance or resolution as required prior to Final Planning Approval.~~

**F.4.g.h.** Materials stockpiled on Lot 51 in association with the development of Lot 132 may be utilized in connection with the Project, or in the alternative, shall be removed the Property and lawfully disposed in manner consistent with the County Code. In either event, the stockpile shall be eliminated prior to occupancy of any dwelling constructed on Lot 51.

Tables (C-2)

Table 2:

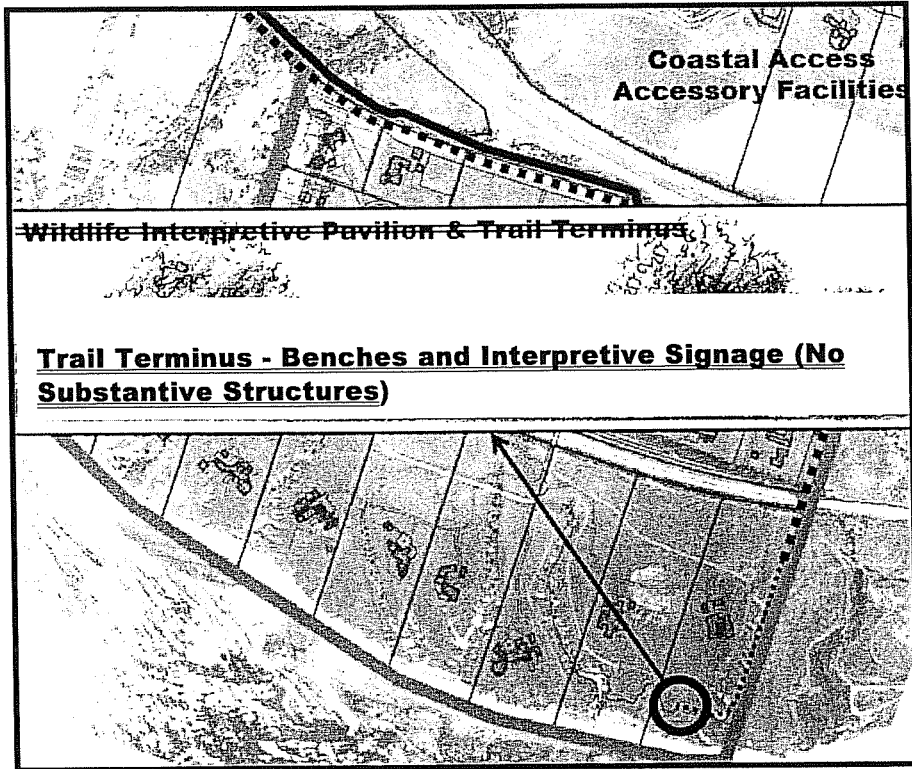
Table 2 Development Parameters						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Lot # (See Exhibit 1)	Lot Area (Acres)	Earthwork (Cubic Yards)	Dwelling (Max. Size; Gross Sq. Ft.)	Guest House (Max. Size; Gross Sq. Ft.)	Garage (Max. Size; Gross Sq. Ft.)	Accessory Structures (Max. Size; Gross Sq. Ft.)
12	8.09		10,000		886	
35	10.34		10,000	800	1,241	
39	11.88		10,000	800	1,367	
41	10.03		7,500	800	731	3,338 <del>1,271</del>
42	7.39		7,500	800	813	2,067 <del>2,067</del>
43	4.69		7,500	800	830	2,067 <del>2,067</del>
49	21.34		7,500		715	
50	3.8		7,500	800	891	
51	3.81		7,500	800	1,508	
63	13.13		10,000	800	1,613	<del>2,067</del>
66	14.38		10,000	800	1,198	
69	10.03		7,500		946	2,067 <del>2,067</del>
70	7.39		7,500	800	1,387	843 <del>843</del>
71	12.68		7,500	800	710	1,272 <del>1,272</del>
91	15.27		10,000	800	1,127	
93	15.4		10,000	800	1,200	
97	37.47		10,000	800	1,249	<del>20,608</del> <del>23,218</del> <del>2,610</del>
104	3.8		7,500		547	
105	3.8		7,500		814	
108	3.8		7,500	800	1,289	
119	15.06		10,000	800	1,665	284 <del>687</del>
122	14.95		10,000	800	981	839 <del>13,421</del>
134	3.8		7,500	800	885	
135	7.6		7,500	800	977	
185	10.23		7,500	800	1,049	<del>1,404</del>
201	6.97		7,500	800	1,172	
202	9.60		7,500	800	1,196	
203	6.28		7,500	800	840	
204	5.82		7,500	800	1,508	
205	3.18		7,500	800	589	
206	3.11		7,500		814	
207	3.29		7,500	800	977	
208	4.71		7,500	800	885	
209	13.79		7,500	800	807	
210	19.77		7,500		1,327	
211	7.76		7,500		450	

212	10.20		7,500	800	720		
213	4.02		7,500	800	1,303		
214A	11.43		7,500	800	807		
214B	8.06		7,500	800	967		
215	4.12		7,500	800	991		
216	4.67		7,500	800	670		
107A	3.80		7,500		693		
DP-1A	5.00		7,500	800	726		
DP-1B	5.19		7,500	800	967		
DP-1C	5.53		7,500	800	967		
DP-10A	5.74		7,500	800	937		
DP-10B	5.00		7,500	800	967		
DP10C	289.25		N/A				
DP-11	2003		N/A				
DP-12	20.63		7,500	800	710	3,339	547
DP-13	40.55		7,500	800	885		5,530
DP-15	34.63		7,500		715		423
DP-16	16.98		7,500	800	875		284
DP-2A	5.16		7,500	800	981	583	
DP-2B	5.00		7,500	800	967		
DP-2C	5.01		7,500	800	967		
DP-20	15.02		7,500	800	885		583
DP-3A	9.73		7,500	800	1,508		
DP-3B	6.85		7,500	800	967		
DP-4	21.30		7,500	800	1,031		
DP-5A	6.57		7,500	800	1,198		
DP-5B	5.63		7,500	800	967		
DP-5C	3.67		7,500	800	967		
DP-5D	8.25		7,500	800	967		
DP-6A	5.12		7,500	800	927		
DP-6B	5.60		7,500	800	967		
DP-7A	5.00		7,500	800	977		
DP-7B	5.00		7,500	800	967		
DP-8A	5.01		7,500	800	1,049		
DP-8B	5.03		7,500	800	967		
DP-9A	7.18		7,500	800	885		
DP-9B	5.20		7,500	800	967		
Total		295,000 Cut 175,000 Fill					

**Note:** The numbers in parenthesis under Column 4 reflect the dwelling sizes proposed under Alternative 1. The lesser of the numbers appearing in Column 4 for each corresponding lot shall be the maximum size limit for said lot.

Exhibits (C-3)

Exhibit 15



Confirming Analysis (D-2)

~~Confirming Analysis~~

CONFIRMING ANALYSIS FOR ALTERNATIVE 1B

PRELIMINARY DRAFT  
SANTA BARBARA COUNTY

SANTA BARBARA RANCH PROJECT

ALTERNATIVE 1B  
Environmental Analysis and Findings

2.3 Visual Resources

Under Alternative 1B there are 14 Alternative 1A residences (Lots 48, 52A, 107B, 109, 133, 136, 137, 160, 164, 186, 187, 188, 193, and 195) that would be relocated to areas associated with proposed DP Lots 1 – 10 under Alternative 1A and that were previously evaluated in the Final EIR. Under Alternative 1A, those

residences were located within the potential Highway 101 viewsheds considered in the Final EIR as Key Observation Point (KOP) 2 (the view from Highway 101 Northbound), KOP 6a (the foreground view of north of Highway 101 from Highway 101), and KOP 6b (the midground view north of Highway 101 from Highway 101 southbound) All potential visual impacts of those 14 residences on KOP 2, 6a and 6b are eliminated or reduced under Alternative 1B.

Further, the relocation and reconfiguration of lots on Dos Pueblos Ranch on and in the vicinity of Lots DP 1 – 10 will not result in a new, or substantially more severe, significant visual impact. Lots DP-1 – 10 lie closest to KOP 4 (views to site from inland residences and trails) and 5 (midground view north of Highway 101 from Highway 101 southbound) viewsheds. However, no development on Lots DP-6 –10, under either Alternative 1A or 1B, would be visible from KOP 5 (see Final EIR Figure 9.9-15) and no development on Lots DP-1 – 5, under either Alternative 1A or 1B, would be visible from KOP 4 (see Final EIR Figure 9.9-14). Accordingly, there are no new, or substantially more severe, significant visual impacts of Alternative 1B, nor are any new mitigation measures required in addition to those recommended for Alternative 1A.

In the coastal terrace lots of the Santa Barbara Ranch property, the lot location and general building configuration under Alternative 1B will be very similar to that in the original Alternative 1A. Nine residential lots will be developed in this area. In the original Alternative 1A, the building sizes on these lots would have ranged from 6,300 to 13,000 square feet; under Alternative 1B these will be limited to a maximum of 10,000 square feet. In the original Alternative 1A design, all of these residences would be single story, but the structures would have architectural features such as vaulted ceilings and entrances with heights up to 25 feet. In the visual modeling performed for the views from the open ocean (discussed in Impact Vis-9) it was assumed that the structures had a uniform height of 25 feet around their entire perimeters. Under Alternative 1B, provision is made for limited use of two-story designs if the upper floors are set back from the building perimeter and the design is approved by the Central Board of Architectural Review. The 25 foot height limit would remain. Thus, Alternative 1B would have similar or less effects on views from the open ocean.

Thus, in overall scale and bulk--as determined by building placement, area, and height—the project design and appearance in the coastal terrace lots of Alternative 1B would be similar in nature to that originally proposed in Alternative 1A. None of these residences would be visible from Highway 101, but some of them (the most southeasterly in Lots 122, 119, and 93) would be visible from portion of the Coastal Trail (De Anza Trail) just south of the UPRR tracks (KOP 1A in the Final EIR) and from portions of the bluff access trail leading to the bluff overlook and information station. This recreational trail segment would be constructed by the project itself, and the overall effect of the Alternative 1B visibility from this trail segment would be very similar to that of the original Alternative 1A. The analysis



in the Final EIR concluded that the visual impact from KOP 1A would be potentially significant, but mitigated (Class II). This conclusion remains applicable to the design in Alternative 1B.

The lighting standards and restrictions specified in the Revised Design Guidelines applicable to Alternative 1B are somewhat more explicit and restrictive than those proposed in the original design guidelines under Alternative 1A. Impacts related to nighttime visibility of light and glare from the project (Impact Vis-10) would remain potentially significant but mitigated (Class II) for Alternative 1B.

In summary, the visual impacts of Alternative 1B would be somewhat less than those expected under the original Alternative 1A, due to the relocation of 14 residences from the sloping land visible north of Highway 101 to less visible inland portions of the project. The single Class I significant and not mitigable impact related to the overall change in character of the project would remain with Alternative 1B, although the greater variety in architectural style and the increased emphasis on ranch or rural designs may provide some positive influence in this regard. The remaining impacts, all of which were determined to be either significant and mitigable (Class II) or less than significant (Class III), would be unchanged under Alternative 1B.

## Planning Commission Resolution

### Recitals

- E. It is now in the interest of orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County that the Planning Commission recommend that the Board of Supervisors approve the following:
- E.1. **Comprehensive Plan and Local Coastal Program Amendment, Case Nos. 03GPA-00000-00005 and 03GPA-00000-00006.** Modification of the text and maps of the Comprehensive Plan Land Use Element and Coastal Land Use Plan to implement Policy 2-13 and create a new Naples Townsite land use designation. The text amendments consist of the addition of policies: (i) to the end of the South Coast Policies section of the Goals and Policies and Boundary Lines section of the Land Use Definitions of the Comprehensive Plan Land Use Element; and (ii) to the end of Section 3.2 – Development, Figure 4-9 and Appendix B – Land Use Definitions of the Coastal Land Use Plan. The map amendments consist of modifying the Gaviota Coast Rural Region Map of the Comprehensive Plan Land Use Plan and Coastal Land Use Plan to change the land use designation from A-II-100 to Naples Townsite (“NTS”) for specified portions of DPR and SBR, ~~Attachment A~~ Attachments B-1 and B-2, respectively, of the staff report dated August 18, 2008, hereby incorporated by reference

(Resolution amending Comprehensive Plan and Resolution amending Coastal Land Use Plan).

- E.2 Land Use and Development Code Amendment, Case Nos. 08ORD-00000-00009, 03RZN-00000-00005 and 03RZN-00000-00006.** Creation of a new Naples Townsite (“NTS”) zone district and associated use and development regulations to implement corresponding amendments to the Comprehensive Plan and Local Coastal Plan. The new zoning designation is part of the Special Purposes Zones section of the Land Use and Development to reinforce the uniqueness of the NTS, its specific application to Naples and to differentiate it from a stand-alone residential or agricultural zone district. Amendment of the Zoning Map to apply the new NTS district corresponds to the boundary changes made in connection with the Comprehensive Plan and Local Coastal Program amendments, Attachment A Attachments B-4 and B-5, respectively of the staff report dated August 18, 2008, as revised, hereby incorporated by reference (Ordinance amending LUDC Text and Ordinance amending Zoning Map).
- E.3 Development Agreements, Case Nos. 03ORD-00000-00012 and 03ORD-00000-00013.** Adoption of Development Agreements under the authority of Government Code Section 65864 et.seq., and Chapter 35.86 of the County’s Land Use and Development Code, for the purpose of vesting the project (one for inland areas and one for areas within the Coastal Zone). A development agreement constitutes a contractual commitment between the parties that, for a specified time period, freeze the rules, regulations, and policies that are applicable to a particular development as they exist at the time of approval, Attachment A Attachment B-6, of the staff report dated August 18, 2008, as may be revised, hereby incorporated by reference (Ordinance adopting Development Agreements).
- E.4 Special Problems Designation, Case No. 08MIS-00000-00002.** Removal of Special Problems designation for those portions of the Official Map of Naples and rezoning to Naples Townsite (under Case Nos. 08ORD-00000-00009, 03RZN-00000-00005 and 03RZN-00000-00006. Special Problem Area designations are adopted by Resolution of the Board pursuant to Section 10-13.2 of the County Code. The designation provides for additional review authority over applications for development through the County’s Special Problem Area Committee. The Special Problem Area designation would be replaced by development review provisions of the Naples Townsite zone district and associated conditions of project approval, Attachment A Attachment B-3 of the staff report dated August 18, 2008, as revised, hereby incorporated by reference (Resolution removing Special Problems Area Designation).

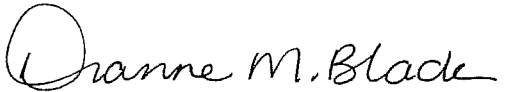
**E.10 Final Development Plans (Case Nos. 08DVP-00000-00024, 08DVP-00000-00025 and 03DVP-00000-00041).** Final Development Plans depicting the geographic location, design attributes and overall layout of all structures, road, utilities (including package treatment plants and water treatment/reclamation/storage facilities), coastal access and related improvements proposed in connection with the development of those portions of the Project that are concurrently rezoned to Naples Townsite under Case No. 03RZN-00000-00005 and 03RZN-00000-00006. The Inland Final Development Plan, Case No. 08DVP-00000-00024, encompasses 50 residential lots located outside of the Coastal Zone on portions of Santa Barbara Ranch and Dos Pueblos Ranch, Lots 49, 50, 51, 104, 105, 108, 134, 135, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 107A, DP-1A, DP-1B, DP-1C, DP-10A, DP-10B, DP-10C, DP-2A, DP-2B, DP-2C, DP-3A, DP-3B, DP-4, DP-5A, DP-5B, DP-5C, DP-5D, DP-6A, DP-6B, DP-7A, DP-7B, DP-8A, DP-8B, DP-9A and DP-9B. The Coastal Final Development Plan, Case No. 03DVP-00000-00041, encompasses 16 residential lots located within the Coastal Zone on Santa Barbara Ranch, Lots 12, 35, 39, 41, 42, 43, 63, 66, 69, 70, 71, 91, 93, 97, 119 and 122 and includes an equestrian center and agricultural support facilities (including farm employee dwelling ) located on Lot 97, a new entry gatehouse at Langtry Lane, two new security gates for access roads north of Hwy 101, a public access restroom facility, 30-space public parking lot, ~~marine wildlife interpretive pavilion~~ and three new mailbox/callbox shelters. The CalTrans Final Development Plan encompasses areas currently zoned TC Transportation Corridor and AG-II-100 and includes improvements to the existing Hwy 101 northbound on and off ramps to provide a configuration similar to the existing southbound facilities, adjacent to and portions of Lots 49, 51 and 185.

## Resolves

2. Based on the evidence presented in the record, consultations with affected County Departments and Divisions, testimony received throughout the public review process, and pursuant to Government Code Section 65356 and Public Resources Code Section 30514, the Planning Commission ~~does hereby~~ recommends that the Board of Supervisors of the County of Santa Barbara, following the required public hearing, approve and adopt the above mentioned recommendations of this Commission.:
  - ~~a. Findings. Adopt the Findings in Attachment A consisting of CEQA Findings (A-1), Project Findings (A-3) and Policy Consistency (A-4).~~
  - ~~b. Mitigation Monitoring and Reporting Program. Adopt the Mitigation Monitoring and Reporting Program (A-2) in Attachment A.~~

- ~~e. **Resolutions and Ordinances.** Adopt the Resolutions and Ordinances in Attachment B consisting of: (i) Resolution Amending Resolution Amending Comprehensive Plan (Text and Map); (ii) Resolution Amending Coastal Land Use Plan; (Text and Map); (iii) Resolution Amending Special Problems Area Designation; (iv) Ordinance Amending Land Use and Development Code (NTS); (v) Ordinance Amending Zoning Map (NTS); and (vi) Ordinance Approving Development Agreements.~~
- ~~d. **Project Approval.** Approve Alternative 1B subject to the Conditions of Approval in Attachment C with modification of the Project Description as follows: (i) eliminate the beach access structure and westerly loop trail that extends from the wildlife pavilion to Dos Pueblos Canyon Road along Langtry Avenue; and (ii) delay implementation of the coastal trail and related public access improvements pending a determination of interconnections with adjacent properties to the east and west of the project site.~~

Sincerely,



Dianne M. Black  
Secretary Planning Commission

cc: Case File: 03DVP-00000-00041  
Planning Commission File  
Dianne M. Black, Director Development Review  
Agent: L&P Consultants, c/o Mark Lloyd, 3 West Carrillo Street, Ste #205, Santa Barbara, CA 93101  
Owner: Santa Barbara Ranch LLC, c/o Matt Osgood, 18401 Von Karman Ave, Ste #350, Irvine, CA 92626  
Owner: Schulte Trust, c/o Henry Schulte, Dos Pueblos Canyon Road, Goleta, CA 93117  
Mary Ann Slutzky, Deputy County Counsel  
Ed Yates, Deputy County Counsel  
Tom Figg, Planner

**Attachments:**

1. Redlined Document Changes

**Attachment A: Findings**

- A-1 CEQA Findings
- A-2 Mitigation Monitoring and Reporting Program
- A-3 Project Findings
- A-4 Policy Consistency

**Attachment B: Resolutions and Ordinances**

- B-1 Resolution Amending Resolution Amending Comprehensive Plan
- B-2 Resolution Amending Coastal Land Use Plan
- B-3 Resolution Amending Special Problems Area Designation
- B-4 Ordinance Amending Land Use and Development Code (NTS)
- B-5 Ordinance Amending Zoning Map (NTS)
- B-6 Ordinance Approving Development Agreements

**Attachment C: Conditions of Approval**

- C-1 Conditions
- C-2 Tables
- C-3 Exhibits

**Attachment D: Supporting Documents**

- D-1 WA-ACE Easement Exchange
- D-2 Confirming Analysis

2. Planning Commission Resolution

G:\GROUP\PERMITTING\Case Files\DVP\03 cases\03DVP-00000-00041 Santa Barbara Ranch\Master Files\Planning Commission Meetings\PC Project Deliberations\Hearing of 8-20-08\PC Adoption Documents (9-5-08)\Action Letter (9-5-05)



## **Attachment 1**

Attachment 1 (A-Findings, B-Resolutions and Ordinances, C-Conditions of Approval, and D-Supporting Documents) has been included as Attachments A-D to the BOS Board Letter.





**Attachment 2**

Planning Commission Resolution



**PLANNING COMMISSION RESOLUTION RECOMMENDING PROJECT**  
**APPROVAL**

PRELIMINARY DRAFT  
SANTA BARBARA COUNTY

**SANTA BARBARA RANCH PROJECT**

**RESOLUTION OF THE PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT ) RESOLUTION NO. 08- 07  
THE BOARD OF SUPERVISORS APPROVE THE ) MULTIPLE CASE NOS.  
SANTA BARBARA RANCH PROJECT )  
INCLUDING AMENDMENTS TO THE COM- )  
PREHENSIVE PLAN, COASTAL LAND USE )  
PLAN AND LAND USE AND DEVELOPMENT )  
CODE )

WITH REFERENCE TO THE FOLLOWING:

- A. Pursuant to the County Code, and in compliance with a Memorandum of Understanding entered into by and between the County and the owners of Santa Barbara Ranch (“SBR”), applications have been filed by Santa Barbara Ranch, LLC (the “Applicant”), requesting approval of a large lot residential development and associated land use changes on SBR totaling 485 acres and encompassing 80% of the lots comprising the Official Map (the “MOU Project”). The MOU Project would result in 54 new large lot single family residences and includes an equestrian center, agricultural support facilities, a worker duplex, public amenities (including access road, parking and restroom, hiking, biking, equestrian trails near the coastal bluff, an educational kiosk and a coastal access stair structure), and creation of conservation easements permanently protecting 163 acres for agricultural uses and 169 acres for open space.
  
- B. An Environmental Impact Report (“EIR”) has been prepared for the MOU Project which evaluated six other alternatives: Alternative 1, proposed by the Project Applicant, totaling 72 home sites on SBR and the adjacent 2,752 acre Dos Pueblos ranch (“DPR”); Alternative 2, proposed by the Naples Coalition, totaling 64 home sites created through merger and relocation of coastal and viewshed lots to hilltop locations north of Santa Barbara Ranch; Alternative 3 consisting of a “no project” scenario; Alternative 4, retaining the general design approach of the MOU Project, but deleting a number of lots in response to specific environmental and policy issues; Alternative 5 employing the basic scope of the MOU Project and clustering development in areas deemed most suitable; and Alternative 6 invoking transfer of development rights to extinguish development potential under the MOU Project and Grid Development..

- C. During the public review process and as a result of feedback received in connection with meetings of the Planning Commission, Central Board of Architectural Review, Agricultural Advisory Committee (AAC), and Agricultural Preservation Advisory Committee (APAC), the Applicant presented a further refinement of Alternative 1. The refinement (hereinafter referred to as "Alternative 1B") involves: the relocation of fourteen lots outside of the Coastal Zone to further reduce visual impacts within the Highway 101 public view corridor; the reduction and relocation of development envelopes on DPR south of Hwy 101 to minimize impacts to sensitive cultural resources; the elimination of one home site on DPR, north of Hwy 101; an increase in acreage devoted to agricultural preservation; and introduction of an architectural style to better reflect the agrarian and rural character of the project area. As a result of these changes, the Final EIR concludes that Alternative 1B is the environmentally superior alternative.
- D. Alternative 1B, as proposed, entails the development of 71 new residential dwellings, equestrian center, agricultural support facilities, a worker duplex, public amenities (including access road, parking and restroom, hiking, biking, equestrian trails near the coastal bluff, an educational kiosk and a coastal access stair structure), and creation of conservation easements for permanent protection of open space and agriculture. The Project site encompasses SBR and DPR, together totaling 3,254 acres and 85% of the lots comprising the Official Map of Naples Townsite. The two ranches are zoned for AG-II-100 (Coastal Zone) and Unlimited Agriculture (non-Coastal Zone), and are located two miles west of the City of Goleta, AP Nos. 079-040-005 to 081-240-018, Third Supervisorial District. Project actions necessary to implement Alternative 1B entail a broad array of legislative and quasi-judicial land use approvals.
- E. It is now in the interest of orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County that the Planning Commission recommend that the Board of Supervisors approve the following:
- 1. Comprehensive Plan and Local Coastal Program Amendment, Case Nos. 03GPA-00000-00005 and 03GPA-00000-00006.** Modification of the text and maps of the Comprehensive Plan Land Use Element and Coastal Land Use Plan to implement Policy 2-13 and create a new Naples Townsite land use designation. The text amendments consist of the addition of policies: (i) to the end of the South Coast Policies section of the Goals and Policies and Boundary Lines section of the Land Use Definitions of the Comprehensive Plan Land Use Element; and (ii) to the end of Section 3.2 – Development, Figure 4-9 and Appendix B – Land Use Definitions of the Coastal Land Use Plan. The map amendments consist of modifying the Gaviota Coast Rural Region Map of the Comprehensive Plan Land Use Plan and Coastal Land Use Plan to change the land use designation from A-II-100 to Naples Townsite ("NTS") for specified portions of DPR and SBR, Attachments B-1 and B-2, respectively, of the staff report dated August 18, 2008, hereby incorporated by reference (Resolution amending Comprehensive Plan and Resolution amending Coastal Land Use Plan).
  - 2. Land Use and Development Code Amendment, Case Nos. 08ORD-00000-00009, 03RZN-00000-00005 and 03RZN-00000-00006.** Creation of a new Naples Townsite

("NTS") zone district and associated use and development regulations to implement corresponding amendments to the Comprehensive Plan and Local Coastal Plan. The new zoning designation is part of the Special Purposes Zones section of the Land Use and Development to reinforce the uniqueness of the NTS, its specific application to Naples and to differentiate it from a stand-alone residential or agricultural zone district. Amendment of the Zoning Map to apply the new NTS district corresponds to the boundary changes made in connection with the Comprehensive Plan and Local Coastal Program amendments, Attachments B-4 and B-5, respectively of the staff report dated August 18, 2008, as revised, hereby incorporated by reference (Ordinance amending LUDC Text and Ordinance amending Zoning Map).

3. **Development Agreements, Case Nos. 03ORD-00000-00012 and 03ORD-00000-00013.** Adoption of Development Agreements under the authority of Government Code Section 65864 et.seq., and Chapter 35.86 of the County's Land Use and Development Code, for the purpose of vesting the project (one for inland areas and one for areas within the Coastal Zone). A development agreement constitutes a contractual commitment between the parties that, for a specified time period, freeze the rules, regulations, and policies that are applicable to a particular development as they exist at the time of approval, Attachment B-6, of the staff report dated August 18, 2008, as may be revised, hereby incorporated by reference (Ordinance adopting Development Agreements).
4. **Special Problems Designation, Case No. 08MIS-00000-00002.** Removal of Special Problems designation for those portions of the Official Map of Naples and rezoning to Naples Townsite (under Case Nos. 08ORD-00000-00009, 03RZN-00000-00005 and 03RZN-00000-00006. Special Problem Area designations are adopted by Resolution of the Board pursuant to Section 10-13.2 of the County Code. The designation provides for additional review authority over applications for development through the County's Special Problem Area Committee. The Special Problem Area designation would be replaced by development review provisions of the Naples Townsite zone district and associated conditions of project approval, Attachment B-3 of the staff report dated August 18, 2008, as revised, hereby incorporated by reference (Resolution removing Special Problems Area Designation).
5. **Williamson Act Contract Modifications & Agricultural Conservation Easement Exchange Case No. 05AGP-00000-00011.** Cancellation of Williamson Act Contract #77AP14 pursuant to Government Code Section 51256 et.seq., and simultaneous placement of: (i) 2,003 acres that are presently under contract ("WA Remainder") into a permanent Agricultural Conservation Easement ("ACE"), along with 393 additional non-contract acres that are currently unprotected, thereby bringing the total to 2,684 acres of agricultural acreage protected in perpetuity ("WA-ACE Easement Exchange"); and (ii) placement of the WA Remainder under a new contract ("New WA Contract"). The WA-ACE easement exchange would result in a net gain of 118 acres preserved for agricultural use as compared to the present acreage under Williamson Act contract. The entire area to be placed an ACE will be held and enforced by third party conservation organizations, among whose purposes it is to

conserve open space and/or natural resources of the conservation easement. All ACE acreage will remain in the existing AG-II-100 zone and land use designations. The WA-ACE easement exchange is the subject of a concurrent process through the County and State Department of Conservation.

6. **Conditional Certificates of Compliance (Case Nos. 08COC-00000-00001 through 00003).** Validation of three parcels as legal lots located on Dos Pueblos Ranch, south of Hwy 101, as a companion action to lot line adjustments under Case Nos. 08LLA-00000-00010 and 08LLA-00000-00011. The requirement for Conditional Certificates of Compliance arises from an improper deed conveyance by the Signal Oil and Gas Company (grantor) to the Dos Pueblos Orchid Company (grantee) in March 5, 1965. The transaction predates the current owner's acquisition of the property in 1979 and resulted in an undersized remnant in the course of creating parcels of lawful size. As provided in Section 66499.35(b) of the California Subdivision Map Act, the County may impose any condition that would have been applicable to a division of the property on December 5, 1979. Zoning in effect in 1979 was the "U" Zone established as part of County Ordinance 661. The minimum building site area requirement for the "U" Zone was 10 acres on the date the Schulte Trust acquired its initial interest in the subject property. Each of the parcels for which Certificates of Compliance are sought exceeds the 10-acre minimum: Case No. 08COC-00000-00001 pertains to 079-080-030 (46.35 acres); Case No. 08COC-00000-00002 pertains to 079-080-029 (58.51 acres); and Case No. 08COC-00000-00003 pertains to 079-080-031 (39.61 acres).
7. **Lot Line Adjustments (Case Nos. 08LLA-00000-00010 and 08LLA-00000-00011).** Lot Line Adjustments involving a total of seven parcels on Dos Pueblos Ranch, south of Hwy 101. Case No. 08LLA-00000-00010 reconfigures the two most westerly parcels of the Dos Pueblos Ranch on the south side of the Highway by increasing an existing legal lot by approximately three acres to a final lot size 20.63 acres (DP-12). The second lot would be reduced to 40.55 acres (DP-13). This adjustment will render both lots agriculturally viable, and include a designated Development Envelope for a residential structure. Case No. 08LLA-00000-00011 will reconfigure five existing lots into four resultant lots on the balance of Dos Pueblos Ranch, south of Hwy 101. One smaller lot will first be merged into a contiguous parcel, then subsequently adjusted into lots of 35.72 acres (DP-14), 34.63 acres (DP-15), 16.98 acres (DP-16), and 15.02 acres (DP-20). These lots will remain agriculturally viable at these sizes and include a designated Development Envelope for a residential structure (including all residential accessory structures, e.g., detached garages, guest houses, rumpus rooms, etc.).
8. **Lot Mergers (hereinafter collectively referred to as "Lot Mergers").** Voluntary mergers of 228 legal lots shown on the Official Map of Naples resulting in a total of 18 lots. One merger combines 10 existing Naples lots on Dos Pueblos Ranch, south of Hwy 101, into a single lot of 31.68 acres (DP-17). The proposed DP-17 lot area currently is improved with an aquaculture facility that raises abalone and other marine life for commercial sales purposes, and other related agricultural support facilities and structures. No change of existing use or improvements are proposed. A second merger combines 218 existing Naples lots on Santa Barbara Ranch, north and south of

Hwy 101, into a final configuration of 17 lots totaling 481 acres. The lot mergers on Santa Barbara Ranch include all existing Naples lots except for Lot 132 on which a single family residence has already been constructed under a prior permit. Development of the reconfigured lots would be governed by the terms and conditions of Case Nos. 08DVP-00000-00024, 08DVP-00000-00025 and 03DVP-00000-00041.

9. **Vesting Tentative Tract Map (Case Nos. 08TRM-00000-00006/TM 14,755).** Subdivision of 563 acres on the north side of Hwy 101 to create 40 residential parcels within 274 acres, a single agricultural parcel of 289 acres, and one large designated remainder parcel of 2,003 acres (DP-11). The Map designates development and landscape envelopes for each lot (defined as the outer limits of ground disturbance of placement of structures and improvements), areas designated for an Agricultural Conservation Easement under the provisions of Government Code Section 51256, areas designated for private open space and conservation (with development rights dedicated to the County, and areas designated for an Private Agriculture Conservation Easement (with use restrictions recorded by means of Covenants, Conditions and Restrictions, totaling). Development of the subdivided lots would be governed by the terms and conditions of Case No. 08DVP-00000-00024.
10. **Final Development Plans (Case Nos. 08DVP-00000-00024, 08DVP-00000-00025 and 03DVP-00000-00041).** Final Development Plans depicting the geographic location, design attributes and overall layout of all structures, road, utilities (including package treatment plants and water treatment/reclamation/storage facilities), coastal access and related improvements proposed in connection with the development of those portions of the Project that are concurrently rezoned to Naples Townsite under Case No. 03RZN-00000-00005 and 03RZN-00000-00006. The Inland Final Development Plan, Case No. 08DVP-00000-00024, encompasses 50 residential lots located outside of the Coastal Zone on portions of Santa Barbara Ranch and Dos Pueblos Ranch, Lots 49, 50, 51, 104, 105, 108,134, 135, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 107A, DP-1A, DP-1B, DP-1C, DP-10A, DP-10B, DP10C, DP-2A, DP-2B, DP-2C, DP-3A, DP-3B, DP-4, DP-5A, DP-5B, DP-5C, DP-5D, DP-6A, DP-6B, DP-7A, DP-7B, DP-8A, DP-8B, DP-9A and DP-9B. The Coastal Final Development Plan, Case No. 03DVP-00000-00041, encompasses 16 residential lots located within the Coastal Zone on Santa Barbara Ranch, Lots 12, 35, 39, 41, 42, 43, 63, 66, 69, 70, 71, 91, 93, 97, 119 and 122 and includes an equestrian center and agricultural support facilities (including farm employee dwelling ) located on Lot 97, a new entry gatehouse at Langtry Lane, two new security gates for access roads north of Hwy 101, a public access restroom facility, 30-space public parking lot, and three new mailbox/callbox shelters. The CalTrans Final Development Plan encompasses areas currently zoned TC Transportation Corridor and AG-II-100 and includes improvements to the existing Hwy 101 northbound on and off ramps to provide a configuration similar to the existing southbound facilities, adjacent to and portions of Lots 49, 51 and 185.
11. **Major Conditional Use Permits (Case Nos. 08CUP-00000-00060, 08CUP-00000-00061, 08CUP-00000-00044, 03CUP-00000-00082 and 03CUP-00000-00083).**

Authorization for use and operation of major facilities not otherwise allowed as principally permitted under the Naples Townsite zone district and associated regulations of the LUDC. Case No. 08CUP-00000-00060 encompasses coastal trail facilities within the Coastal Zone, paralleling the north and south sides on Hwy 101, on portions of Dos Pueblos Ranch and Santa Barbara Ranch that will retained their current AG-II-100 zoning. Case No. 08CUP-00000-00061 encompasses a sewage package treatment facility located within the Coastal Zone on Lot 188, and serves all connections within coastal portions of Santa Barbara Ranch. Case No. 08CUP-00000-00044 encompasses equestrian facilities located within the Coastal Zone on Santa Barbara Ranch, Lot 97. Case No. 03CUP-00000-00082 encompasses two package treatment associated water reclamation facilities located outside of the Coastal Zone on Lots 48 and 108, and serves all connections within inland portions of the Project. Case No. 03CUP-00000-00083 encompasses domestic water treatment facilities located within the Coastal Zone on Santa Barbara Ranch, Lots 48 and 185.

12. **Minor Conditional Use Permits (Case Nos. 08CUP-00000-00055 thru 08CUP-00000-00059, 08CUP-00000-00042, 08CUP-00000-00043, 08CUP-00000-00045 and 08CUP-00000-00081).** Authorization for use and operation of minor facilities not otherwise allowed as principally permitted under the Naples Townsite zone district and associated regulations of the LUDC. Case No. 08CUP-00000-00042 encompasses all utilities, roads and service connections for inland portions of the Project that are rezoned to Naples Townsite and exceed prescribed thresholds under the LUDC, as amended. Case No. 08CUP-00000-00043 encompasses all utilities, roads and service connections within the Coastal Zone that serve inland portions of the Project. Case No. 08CUP-00000-00045 encompasses all utilities, roads and service connections within the Coastal Zone that serve coastal portions of the Project. Case No. 08CUP-00000-00081 provides for a farm employee duplex located within the Coastal Zone on Santa Barbara Ranch, Lot 97.
  
13. **Coastal Development Permits (Case Nos. 08CDP-00000-00080 through 08CDP-00000-00123).** Coastal Development Permits depicting site-specific details as to physical configuration and building design for all structures, road, utilities (including package treatment plants and water treatment/reclamation/storage facilities), coastal access and related improvements located within the Coastal Zone. Case No. 08CUP-00000-00080 encompasses all utilities, roads and service connections within the Coastal Zone that serve inland portions of the Project. Case No. 08CUP-00000-00081 encompasses all utilities (including package treatment plants and water treatment/reclamation facilities), roads and service connections within the Coastal Zone that serve coastal portions of the Project. Case Nos. 08CDP-00000-00082 through 08CDP-00000-00097 encompasses 16 residential lots located within the Coastal Zone on Santa Barbara Ranch, Lots 70, 63, 35, 39, 91, 66, 43, 42, 41, 71, 12, 69, 97, 93, 119 and 122. Case Nos. 08CDP-00000-00098 through 00101 encompass four residential lots, each with an individual septic system, located within the Coastal Zone on Dos Pueblos Ranch, Lots DP-13, 15, 16 and 20. Case No. 08CDP-00000-00120 encompasses equestrian facilities and agricultural support buildings located within the Coastal Zone on Santa Barbara Ranch, Lot 97. Case No. 08CDP-00000-



00121 encompasses coastal access improvements within the Coastal Zone on Dos Pueblos Ranch and Santa Barbara Ranch including trails, public access road, restroom facility, 30-space public parking lot and marine wildlife interpretive pavilion and beach access structure. Case No. 08CDP-00000-00122 encompasses improvements to the existing Hwy 101 northbound on and off ramps to provide a configuration similar to the existing southbound facilities. Case No. 08CDP-00000-00123 encompasses miscellaneous accessory facilities consisting of a new entry gatehouse at Langtry Lane, two new security gates for access roads north of Hwy 101, and three new mailbox/callbox shelters. Case No. 03CDP-00000-00081 encompasses a farm employee duplex located within the Coastal Zone on Santa Barbara Ranch, Lot 97.

- 14. Land Use Permits (Case Nos. 08LUP-00000-00416 thru 08LUP-00000-00465, 03LUP-00000-00344, 08LUP-00000-00466 and 03LUP-00000-00739).** Land Use Permits depicting site-specific details as to physical configuration and building design for all structures, road, utilities (including package treatment plant and water treatment/reclamation/ storage facilities), coastal access and related improvements within areas inland of the Coastal Zone. Case Nos. 08LUP-00000-00416 thru 08LUP-00000-00465 encompass 50 residential lots located inland of the Coastal Zone on portions of Santa Barbara and Dos Pueblos Ranches, Lots 49, 50, 51, 104, 105, 108,134, 135, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 107A, DP-1A, DP-1B, DP-1C, DP-10A, DP-10B, DP10C, DP-2A, DP-2B, DP-2C, DP-3A, DP-3B, DP-4, DP-5A, DP-5B, DP-5C, DP-5D, DP-6A, DP-6B, DP-7A, DP-7B, DP-8A, DP-8B, DP-9A and DP-9B. Case No. 08LUP-00000-00466 encompasses one residential lot, with an individual septic system, located inland of the Coastal Zone on Dos Pueblos Ranch, south of Hwy 101, Lot DP-12. Case No. 08LUP-00000-00344 encompasses all utilities, roads and service connections for inland portions of the Project that are rezoned to Naples Townsite and exceed prescribed thresholds under the LUDC, as amended. Case No. 03LUP-00000-00739 provides for temporary stockpiling on Lot 51 in association with the previous development of Lot 132 authorized under Case No. 03LUP-00000-00739.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Based on the evidence presented in the record, consultations with affected County Departments and Divisions, testimony received throughout the public review process, and pursuant to Government Code Section 65356 and Public Resources Code Section 30514, the Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, following the required public hearing, approve and adopt the above mentioned recommendations of this Commission.
3. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the County Planning Commission on the Santa Barbara Ranch Project, including proposed amendments to the Comprehensive Plan, Local Coastal Program and Land Use and Development Code in a public hearing pursuant to Section 65353 of the Government Code,

and the County Planning Commission and hereby transmits its report to the Board pursuant to Section 65354 of the Government Code by adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the County of Santa Barbara, State of California, this 20th day of August, 2008, by the following vote:

AYES: Cooney, Jackson, Valencia, Blough

NOES: Brown

ABSTAIN:

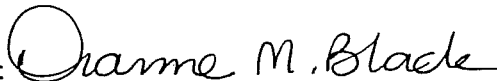
ABSENT:



CHARLES A. JACKSON, Chair  
Planning Commission, County of Santa Barbara

ATTEST:

DIANNE M. BLACK  
Secretary to the Planning Commission

By:   
Deputy Clerk

APPROVED AS TO FORM:

DENNIS MARSHALL  
County Counsel

By:   
Deputy County Counsel

Attachments:

- A. Resolutions Amending Comprehensive Plan and Coastal Land Use Plan  
Ordinances Amending LUDC Text, Amending Zoning Ordinance and Approving  
Development Agreements  
Resolution Removing Special Problems Area Designation