

**ENVIRONMENTALLY SENSITIVE
HABITAT – GOLETA
ORDINANCE AMENDMENT
(Case No. 06ORD-00000-00004)**

County Board of Supervisors Hearing
December 5, 2006

Background

- Purpose of this amendment is to:
 - Revise the ESH-GOL zoning overlay that exempts certain activities from having to comply with the permit requirements and resource protections of the overlay
 - Amend Chapter 9A (Brushing Ordinance) to restrict the use of the permit exemption for vegetation removal using "agricultural preparation methods known as discing, or rotary shredding, or chemical means or by hand tools."

Background

- This amendment would only apply to a portion of the Goleta Community Plan zoned MT-GOL (a resource protection zone).

Background

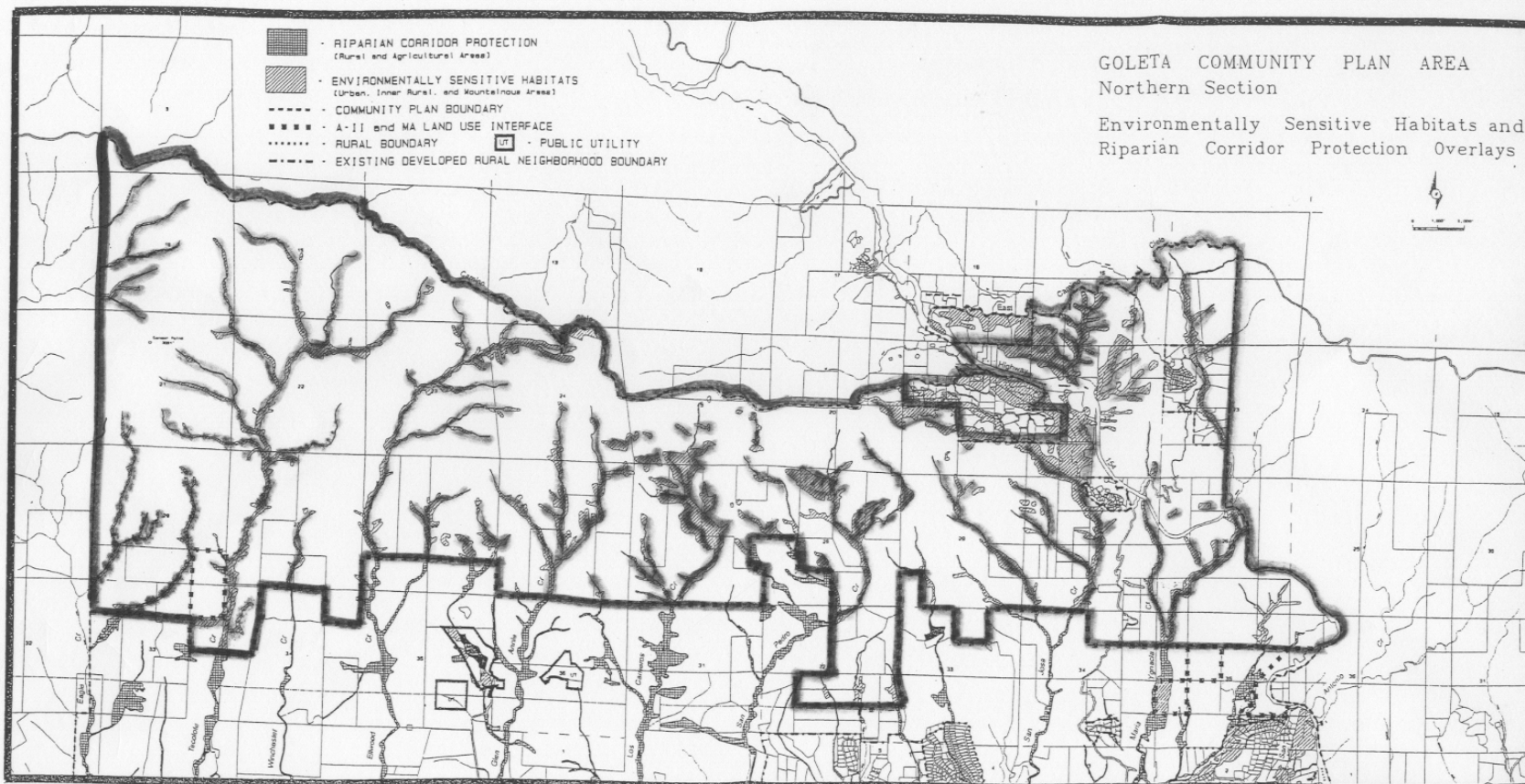


Figure 31

Background

- The ESH-GOL overlay was added to the Article III Zoning Ordinance in July 1993
- Purpose is to:
 - Protect and preserve areas containing animals and plants that are either rare or have special value
 - Ensure that development in such areas is designed to provide maximum protection to sensitive habitat areas.

Background

- The ESH-GOL overlay is applied to areas that contain the following resources:

- Riparian woodland corridors
- Monarch butterfly roosts
- Sensitive native flora
- Coastal sage scrub
- Oak woodlands
- Native grasslands
- Critical wildlife habitat
- Raptor/Turkey Vulture roosts
- Vernal pools
- Wetlands

Background

- A Land Use Permit is required for development proposed to occur in the ESH-GOL overlay if the scope of the development exceeds certain thresholds:
 - The cumulative removal of vegetation over an area greater than 5,000 square feet

Background

- The cumulative removal of a significant amount of vegetation along 50 lineal feet of creek bank
- Grading in excess of 50 cubic yards of cut or fill
- The removal of certain native trees feet in height or non-native trees which are used as a habitat by Monarch Butterflies or by nesting raptors

Background

- Agricultural activities are not currently regulated by this overlay
- The permit requirements that provide the mechanism to review the proposed activity is triggered upon submission of an application for "development."
- Agriculture is defined as not constituting development

Analysis

- Adoption of the proposed amendment would:
 - Require that on land zoned MT-GOL with the ESH-GOL overlay that “activities,” rather than “development,” that exceed the amounts listed in the thresholds listed above would be required to obtain a LUP.

Analysis

- Amendment includes 2 exemptions from the LUP requirement:
 - Projects approved by the Natural Resources Conservation Service with a finding of no significant impact.
 - Removal of vegetation performed, or required to be performed, by the County Fire Department.

Analysis

- Adoption of the proposed ordinance would also amend Chapter 9A to require that a brush removal permit be obtained if located in the MT-GOL zone
 - Exempt from permit unless determined to be required to allow for the enhancement or expansion of an active agricultural use of the property

Analysis

- The Agricultural Advisory Committee reviewed the amendment and adopted a motion in support
- The County Planning Commission recommended approval on a 3 to 2 vote.

Analysis

- One negative vote was due to the lack of review by the County Fire Department.
- Subsequent to the PC hearing the Fire Department did review the amendment and has no objections.

Analysis

- The other negative vote resulted for some ambiguity in the proposed language.
- This language has been revised to alleviate that situation.