

# COUNTY OF SANTA BARBARA CALIFORNIA

## PLANNING COMMISSION

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

PLANNING COMMISSION  
HEARING OF SEPTEMBER 19, 2016

**RE: *Gaviota Coast Plan; 13GPA-00000-00006, 13ORD-00000-00006, 13RZN-00000-00002, 13GPA-00000-00007, 13ORD-00000-00007, 13RZN-00000-00003***

Hearing on the request of the Planning and Development Department for the County Planning Commission to consider making recommendations to the Board of Supervisors regarding adoption of the Gaviota Coast Plan:

- a) **13GPA-00000-00006.** Recommend that the Board of Supervisors adopt a resolution amending the text and maps of the Land Use Element of the Santa Barbara County Comprehensive Plan;
- b) **13ORD-00000-00006.** Recommend that the Board of Supervisors adopt an ordinance amending the zoning regulations of the County Land Use and Development Code, Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code;
- c) **13RZN-00000-00002.** Recommend that the Board of Supervisors adopt an ordinance amending and adding new zones and overlay zones to the County Zoning Map of the County Land Use and Development Code;
- d) **13GPA-00000-00007.** Recommend that the Board of Supervisors adopt a resolution amending the text and maps of the Coastal Land Use Plan of the Santa Barbara County Local Coastal Program;
- e) **13ORD-00000-00007.** Recommend that the Board of Supervisors adopt an ordinance amending the zoning regulations of the Article II Coastal Zoning Ordinance of Chapter 35, Zoning, of the Santa Barbara County Code;
- f) **13RZN-00000-00003.** Recommend that the Board of Supervisors adopt an ordinance amending the Article II Coastal Zoning Ordinance of Chapter 35, Zoning, of the Santa Barbara County Code by repealing and retiring the Gaviota Coast Rural Region Zoning Map, the North Gaviota Coast Rural Region Zoning Map, the Gaviota Coast Coastal Plan Zoning Overlay Map, and the Point Conception Coastal Plan Zoning Overlay Map, and amending the Lompoc Valley Rural Region

Zoning Map, and adopting new Gaviota Coast Plan Zoning Maps, new Gaviota Coast Plan Zoning Overlay Maps, and new Gaviota Coast Plan Environmentally Sensitive Habitat Overlay Maps;

- g) **15EIR-00000-00003.** Recommend that the Board of Supervisors certify the Environmental Impact Report pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant effects on the environment are anticipated in the following categories: Agricultural Resources, Biological Resources, Cultural Resources, and Parks, Recreation and Trails; and
- h) Recommend that the Board of Supervisors adopt a resolution adopting the Gaviota Coast Plan Design Guidelines.

All documents, including the Environmental Impact Report (EIR), referenced therein may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara. The documents are also available on the Planning and Development website at the following link: <http://longrange.sbcountyplanning.org/planareas/gaviota/gaviota.php>. The project involves all parcels located within the Gaviota Coast Plan area, bounded by the western limit line of the Goleta Community Plan boundary to the east, Vandenberg Air Force Base to the west, the ridgeline of the Santa Ynez Mountains and Gaviota Creek watershed to the north, and the Pacific Ocean to the south and west, Third Supervisorial District. (Continued from 7/27/16, 8/31/16, and 9/14/16)

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Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of September 19, 2016, Commissioner Brooks moved, seconded by Commissioner Cooney and carried by a vote of 3 to 2 (Ferini and Blough no) to:

1. Make the findings for approval, including CEQA findings, and recommend that the Board of Supervisors make the appropriate findings for approval of the proposed Comprehensive Plan amendments, ordinance amendments, and zoning map amendments (Attachment B of the Staff Memo dated September 7, 2016).
2. Recommend that the Board of Supervisors certify the Gaviota Coast Plan Final Environmental Impact Report (County Environmental Document No. 15EIR-00000-00003, State Clearinghouse No. 2014011027) (Attachment C of the Staff Report dated July 20, 2016), including an EIR Revision Letter to be drafted by staff.
3. Approve and adopt a Resolution (Attachment D of the Staff Memo dated September 7, 2016) to recommend that the Board of Supervisors adopt the Gaviota Coast Plan as revised by the Planning Commission on September 14, 2016 and September 19, 2016 by taking the following actions:
  - A. Approve and adopt a Resolution amending the text and maps of the Land Use Element (Case No. 13GPA-00000-00006) of the Santa Barbara County Comprehensive Plan (Attachment D-1 of the Staff Report dated July 20, 2016), incorporating revisions to the Gaviota Coast Plan made by the Planning Commission on September 14, 2016 and September 19, 2016;



- B. Approve and adopt an Ordinance amending the zoning regulations of the County Land Use and Development Code (Case No. 13ORD-00000-00006), Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D-2 of the Staff Memo dated September 7, 2016), incorporating revisions made by the Planning Commission on September 14, 2016 and September 19, 2016;
- C. Approve and adopt an Ordinance amending and adding new zones and overlay zones to the County Zoning Map (Case No. 13RZN-00000-00002) of the County Land Use and Development Code (Attachment D-3 of the Staff Report dated July 20, 2016);
- D. Approve and adopt a Resolution amending the text and maps of the Coastal Land Use Plan (Case No. 13GPA-00000-00007) of the Santa Barbara County Local Coastal Program (Attachment D-4 of the Staff Report dated July 20, 2016), incorporating revisions to the Gaviota Coast Plan made by the Planning Commission on September 14, 2016 and September 19, 2016;
- E. Approve and adopt an Ordinance amending the zoning regulations of the Article II Coastal Zoning Ordinance (Case No. 13ORD-00000-00007) of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D-5 of the Staff Memo dated September 7, 2016), incorporating revisions made by the Planning Commission on September 14, 2016 and September 19, 2016;
- F. Approve and adopt an Ordinance amending the Article II Coastal Zoning Ordinance of Chapter 35, Zoning, of the Santa Barbara County Code by repealing and retiring the Gaviota Coast Rural Region Zoning Map, the North Gaviota Coast Rural Region Zoning Map, the Gaviota Coast Coastal Plan Zoning Overlay Map, and the Point Conception Coastal Plan Zoning Overlay Map, and amending the Lompoc Valley Rural Region Zoning Map, and adopting new Gaviota Coast Plan Zoning Maps, new Gaviota Coast Plan Zoning Overlay Maps, and new Gaviota Coast Plan Environmentally Sensitive Habitat Overlay (Case No. 13RZN-00000-00003) (Attachment D-6 of the Staff Report dated July 20, 2016); and
- G. Approve and adopt a Resolution adopting the Gaviota Coast Plan Design Guidelines (Attachment D-7 of the Staff Report dated July 20, 2016).

As part of its recommendation to the Board of Supervisors, the Planning Commission made the following revisions:

1. Revised text, policies, development standards, and actions in the Gaviota Coast Plan as presented in Attachment A to the Staff Memo dated September 7, 2016.
2. Revised additional policies and development standards in the Gaviota Coast Plan:
  - a. Dev Std NS-3 as presented at the hearing of September 19, 2016, as follows:



***Dev Std NS-3: Rare Plants.*** *Where appropriate and feasible, as determined by County staff, if potentially suitable habitat exists for sensitive plant species, prior to approval of Coastal Development or Land Use Permits for any projects in the Gaviota Coast Plan Area, ~~focused~~ rare plant surveys focused on the area to be disturbed and/or affected by the project shall be conducted during the appropriate time of year to optimize detection of potentially occurring rare plants. ~~Focused~~ Surveys shall be conducted in accordance with the County's Environmental Thresholds and Guidelines Manual and applicable resource agency survey protocols to determine the potential for impacts resulting from the project on these species.*

- b. Dev Std NS-4 as presented at the hearing of September 19, 2016, as follows:

***Dev Std NS-4: Sensitive Wildlife Species.*** *Where appropriate and feasible, as determined by County staff, if potentially suitable habitat or critical habitat exists for sensitive wildlife species on or adjacent to a project site, prior to approval of Coastal Development or Land Use Permits for any projects in the Gaviota Coast Plan Area, ~~focused~~ presence/absence surveys focused on the area to be disturbed and/or affected by the project shall be conducted in accordance with the County's Environmental Thresholds and Guidelines Manual to determine the potential for impacts resulting from the project on these species.*

- c. Dev Std NS-5 as presented at the hearing of September 19, 2016, as follows:

***Dev Std NS-5: Wetlands.*** *If potentially jurisdictional wetlands or waters are found on or adjacent to a project site in the Plan Area and have potential to be impacted by implementation of the project, a formal wetlands delineation of the project site, focused on the area to be disturbed and/or affected by the project, shall be completed following the methods outlined in the United States Army Corps of Engineers (USACE) 1987 Wetlands Delineation Manual and the Regional Supplement to the USACE Delineation Manual for the Arid West Region (USACE 2008). A determination of the presence/absence and boundaries of any Waters of the U.S. and Waters of the State shall also be completed following the appropriate USACE guidance documents for determining Ordinary High Water Mark boundaries. The limits of any riparian habitats on-site under the sole jurisdiction of California Department of Fish and Wildlife shall also be delineated, as well as any special aquatic sites that may not be within the USACE jurisdiction under the Clean Water Act or meet federal jurisdictional criteria but are regulated by Federal Endangered Species Act, California Endangered Species Act, Regional Water Quality Control Board, and/or California Coastal Commission (CCC). In the Coastal Zone, jurisdictional waters and ESH areas as defined by CCC will also be delineated.*

*Mitigation for unavoidable impacts to wetlands and waters shall be based on the impacted type of wetland and project design. Mitigation should prevent any net loss of wetland functions and values of the impacted wetland. Plan Policy NS-11 requires a*



*replacement ratio to compensate for the destruction of native habitat and biological resources that exceeds the biological value of that which is destroyed. However, the resource agencies may require higher mitigation ratios depending on the type and quality of resource impacted. Mitigation ratios for impacts to wetlands and riparian habitat are typically around 2:1 or 3:1, but can be as high as 8:1 for especially rare or valuable wetland types such as vernal pools.*

- d. Policy REC-21 as presented at the hearing of September 19, 2016, as follows:

***Policy REC-21: Las Flores Canyon.*** *The County shall consider opportunities for recreational uses within Las Flores Canyon including the development of a full-service campground and at least one trail to West Camino Cielo at such time the Las Flores Canyon Oil & Gas Processing Plant is decommissioned.*

- e. Policy LU-9 as presented at the hearing of September 19, 2016, as follows:

***Policy LU-9: Gaviota Marine Terminal Reuse.*** *The county shall promote recreational and open space uses on the previous Gaviota Marine Terminal site including coastal access, public parking, completion of a segment of the California Coastal Trail, and potential visitor serving uses by coordinating with the landowner and interested public agencies on future reuse options.*

- f. Policy VIS-2 as presented at the hearing of September 14, 2016, as follows:

***Policy VIS-2: Visually Subordinate Development.*** *Development ~~outside of the Critical Viewshed Corridor~~ shall be visually subordinate to the natural and agricultural environment as seen from public viewing places. Visual subordination shall be achieved through adherence to the Site Design Hierarchy and Design Guidelines.*

- g. Policy VIS-6 as presented at the hearing of September 14, 2016, as follows:

***Policy VIS-6: Design Review.*** *All permit applications for structures, additions to structures, or signage within the Gaviota Coast Plan Area shall be reviewed and considered for approval by the County Board of Architectural Review unless exempt pursuant to the County Zoning Ordinances. P&D and the Board of Architectural Review shall apply ~~consider~~ the Gaviota Coast Plan Design Guidelines in approving future development.*

3. Added the following actions to the Gaviota Coast Plan:

- a. New Action NS-8 as presented at the hearing of September 19, 2016, as follows:

***Action NS-8: Informational Brochure.*** *The County shall prepare an informational brochure for distribution to property owners to increase awareness regarding Gaviota*



Coast Plan policies addressing sensitive resources and species, Environmentally Sensitive Habitat, and defensible space/fuel management.

- b. New Action AG-7 as presented at the hearing of September 14, 2016, as follows:

**Action AG-7: Categorical Exclusion Process.** The County should pursue the Categorical Exclusion process with the California Coastal Commission to identify and exclude certain agricultural uses and developments within the Coastal Zone.

4. Revised the trail alignment narrative for the PRT Map – East Panel, in the Gaviota Coast Plan, as presented at the hearing of September 19, 2016, as follows:

***PRT Map – East Panel (See Figure 4-2)***

1. *One additional inland trail route shall be created between El Capitan State Park (north of Highway 101) and the eastern planning area boundary, to achieve one additional vertical trail from Highway 101 to West Camino Cielo. For this future trail alignment, the proposed trail alignment on Dos Pueblos Ranch or the proposed Farren Road trail (Goleta Community Plan PRT-3 map) shall be reviewed and one selected as the most suitable and achievable route.*
  2. *The proposed trail alignment for the West Camino Cielo crest trail west of Refugio Road generally follows ~~existing parcel boundaries and the historic alignment of West Camino Cielo Road west of Refugio Road. between APNs 081-040-037, 046-042, 003 and adjacent southern properties, primarily following the existing private road and previously disturbed areas.~~*
  3. *~~Planning and implementation of the proposed West Camino Cielo crest trail west of Refugio Road.~~ The County shall work with surrounding land owners, Los Padres National Forest, County Parks, CRAHTAC, the Land Trust for Santa Barbara County, and community groups to ~~should~~ consider the potential for alternative trail alignments for the West Camino Cielo crest trail west of Refugio Road, ~~trails,~~ including existing trail easements as an alternative alignment.*
5. Revised the trail alignment narrative for Segment 1, Item 7 (new Item 8 after incorporating revisions in Attachment A of the staff memo dated September 7, 2016), in the Gaviota Coast Plan, as presented at the hearing of September 19, 2016, as follows:

*Dos Pueblos Ranch (south of Highway 101): For properties south of Highway 101, collectively known as Dos Pueblos Ranch, encourage the development of tools and incentives (e.g. clustering development, internal transfer of development rights, development agreements, specific plans, etc.) to balance potential development rights with important coastal land use issues. Potential public objectives include:*

- *Maintain, preserve, and enhance agricultural production*
- *Provide opportunities for coastal trail and beach access south of the railroad where feasible*



- *Provide public and/or private low intensity recreational opportunities such as development of coastal access and a public park at Dos Pueblos Canyon Beach*
- *Protect important coastal visual, biological, archaeological, and historic resources*
- *Protect bluff top open space*

6. Made minor edits to correct terminology in the Gaviota Coast Plan pursuant to a letter from Caltrans dated August 29, 2016, as described in the Staff Memo dated September 7, 2016.
7. Revised a guideline regarding fencing in the Trail Siting Guidelines, on page 9 of Appendix C of the Gaviota Coast Plan, as presented in the Staff Memo dated September 7, 2016 and revised at the hearing of September 19, 2016, as follows:

*During the planning process for specific trail segments, County Parks ~~would~~ shall assess the need for trail fencing. County Parks shall determine on a case-by-case basis appropriate fencing design and type, as necessary. The County should ~~consider~~ come to a mutual agreement with the landowner ~~input~~ on fence design to ensure agriculture is not negatively affected. To the greatest extent feasible, fencing should not hinder the natural movement and migration of animals and should be aesthetically pleasing.*

8. Revised the Ordinance Amendments of the County Land Use and Development Code (CLUDC) and Coastal Zoning Ordinance (CZO):

- a. Added a definition of “Incentive Dwelling Unit” to the glossary and definitions sections of the CLUDC and CZO, respectively, as presented at the hearing of September 14, 2016, as follows:

***Incentive Dwelling Unit.*** *A dwelling unit on a permanent foundation that provides complete, independent living facilities for one or more persons that may be allowed in addition to the principal dwelling on the same lot in exchange for implementing landowner actions consistent with the Gaviota Coast Land Use Incentive Program. The incentive dwelling unit may either be an attached incentive dwelling unit or detached incentive dwelling unit.*

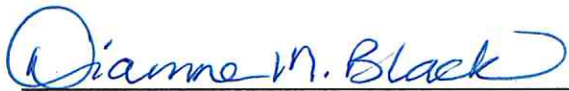
- 1. Attached Incentive Dwelling Unit.*** *An incentive dwelling unit that shares a common wall with the principal dwelling.*
- 2. Detached Incentive Dwelling Unit.*** *An incentive dwelling unit not attached to the principal dwelling by a common wall.*

- b. Revised the provisions for small scale firewood processing and sales and small scale lumber processing/milling at the hearing of September 14, 2016 to limit the source woods for these uses to those that are not sensitive and comply with the ESH and ESH-GAV Overlays.
- c. Revised the provisions for new small scale campgrounds at the hearing of September 19, 2016 to:



1. Set the maximum number of campsites at 10, limit five campsites to tents only, and allow recreational vehicles up to a maximum length of 25 feet in the other five campsites.
  2. Allow small scale campgrounds within the Critical Viewshed Corridor Overlay only if the campground would not be visible from Highway 101 due to natural topographic variations.
  3. Allow new grading or structures only when necessary to provide required potable water and wastewater disposal.
- d. Deleted "within a twelve month period" from the proposed ESH-GAV Overlay provisions.

Sincerely,



Dianne M. Black  
Secretary to the Planning Commission

cc: Case File: 13GPA-00000-00006, 13ORD-00000-00006, 13RZN-00000-00002, 13GPA-00000-00007, 13ORD-00000-00007, 13RZN-00000-00003, 15EIR-00000-00003  
Planning Commission File  
Dianne M. Black, Assistant Director  
Jenna Richardson, Deputy County Counsel  
Mindy Fogg, Interim Deputy Director  
David Lackie, Supervising Planner  
Julie Harris, Planner

**Attachments:**

**Attachment B – Findings for Approval and Statement of Overriding Considerations**  
**Attachment D – Planning Commission Resolution**

DMB/dmv

## ATTACHMENT B

### **Findings for Approval and Statement of Overriding Considerations Gaviota Coast Plan**

Case Nos. 13GPA-00000-00006, 13GPA-00000-00007, 13ORD-00000-00006,  
13ORD-00000-00007, 13RZN-00000-00002, 13RZN-00000-00003 and 15EIR-00000-00003

#### **CEQA FINDINGS**

#### **FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:**

##### **1.1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT**

The Final Environmental Impact Report (Final EIR) (15EIR-00000-00003) was presented to the Planning Commission and all voting members of the Planning Commission have reviewed and considered the information contained in the Final EIR and its appendices prior to approving the project. In addition, all voting members of the Planning Commission have reviewed and considered testimony and additional information presented at, or prior to, its public hearings. The Final EIR reflects the independent judgment and analysis of the Planning Commission and, with a Revision Letter to be drafted by staff, is adequate for this project.

##### **1.1.2 FULL DISCLOSURE**

The Planning Commission finds and certifies that the Final EIR (15EIR-00000-00003) and its appendices, along with a Revision Letter to be drafted by staff, constitute a complete, accurate, adequate, and good faith effort at full disclosure under CEQA. The Planning Commission further finds and certifies that the Final EIR has been completed in compliance with CEQA.

##### **1.1.3 LOCATION OF RECORD OF PROCEEDINGS**

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

##### **1.1.4 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE**

The Final EIR (15EIR-00000-00003) and its appendices for the Gaviota Coast Plan identify thirteen environmental impacts under three impact areas which cannot be fully mitigated and are therefore considered unavoidable (Class I). Those impact areas are: Biological Resources; Cultural and Historical Resources; and Parks, Recreation, and Trails. To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the



overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of these Class I impacts identified by the Final EIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to the maximum extent feasible, as discussed below.

## **Biological Resources**

Impacts: The Final EIR identified significant project specific and cumulative impacts related to sensitive vegetation communities (Impact BIO-1), sensitive plant species (Impact BIO-2), sensitive wildlife species (Impact BIO-3), and jurisdictional wetlands and waters (Impact BIO-4). The Final EIR also identified a cumulative impact to wildlife movement corridors.

Mitigation: In addition to policies, actions, and development standards included in the Gaviota Coast Plan that reduce impacts to Biological Resources, the Final EIR identifies four mitigation measures (MM BIO-1, MM BIO-2, MM BIO-3, and MM BIO-4), which revise one policy and one development standard and add three new development standards to the Plan.

Impacts to sensitive vegetation communities (Impact BIO-1) are further reduced in the Coastal Zone by MM BIO-1, which requires revisions to Gaviota Coast Plan Policy LU-2. The revised policy requires that the policy or provision of the Gaviota Coast Plan or the Local Coastal Program that is most protective of coastal resources take precedence. MM BIO-1.1 revises development standard Dev Std NS-2 by splitting it into two standards, one applicable to the Inland Area, one applicable to the Coastal Zone. The Coastal Zone version adds buffers from wetlands and butterfly trees consistent with Coastal Land Use Plan (CLUP) policies and does not allow downward adjustment of these buffers. In addition, a recommended mitigation measures, MM SERV-1, also mitigates impacts to sensitive vegetation communities because it requires siting of new development in locations that minimize the need for fuel management and clearance of native vegetation. These mitigation measures were incorporated into the Gaviota Coast Plan. No other feasible mitigation measures are known that will further reduce impacts. Under a reasonable 20-year buildout scenario of the Gaviota Coast Plan, impacts to sensitive vegetation communities will not be fully mitigated and will remain significant and unavoidable.

Impacts to sensitive plant species (Impact BIO-2) are reduced as follows: (1) MM BIO-1 requires policy and development standard revisions and additions to the Gaviota Coast Plan as discussed above; and (2) MM BIO-2 requires a new development standard (Dev Std NS-3) that requires focused surveys for sensitive plant species if potentially suitable habitat exists on a project site. This mitigation measure was incorporated into the Gaviota Coast Plan. No other feasible mitigation measures are known which will further reduce impacts. Under a reasonable 20-year buildout scenario of the Gaviota Coast Plan, impacts to sensitive plant species will not be fully mitigated and will remain significant and unavoidable.

Impacts to sensitive wildlife species (Impact BIO-3) are reduced as follows: (1) MM BIO-1 requires policy and development standard revisions and additions to the Gaviota Coast Plan as



discussed above; and (2) MM BIO-3 requires a new development standard (Dev Std NS-4) that requires focused presence/absence surveys for sensitive wildlife species if potentially suitable habitat or critical habitat exists on or adjacent to a project site. This mitigation measure was incorporated into the Gaviota Coast Plan. No other feasible mitigation measures are known which will further reduce impacts. Under a reasonable 20-year buildout scenario of the Gaviota Coast Plan, impacts to sensitive wildlife species will not be fully mitigated and will remain significant and unavoidable.

Impacts to jurisdictional wetlands and waters (Impact BIO-4) are reduced by MM BIO-4, which requires the incorporation of an additional development standard in the Gaviota Coast Plan. The new development standard (Dev Std NS-5) requires a formal wetlands delineation of the project site, a determination of presence/absence and boundaries of any Waters of the U.S. and Waters of the State, and limits of any riparian habitats under the sole jurisdiction of the California Department of Fish and Wildlife, if potentially jurisdictional wetlands or waters are found on or adjacent to a project site. Mitigation shall be based on the type of wetland impacted and should prevent any net loss of wetland functions and values. The new development standard also states that mitigation replacement ratios may be higher depending on the type and quality of the resource impacts. In addition, MM BIO-1.1 revised Dev Std NS-2 such that in the Coastal Zone, a minimum buffer of 100 feet would apply to wetlands. These mitigation measures were incorporated into the Gaviota Coast Plan. No other feasible mitigation measures are known which will further reduce impacts. Under a reasonable 20-year buildout scenario of the Gaviota Coast Plan, impacts to jurisdictional wetlands and waters will not be fully mitigated and will remain significant and unavoidable.

Cumulative impacts to biological resources, including wildlife movement corridors, are mitigated to the maximum extent feasible with measures MM BIO-1 through MM BIO-4. Impacts to biological resources occurring in areas outside the Gaviota Coast Plan Area as a result of cumulative growth and buildout of adjacent cities' general plans and the County's Comprehensive Plan are added to impacts expected in the Gaviota Coast Plan Area. The combined effect of cumulative development is anticipated to result in significant and unavoidable cumulative impacts to biological resources.

Findings: The Planning Commission finds that feasible mitigation measures (MM BIO-1, MM BIO-1.1, MM BIO-2, MM BIO-3 and MM BIO-4) have been incorporated into the Gaviota Coast Plan to reduce the significant environmental effects identified in the Final EIR to the maximum extent feasible. These mitigation measures are implemented during project review to mitigate project specific and cumulative impacts to biological resources to the maximum extent feasible. However, even with mitigation measures, impacts to biological resources will remain significant and unavoidable. Therefore, the Planning Commission finds the Gaviota Coast Plan's residual impacts to biological resources are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations.



## **Cultural and Historical Resources**

Impacts: The Final EIR identified significant project-specific and cumulative impacts to historic, archaeological, and traditional resources (Impact CR-1).

Mitigation: In addition to policies, actions, and development standards included in the Gaviota Coast Plan that reduce impacts to historic, archaeological, and traditional resources, the Final EIR identifies one mitigation measure (MM CR-1). CR-1 revises one policy, four actions, and three development standards of the Plan, and adds one new action and one new development standard to the Plan. The revisions primarily expand language to ensure that impacts to tribal cultural resources are also addressed appropriately. Other revisions and the new action and development standard add additional measures to protect historical resources from potential impacts of Plan buildout. This mitigation measure was incorporated into the Gaviota Coast Plan. No other feasible mitigation measures are known which will further reduce impacts. Under a reasonable 20-year buildout scenario of the Gaviota Coast Plan, impacts to historic, archaeological, and traditional resources will not be fully mitigated and will remain significant and unavoidable.

Findings: The Planning Commission finds that feasible mitigation measures (MM CR-1) have been incorporated into the Gaviota Coast Plan to reduce the significant environmental effects identified in the Final EIR to the maximum extent feasible. These mitigation measures are implemented during project review to mitigate project specific and cumulative impacts to cultural and historical resources to the maximum extent feasible. However, even with mitigation measures, residual impacts to historic resources, prehistoric and archaeological resources, and tribal cultural resources remain significant and unavoidable. Therefore, the Planning Commission finds the Gaviota Coast Plan's residual impacts to historic, archaeological, and traditional resources are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations.

## **Parks, Recreation, and Trails Impacts to Biological, Cultural, and Agricultural Resources**

Impacts: The Final EIR identified significant project-specific impacts related to adverse physical environmental effects resulting from the construction of additional recreational facilities, primarily the California Coastal Trail, primary trail routes to connect with existing trails, and associated facilities (e.g., trailhead parking, restrooms, etc.) (Impact PR-1). The adverse effects resulting from this development include five potential impacts to biological resources (BIO-1: sensitive vegetation communities, BIO-2: sensitive plant species, BIO-3: sensitive wildlife species, BIO-4: jurisdictional wetlands and waters, and BIO-5: wildlife movement corridors), one potential impact to cultural and historical resources (CR-1: historical and archaeological resources), and two potential impacts to agricultural resources (AG-1: direct conversion of prime agricultural land to non-agricultural use and AG-2: land use compatibility/agricultural interface (indirect impacts)).



Mitigation: The Gaviota Coast Plan includes a number of programmatic policies and development standards that reduce the environmental effects of constructing new trails and associated facilities, including the application of the *Coastal Trail Alignment General Principles*, Policies REC-5 and REC-6 (trail siting and design considerations), and the use of trail siting guidelines. MM PR-1 requires adoption and implementation of Gaviota Coast Plan Trail Siting Guidelines that provide further direction to plan, site, and design trails in ways to reduce impacts to agricultural, biological and cultural resources. The Gaviota Coast Plan Trail Siting Guidelines were adopted concurrently with the Gaviota Coast Plan. In addition, Sections 4.1 through 4.12 of the Final EIR identify other mitigation measures to mitigate buildout of the Gaviota Coast Plan (and/or construction of said buildout), which will also mitigate impacts related to the construction of trails and associated facilities, especially MM BIO-1 through MM BIO-4 and MM CR-1. In addition, the Final EIR identifies one measure to further mitigate Impact PR-1 to agricultural resources, biological resources and cultural resources. Combined, these measures will reduce project-specific impacts but not to a level of insignificance due to uncertainty regarding ultimate trail location and because implementation of trails and associated facilities would occur over the life of the Plan. In addition, it is unknown whether avoidance or feasible on-site or off-site mitigation opportunities will be available at the time each trail segment is implemented. No other feasible mitigation measures are known which will further reduce impacts. Therefore, adverse impacts to biological, cultural, and agricultural resources resulting from construction of trails and associated facilities will not be fully mitigated and will remain significant and unavoidable.

Findings: The Planning Commission finds that feasible mitigation measures (MM PR-1) have been incorporated into the Gaviota Coast Plan to reduce the significant environmental effects identified in the Final EIR to the maximum extent feasible. These mitigation measures are implemented during project review to mitigate project specific and cumulative impacts to agricultural, biological and cultural resources, as a result of Impact PR-1, to the maximum extent feasible. However, even with mitigation measures, impacts resulting from construction of trails and associated facilities will remain significant and unavoidable. Therefore, the Planning Commission finds the Gaviota Coast Plan’s residual impacts of parks, recreation, and trails are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations.

### **1.1.5 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY MITIGATION MEASURES**

The Final EIR (15EIR-00000-00003) identified several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the Final EIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below.



## **Transportation and Circulation**

Impacts: The Final EIR identified potentially significant but mitigable project-specific and cumulative impacts due to: (1) limited plan direction for a coordinated approach for comprehensively planning for a transportation corridor plan (Impact TC-1); and (2) the potential for projects that take primary access through at-grade crossings of Highway 1 or Highway 101 to create potential design feature safety hazards at highway at-grade crossings (Impact TC-2).

Mitigation: In addition to policies, actions, and development standards included in the Gaviota Coast Plan that reduce impacts to Transportation and Circulation, the Final EIR identifies one mitigation measure (MM TC-1) that will further reduce potentially significant impacts to a less than significant level. MM TC-1 requires revision of Action TEI-2 of the Plan to strengthen the action to provide a coordinated and comprehensive approach with Caltrans, Santa Barbara County Association of Governments, California Department of Parks, and Union Pacific Railroad for future corridor planning. The strengthened action will address operational and safety improvements as well as expanded opportunities for alternative (non-vehicular) modes of transportation. The Final EIR identifies one mitigation measure (MM TC-2) that will reduce design feature safety hazards impacts to less than significant levels. The mitigation requires the revision of Plan Policy TEI-7 to require submittal of any projects for which primary ingress or egress would be through an at-grade crossing of Highway 1 or Highway 101 to Caltrans for review and comment regarding safety issues and requirements for at-grade crossings.

Findings: The Planning Commission finds that MM TC-1 and MM TC-2 will reduce the identified significant effects on transportation and circulation to a level of insignificance. The strengthened action will address operational and safety improvements as well as expanded opportunities for alternative (non-vehicular) modes of transportation.

## **Aesthetics/Visual Resources**

Impacts: The Final EIR identified potentially significant but mitigable project-specific and cumulative impacts resulting from buildout of the Gaviota Coast Plan that could: (1) potentially change the visual character of Plan Area (Impact VIS-1); (2) impact public scenic views, routes and gateways (Impact VIS-2); and increase light and glare (Impact VIS-3).

Mitigation: In addition to the existing policies in the Land Use Element and CLUP of the Comprehensive Plan, and the Ridgeline and Hillside Development Guidelines in the Land Use and Development Code (LUDC) and Coastal Zoning Ordinance (CZO), the Gaviota Coast Plan incorporates numerous programmatic policies, actions, and development standards, including a new Critical Viewshed Corridor Overlay, that mitigate potentially significant impacts to aesthetic/visual resources. The Critical Viewshed Corridor Overlay was incorporated into the LUDC, CZO, and zoning overlay maps concurrently with adoption of the Gaviota Coast Plan. In addition, the Final EIR identifies one measure to further mitigate the three identified potentially significant impacts. MM VIS-1 requires adoption and implementation of Gaviota Coast Plan Design Guidelines that will preserve the region's natural, agricultural, and scenic resources.



The Gaviota Coast Plan Design Guidelines were adopted concurrently with the Gaviota Coast Plan. Impacts to aesthetics/visual resources will be less than significant with implementation of this mitigation measure and implementation of the Design Guidelines with future development.

Findings: The Planning Commission finds that MM VIS-1 will reduce significant effects on aesthetics/visual resources to a level of insignificance. This mitigation measure is implemented during project review to mitigate project specific and cumulative impacts to aesthetics/visual resources to the maximum extent feasible.

### **Biological Resources**

Impacts: The Final EIR identified a potentially significant but mitigable project-specific impact to adopted conservation plans due to potential conflict with coastal biological resource protection policies of the CLUP of the County's Local Coastal Program (Impact BIO-6).

Mitigation: In addition to policies, actions, and development standards included in the Gaviota Coast Plan that reduce impacts to Biological Resources, the Final EIR identifies one mitigation measure (MM BIO-1) that will further reduce potentially significant impacts to a less than significant level. MM BIO-1 requires a revision to Policy LU-1 stating that the policy or provision of the Gaviota Coast Plan or the Local Coastal Program that is most protective of coastal resources take precedence. This mitigation measure was incorporated into the Gaviota Coast Plan.

Findings: The Planning Commission finds that MM BIO-1 will reduce the identified significant effects on conservation plans to a level of insignificance. This mitigation measure is implemented during project review to mitigate project specific and cumulative impacts to biological resources to the maximum extent feasible.

### **Geologic Hazards/Soils/Mineral Resources**

Impacts: The Final EIR identified potentially significant but mitigable project-specific and cumulative impacts due to: (1) soil erosion resulting from expansion of agricultural operations, especially on steeper slopes (Impact GEO-2); and (2) exposure of development to radon gas (Impact GEO-3).

Mitigation: In addition to programmatic policies and development standards in the Gaviota Coast Plan, the Final EIR identified two mitigation measures to further reduce potentially significant impacts to less than significant levels. MM GEO-1 requires the County adopt Steep Slope Guidelines into the LUDC and Article II Coastal Zoning Ordinance to minimize soil erosion associated with agricultural expansion on steep slopes. Steep Slope Guidelines developed by the Cachuma Resource Conservation District were incorporated into the Gaviota Coast Plan as Appendix D. Amendments to the LUDC and CZO incorporate provisions to implement the Steep Slope Guidelines with applicable agricultural expansion. MM GEO-2 requires incorporation of a new development standard Dev Std LU-4 into the Plan that requires



new development avoid state-mapped elevated radon hazard zones, or if avoidance is infeasible, to conduct an evaluation of conformance to EPA radon gas exposure standards and apply construction standards mitigating radon concentrations to acceptable levels be required. This development standard was incorporated into the Gaviota Coast Plan.

Findings: The Planning Commission finds that MM GEO-1 and MM GEO-2, the programmatic policies and development standards of the Gaviota Coast Plan, and established engineering standards and codes (including the County Grading Ordinance and the California Building Code) will reduce impacts to a level of insignificance. This mitigation measure is implemented during project review to mitigate project specific and cumulative impacts to geologic hazards/soils/mineral resources to the maximum extent feasible.

### **1.1.6 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES ARE NOT FEASIBLE**

The Final EIR (15EIR-00000-00003) evaluated a no project alternative and three additional alternatives (one that identifies new and revised Plan policies to provide greater protection of resources in the Coastal Zone, one that prioritizes conservation of the Plan area’s resources and character when considering development proposals, and one that identifies additional voluntary landowner actions that provide demonstrated public benefit in exchange for incentive) as methods of reducing or eliminating potentially significant environmental impacts. The Planning Commission finds that the identified alternatives are infeasible for the reasons stated.

#### **1. No Project Alternative**

The No Project Alternative assumes that the Gaviota Coast Plan is not adopted. Under the No Project Alternative, the existing land use designations of the 1980 Land Use Element and 1982 CLUP would continue, along with implementation of the policies of these plans. None of the new policies, actions, and development standards of the Gaviota Coast Plan, which enhance protection of biological, cultural, visual, and agricultural resources, would be implemented and amendments to the LUDC and CZO would not be adopted. The Parks, Recreation, and Trails (PRT) map would not be updated with proposed new trail corridors and coastal access points. New proposed long-term actions that would protect agricultural, rural, and open space lands would not be considered or developed, such as clustered residential housing and a transfer of development rights ordinance, nor would certain agricultural permit streamlining processes and additional uses be developed to support the continuation of agriculture over the long term.

The No Project Alternative would result in greater impacts on the following resources relative to the Gaviota Coast Plan, primarily due to the absence of the new policies, actions, and development standards provided in the Gaviota Coast Plan that would provide additional resource protection:

- Land Use and Development
- Transportation and Circulation
- Aesthetics/Visual Resources

- Agricultural Resources
- Biological Resources
- Flooding and Water Resources
- Cultural and Historical Resources
- Public Services: Wildland Fires, Fire Protection, Solid Waste, Water and Wastewater Facilities
- Parks, Recreation, and Trails: Adverse Physical Environmental Effects Resulting from Additional Recreational Facilities

The No Project Alternative would result in similar impacts on the following resources relative to the Gaviota Coast Plan:

- Air Quality
- Public Services: Emergency Response Plans, Law Enforcement, Schools, Water Supplies
- Noise
- Geologic Hazards/Soils/Mineral Resources
- Hazardous Materials/Risk of Upset
- Parks, Recreation, and Trails: Increased Demand for Recreational Facilities

The No Project Alternative would not result in any reduced impacts relative to the Gaviota Coast Plan.

The No Project Alternative fails to achieve several of the basic objectives of the project. It would not meet the objective of continuing and enhancing viable, working agriculture while balancing it with the protection and enhancement of environmentally sensitive habitats. It would not enhance public access to the coast or include a robust interconnected coastal and inland trail system. It would not provide greater protection and enhancement of habitat areas and watersheds through new and enhanced policies and development standards protecting biological resources and the rezone of significant acreage in the Los Padres National Forest from outdated Ordinance 661 agricultural zones to Mountainous-Gaviota. It would not protect visual resources, cultural resources, or agricultural lands to the maximum extent feasible. In addition, the No Project Alternative could result in greater impacts to Gaviota resources, especially to visual, biological, cultural, agricultural, and recreational resources. Therefore, the Planning Commission finds that the project (as modified by incorporation of EIR mitigation measures and several components of Alternatives 1, 2 and 3) is preferable to the No Project Alternative.

## **2. Alternative 1: Additional Resource Protection – Coastal Zone**

Alternative 1 is similar in most respects to the Gaviota Coast Plan, and includes the same rezones of public lands, new allowed uses on agricultural lands, the Critical Viewshed Corridor Overlay, and policies, actions, and development standards. The difference is that Alternative 1



would revise policies, actions, and development standards applicable to the Coastal Zone to enhance protection of riparian habitat, other habitats, and visual resources. It would also develop a new and separate permit process for the Coastal Zone, identifying Principally Permitted Uses (not appealable to the Coastal Commission) and Permitted Uses (appealable to the Coastal Commission).

Alternative 1 would not result in greater impacts on any resources relative to the Gaviota Coast Plan.

Alternative 1 would result in similar impacts on the following resources relative to the Gaviota Coast Plan:

- Transportation and Circulation
- Agricultural Resources
- Air Quality
- Flooding and Water Resources
- Cultural and Historic Resources
- Public Services
- Noise
- Geologic Hazards/Soils/Mineral Resources
- Hazardous Materials/Risk of Upset
- Parks, Recreation, and Trails

Alternative 1 would result in reduced impacts on the following resources relative to the Gaviota Coast Plan:

- Land Use and Development
- Aesthetics/Visual Resources
- Biological Resources

Alternative 1 primarily results in similar environmental impacts and reduces some impacts to land use, aesthetics, and biological resources relative to the project by enhancing resource protection policies in the Coastal Zone. However, the reduction would not be substantial enough to eliminate Class I impacts. In response to comments received regarding the Draft EIR, the proposed project was modified to incorporate a policy component of Alternative 1. This includes Policy AG-1H to encourage land improvement programs, and Policy AG-1H (Coastal) to implement land improvement programs consistent with the CLUP. However, the remaining components of Alternative 1 would result in substantially different standards for the Coastal Zone along with a complicated permitting process. This would conflict other components of the project, such as Action AG-1 and Action AG-5.

Since this alternative would result in a less efficient permitting process without substantially reducing significant impacts, it has been deemed infeasible for social, economic and other reasons. As such, the Planning Commission finds that the project (as modified by incorporation

of EIR mitigation measures and several components of Alternatives 1, 2 and 3) is preferable to Alternative 1.

### **3. Alternative 2: Prioritize Resource Conservation when Considering Development Proposals**

Alternative 2 is similar in most respects to the Gaviota Coast Plan, and includes the same rezones of public lands, new allowed uses on agricultural lands, the Critical Viewshed Corridor Overlay, and policies, actions, and development standards. The difference is that Alternative 2 would revise four policies, actions, development standards and include 11 new development standards to afford the highest level of protection of natural, agricultural, and recreational resources, whether inland or coastal.

Alternative 2 would not result in greater impacts on any resources relative to the Gaviota Coast Plan.

Alternative 2 would result in similar impacts on the following resources relative to the Gaviota Coast Plan:

- Agricultural Resources: Land Use Compatibility/Agricultural Interface
- Air Quality
- Cultural and Historical Resources
- Public Services
- Noise
- Geologic Hazards/Soils/Mineral Resources
- Hazardous Materials/Risk of Upset

Alternative 2 would result in reduced impacts on the following resources relative to the Gaviota Coast Plan:

- Land Use and Development
- Transportation and Circulation
- Aesthetics/Visual Resources
- Agricultural Resources: Direct Conversion of Prime Agricultural Land to Non-Agricultural Use
- Biological Resources
- Flooding and Water Resources
- Parks, Recreation, and Trails

Alternative 2 primarily results in similar environmental impacts to half the resource issue areas analyzed and reduces some impacts to the other half relative to the project through the revised and new policies, actions, and development standards. However, the reduction would not be substantial enough to eliminate Class I impacts. In response to comments received regarding



the Draft EIR, the project was modified to incorporate several components of Alternative 2. These include a revised Policy NS-6 as described in Alternative 2, and four proposed recreation policies and actions revised into two new actions addressing 1) coastal land, public recreation, and open space acquisition and protection, and 2) railroad crossings and potential right-of-way use (Action REC-8 and Action REC-9).

The remaining components of Alternative 2 were found to be infeasible or unnecessary. For example, policies addressing sea level rise and bluff retreat are premature since the County is working with the Coastal Commission on coastal resiliency planning that will inform policy decisions in a future CLUP amendment. Similarly, the transportation planning policies evaluated in Alternative 2 are redundant with county-wide measures that were adopted as part of the County’s Energy and Climate Action Plan.

Since all feasible components of Alternative 2 that would reduce potentially significant impacts have been incorporated into the project, the remaining components of this alternative have been deemed infeasible for social, economic and other reasons. As such, the Planning Commission finds that the project (as modified by incorporation of EIR mitigation measures and several components of Alternatives 1, 2 and 3) is preferable to Alternative 2.

#### **4. Alternative 3: Revised Land Use Incentives Program**

Alternative 3 is similar in most respects to the Gaviota Coast Plan, and includes the same rezones of public lands, new allowed uses on agricultural lands, the Critical Viewshed Corridor Overlay, and policies, actions, and development standards. The difference is that Alternative 3 would expand the incentive program described in Actions LU-4 and LU-5. Alternative 3 expands the types of actions a landowner may propose under the Residential Second Unit (RSU) incentive to include habitat restoration and restoration, maintenance, and/or landmarking an history structure. Alternative 3 includes an additional incentive for dedicating an easement for the California Coastal Trail Primary Route: an attached RSU in addition to a detached or attached RSU that could be obtained through one of the other landowner actions. In the final zoning ordinance amendments, the incentive program RSU is replaced with a new term, the “incentive dwelling unit.” The new term provides full separation and distinction between standard RSUs and second dwelling units allowed under the incentive program.

Alternative 3 would not result in greater impacts on any resources relative to the Gaviota Coast Plan.

Alternative 3 would result in similar impacts on the following resources relative to the Gaviota Coast Plan:

- Transportation and Circulation
- Aesthetics/Visual Resources
- Air Quality

- Flooding and Water Resources
- Cultural and Historical Resources
- Public Services
- Noise
- Geologic Hazards/Soils/Mineral Resources
- Hazardous Materials/Risk of Upset

Alternative 3 would result in reduced impacts on the following resources relative to the Gaviota Coast Plan:

- Land Use and Development
- Agricultural Resources
- Biological Resources
- Parks, Recreation, and Trails

Alternative 3 primarily results in similar environmental impacts overall but reduces some impacts to land use, agricultural and biological resources, and parks, recreation, and trails relative to the project by expanding the types of public benefit actions that could result from the incentives program. However, the reduction would not be substantial enough to eliminate Class I impacts. The Gaviota Coast Plan was modified to incorporate Alternative 3. Therefore, the Planning Commission finds that the project (as modified by incorporation of EIR mitigation measures and several components of Alternatives 1, 2 and 3) is preferable to Alternative 3 alone.

## **2.0 STATEMENT OF OVERRIDING CONSIDERATIONS**

The Gaviota Coast Plan, incorporated herein by reference, contains a set of goals, policies, development standards, and actions that apply to the Gaviota Coast Plan area. The Gaviota Coast Plan is part of, and consistent with, the County Comprehensive Plan, including the Coastal Land Use Plan. However, the Gaviota Coast Plan is tailored to a smaller geographical area and provides greater environmental and other benefits to the Gaviota Coast Plan area as compared to the County Comprehensive Plan and Coastal Land Use Plan.

The Final EIR (15EIR-00000-00003) and its appendices for the Gaviota Coast Plan, incorporating certain elements of Alternatives 1, 2 and 3, identify project impacts to Biological Resources and Cultural Resources in general, and to Biological, Cultural and Agricultural Resources specifically from the Parks, Recreation, and Trails component of the Plan, as significant environmental effects which are considered unavoidable. The Planning Commission therefore makes the following Statement of Overriding Considerations which warrants approval of the project notwithstanding that all identified effects on the environment are not fully avoided or substantially lessened. With respect to each of the environmental effects of the project, the Planning Commission finds that the stated overriding benefits of the project outweigh the significant effects on the environment and that there is no feasible way to lessen or avoid the significant effects. Pursuant to Public Resources Code Section 21081(b) and CEQA



Guidelines Sections 15043, 15092 and 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations:

- A. The Gaviota Coast Plan provides for necessary and orderly development to accommodate population growth within the 20-year planning horizon consistent with Government Code Section 65060.1 and the goals and policies of the County of Santa Barbara Comprehensive Plan.
- B. The Gaviota Coast Plan (GCP) provides for orderly economic and population growth within a reasonable 20-year time horizon in accordance with the Gaviota Coast Plan Area's available public and private services (GCP Purpose and Intent, Policy LU-10); protects agriculture (GCP Policies AG-1.A and AG-1.B); provides recreation and open space areas, including provisions for public trails and coastal access points in general, and the California Coastal Trail in particular (GCP Policies REC-1, REC-2, and REC-6); protects natural resources (GCP Policies NS-2, NS-4, and NS-6 through NS-11); preserves the area's character and scenic views (GCP Policies VIS-1 through VIS-17); and balances the needs of future residents with the needs of existing residents.
- C. The Gaviota Coast Plan has the potential to limit adverse impacts and contribute to the long-term protection of the Gaviota Coast's environment by reducing potential impacts to biological resources through the application of the Environmentally Sensitive Habitat Overlay in the Inland Area, the Mountainous-Gaviota zone in the Los Padres National Forest, and the Recreation zone on California State Parks land; continuance of the Environmentally Sensitive Habitat Overlay in the Coastal Zone; and by preserving viable agriculture in Rural Areas.
- D. The Gaviota Coast Plan incorporates a new Parks, Recreation, and Trails (PRT) map identifying a robust interconnected coastal and inland trail system. The Plan also incorporates numerous policies, actions, and development standards that promote the acquisition of easements and construction of trails, trailheads, and coastal access points depicted on the PRT map. This includes the California Coastal Trail, which is a high priority at both the state and local levels.
- E. The Gaviota Coast Plan incorporates numerous policies, development standards, and actions that avoid or minimize significant environmental effects of actions proposed or allowed under the Gaviota Coast Plan (e.g., Natural Resources Stewardship, Cultural Resources Stewardship, and Land Use policies, actions, and development standards). Thus, the Gaviota Coast Plan is "self-mitigating" to a large degree.
- F. The Gaviota Coast Plan protects valuable, actively-farmed, prime and non-prime agricultural lands by maintaining large minimum parcel sizes and adopting policies and development standards to ensure continued viability of agriculture, including Agricultural Element policies modified to apply within the Coastal Zone of the Gaviota Coast Plan Area.
- G. The Gaviota Coast Plan protects important biological resources of the various habitats found within the Gaviota Coast Plan area through its biological resources protection policies, actions, and development standards ("Natural Resources Stewardship") and by rezoning National Forest mountainous lands to Mountainous - Goleta. The Gaviota Coast Plan preserves the value of these



lands for their important biologic, hydrologic, and aesthetic qualities in accordance with the Conservation Element, Preservation of Natural Systems.

- H. The Gaviota Coast Plan policies, actions, and development standards protect and preserve historical, archaeological, and tribal cultural resources to the maximum extent feasible in accordance with the Land Use Element Historical and Archaeological Sites Policies 1 through 5; the Conservation Element Archaeological Sites Conclusions and Recommendations; the Coastal Land Use Plan Policies 10-1 through 10-5; and recent State law (Assembly Bill 52).
- I. The Gaviota Coast Plan protects coastal bluffs, hillsides, watersheds, and creeks through a Site Design Hierarchy and Design Guidelines for new development, and Trail Siting Guidelines for new trail easement acquisition and development, all of which direct development and trails to be sited where grading and erosion can be minimized, and avoid bluffs and creeks, etc. The Plan also accomplishes this through the Steep Slope Guidelines that reduce potential water quality degradation and erosion associated with installation of new agriculture on steep slopes ( $\geq 30\%$ ), and development limitations on extreme slopes ( $> 40\%$ ) through application of the Mountainous Area land use and zoning designations. The Plan also protects creeks through GCP Policies NS-4, NS-7, NS-9, and NS-11, and Dev Std NS-2 (Inland and Coastal).
- J. The Gaviota Coast Plan provides clarity for future developers and land use regulators. The plan's clear and updated policies and development standards will streamline the project-review process for individual applications for future development by providing a framework that can reduce the amount of future project-specific review, environmental review, time, uncertainty, and cost in the permit process.

### **3.0 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM**

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The project is an area plan, prepared as a component of the County's Comprehensive Plan and the Local Coastal Program. The EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. The degree of specificity in the EIR corresponds to the specificity of the general or program level policies of the Project and to the effects that may be expected to follow from the adoption of the Project. The EIR is not as detailed as an EIR on specific development projects or implementation programs that might follow.

All mitigation measures identified in the Final EIR (15EIR-00000-00003) have been incorporated directly into the Gaviota Coast Plan as shown in Attachment A of the staff report to the Planning Commission dated July 20, 2016, as modified by the Planning Commission on September 14, 2016 and September 19, 2016, with the exception of MM VIS-1, adoption of the Gaviota Coast Plan Design Guidelines. The Design Guidelines are adopted by separate resolution (Attachment D-7 of staff report dated July 20, 2016) as a standalone implementation document. To ensure compliance with mitigation measures during implementation of future development under the Gaviota Coast Plan, the County



LUDC and CZO ordinance amendments (Attachment D-2 13ORD-00000-00006 and Attachment D-5 13ORD-00000-00007, respectively, to the staff memo dated September 7, 2016 as modified by the Planning Commission on September 14, 2016 and September 19, 2016) include requirements that development in the Plan Area comply with each policy, action or development standard required by each adopted mitigation measure, as applicable to the type of proposed development. Therefore, a separate mitigation monitoring and reporting program is not necessary, and the Planning Commission finds the Gaviota Coast Plan and amendments to the County LUDC and CZO sufficient for a monitoring and reporting program.

#### **4.0 ADMINISTRATIVE FINDINGS**

#### **4.1 AMENDMENTS TO THE COMPREHENSIVE PLAN, DEVELOPMENT CODE AND COUNTY ZONING MAP (REZONE) FINDINGS**

**Findings required for all amendments to the Comprehensive Plan, Development Code, and the County Zoning Map.** In compliance with Section 35.104.060 of the County Land Use and Development Code (LUDC), prior to the approval or conditional approval of an Amendment to the Comprehensive Plan, Development Code, or Zoning Map, the review authority shall first make all of the following findings, as applicable:

##### **4.1.1 The request is in the interests of the general community welfare.**

As discussed in Attachment C (a thorough review of the Gaviota Coast Plan’s consistency with applicable Comprehensive Plan policies) of the staff memo to the Planning Commission, dated September 7, 2016, herein incorporated by reference, the project is in the interests of the general community welfare. As it pertains to the Gaviota Coast, the County Land Use Element is outdated (adopted in 1980) and does not fully address current community and stakeholder concerns. The Gaviota Coast Plan strengthens the goals of protecting the important resources of the Plan Area, including productive agriculture, mountainous areas, sensitive biological and cultural resources, aesthetics and visual resources, and avoids and mitigates adverse effects where feasible. In doing so, the project accommodates development to a degree and in a manner which provides the greatest community welfare without compromising community values, environmental quality, or the public health and safety. Moreover, it provides the framework for a more efficient permit process. Overall, the Gaviota Coast Plan, the LUDC amendments, and revisions to the zoning maps, which would enhance protection of agricultural resources, sensitive biological resources, cultural resources, and aesthetics, are in the interests of the general community welfare.

##### **4.1.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and this Development Code.**

As discussed in Attachment C (a thorough review of the Gaviota Coast Plan’s consistency with applicable Comprehensive Plan policies) of the staff memo to the Planning Commission, dated September 7, 2016, herein incorporated by reference, the project is consistent with the



Comprehensive Plan and the LUDC. The Gaviota Coast Plan is broad and comprehensive in scope, covering issues important to the community including but not limited to those in the Land Use, Energy, Scenic Highways, Conservation, Agricultural, and Open Space elements of the Comprehensive Plan. Adoption of the Gaviota Coast Plan and associated amendments to the County LUDC and zoning maps will provide more effective consistency with State planning and zoning laws by providing a clearer and more efficient permit process that will benefit the public. The LUDC is amended to be consistent with the Gaviota Coast Plan, and the proposed project is consistent with the remaining portions of the LUDC that would not be revised by the LUDC ordinance amendment. In the future, individual projects developed in compliance with the Gaviota Coast Plan will also be assessed for consistency with all applicable requirements of the LUDC. Therefore, the Gaviota Coast Plan is consistent with the Comprehensive Plan, State planning and zoning laws, and the County LUDC.

#### **4.1.3 The request is consistent with good zoning and planning practices.**

As discussed in Attachment C (a thorough review of the Gaviota Coast Plan's consistency with applicable Comprehensive Plan policies) of the staff memo to the Planning Commission, dated September 7, 2016, herein incorporated by reference, the project is consistent with good zoning and planning practices. The Gaviota Coast Plan incorporates sustainable zoning and planning practices into the Plan and the LUDC amendments. For example, the project enhances protection of sensitive biological, cultural, agricultural, and aesthetic/visual resources. The LUDC amendments incorporate other successful regulations used elsewhere in the unincorporated Santa Barbara County, such as ESH permit requirements comparable to the existing LUDC regulations for the unincorporated Toro Canyon Plan and Eastern Goleta Valley Community Plan areas, and outdoor lighting regulations comparable to those adopted for the Santa Ynez Valley, Mission Canyon, Summerland, and Eastern Goleta Valley community plans. Adoption of the Gaviota Coast Plan and associated amendments to the County LUDC and zoning maps will also provide a clearer and more efficient permit process. Therefore, the project is consistent with good zoning and planning practices.

#### **4.1.4 The request is deemed to be in the public interest.**

As discussed in Attachment C (a thorough review of the Gaviota Coast Plan's consistency with applicable Comprehensive Plan policies) of the staff memo to the Planning Commission, dated September 7, 2016, herein incorporated by reference, the project is deemed to be in the public interest. The general plan amendment is in the public interest for the following reasons. The Gaviota Coast Plan addresses future development in the Gaviota Coast Plan area. It proposes new, policies, actions, and development standards to protect rural agricultural resources, to protect biological resources and water quality, and to preserve community character while allowing for a clearer and more efficient permitting process. The primary intent of the Gaviota Coast Plan is to articulate the community's expressed desire to preserve agricultural and the natural resources that make the Gaviota Coast a unique area, and enhance the quality of life enjoyed by residents and visitors. Overall, it is in the public interest to address future



development in the Gaviota Coast Plan area by adopting the goals, policies, actions, and development standards of the Gaviota Coast Plan.

#### **4.2 AMENDMENT TO ARTICLE II, LCP, OR ZONING MAP AMENDMENT (REZONE) FINDINGS**

**Findings required for All Amendments to the Article II Zoning Ordinance, the Local Coastal Program, and the County Zoning Map.** In compliance with Section 35-180.6 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an Amendment to the Article II Zoning Ordinance, the Local Coastal Program or the County Zoning Map, the decision-maker shall first make all of the following findings:

##### **4.2.1 The request is in the interests of the general community welfare.**

As discussed in Attachment C (a thorough review of the Gaviota Coast Plan’s consistency with applicable Comprehensive Plan policies, including the Coastal Land Use Plan) of the staff memo to the Planning Commission, dated September 7, 2016, herein incorporated by reference, the project is in the interests of the general community welfare. As it pertains to the Gaviota Coast, the Coastal Land Use Plan is outdated (adopted in 1982) and does not fully address current community and stakeholder concerns. The Gaviota Coast Plan strengthens the goals of protecting the important resources of the Plan Area, including productive agriculture, mountainous areas, sensitive biological and cultural resources, aesthetics and visual resources, and avoids and mitigates adverse effects where feasible. No significant land use and zoning changes are proposed in the Coastal Zone and potential residential development density would not increase. The project accommodates development to a degree and in a manner which provides the greatest community welfare without compromising community values, environmental quality, or the public health and safety. Moreover, it provides the framework for a more efficient permit process. Overall, the Gaviota Coast Plan, the Article II amendments, and revisions to the zoning maps are in the interests of the general community welfare.

##### **4.2.2 The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of the State planning and zoning laws, and this Article.**

As discussed in Attachment C (a thorough review of the Gaviota Coast Plan’s consistency with applicable Comprehensive Plan policies, including the Coastal Land Use Plan) of the staff memo to the Planning Commission, dated September 7, 2016, herein incorporated by reference, the project is consistent with the Comprehensive Plan, the Coastal Land Use Plan, and the Article II Coastal Zoning Ordinance. The Gaviota Coast Plan is broad and comprehensive in scope, covering issues important to the community including but not limited to those in the Land Use, Energy, Scenic Highways, Conservation, Agricultural, and Open Space elements of the Comprehensive Plan. Adoption of the Gaviota Coast Plan and associated amendments to the Article II Coastal Zoning Ordinance and zoning maps will provide more effective consistency with State planning and zoning laws by providing a clearer and more efficient permit process that will benefit the public. The Article II Coastal Zoning Ordinance is amended to be



consistent with the Gaviota Coast Plan. In addition, the proposed project is consistent with the remaining portions of Article II that would not be revised by the Article II Coastal Zoning Ordinance Amendment. In the future, individual projects developed in compliance with the Gaviota Coast Plan will also be assessed for consistency with all applicable requirements of Article II. Therefore, the Gaviota Coast Plan is consistent with the Comprehensive Plan, including the Coastal Land Use Plan, State planning and zoning laws, and Article II.

#### **4.2.3 The request is consistent with good zoning and planning practices.**

As discussed in Attachment C (a thorough review of the Gaviota Coast Plan’s consistency with applicable Comprehensive Plan policies, including the Coastal Land Use Plan) of the staff memo to the Planning Commission, dated September 7, 2016, herein incorporated by reference, the project is in the interests of the general community welfare. The Gaviota Coast Plan incorporates sustainable zoning and planning practices into the Plan and the Article II Coastal Zoning Ordinance amendments. For example, the project enhances protection of sensitive biological, cultural, agricultural, and aesthetic/visual resources. The Article II amendments include successful regulations used elsewhere in the unincorporated Santa Barbara County, for example, agricultural permit streamlining. The Article II amendments also include outdoor lighting regulations comparable to those adopted for the Santa Ynez Valley, Mission Canyon, Summerland, and Eastern Goleta Valley community plans. Adoption of the Gaviota Coast Plan and associated amendments to the Article II Coastal Zoning Ordinance and zoning maps will also provide a clearer and more efficient permit process. Therefore, the project is consistent with zoning and planning practices.

#### **4.1.4 The request is deemed to be in the public interest.**

As discussed in Attachment C (a thorough review of the Gaviota Coast Plan’s consistency with applicable Comprehensive Plan policies, including the Coastal Land Use Plan) of the staff memo to the Planning Commission, dated September 7, 2016, herein incorporated by reference, the project is deemed to be in the public interest. The general plan amendment is in the public interest for the following reasons. The Gaviota Coast Plan addresses future development in the Gaviota Coast Plan area. It proposes new, policies, actions, and development standards to protect rural agricultural resources, to protect biological resources and water quality, and to preserve community character while allowing for a clearer and more efficient permitting process. The primary intent of the Gaviota Coast Plan is to articulate the community’s expressed desire to preserve agricultural and the natural resources that make the Gaviota Coast a unique area, and enhance the quality of life enjoyed by residents and visitors. Overall, it is in the public interest to address future development in the Gaviota Coast Plan area by adopting the goals, policies, actions, and development standards of the Gaviota Coast Plan.



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**ATTACHMENT D: PLANNING COMMISSION RESOLUTION**

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

IN THE MATTER OF RECOMMENDING TO THE )  
BOARD OF SUPERVISORS THE ADOPTION OF )  
AMENDMENTS TO THE COASTAL LAND USE )  
PLAN OF THE SANTA BARBARA COUNTY LOCAL ) RESOLUTION NO. 16- 17  
COASTAL PROGRAM, THE LAND USE ELEMENT )  
OF THE SANTA BARBARA COUNTY ) CASE NOS: 13GPA-00000-00006  
COMPREHENSIVE PLAN, THE ARTICLE II COASTAL ) 13GPA-00000-00007  
ZONING ORDINANCE, THE COUNTY LAND USE ) 13ORD-00000-00006  
AND DEVELOPMENT CODE, AND THE COASTAL ) 13ORD-00000-00007  
LAND USE PLAN MAPS, THE LAND USE ELEMENT ) 13RZN-00000-00002  
MAPS, THE ARTICLE II MAPS, AND THE COUNTY ) 13RZN-00000-00003  
ZONING MAP, THAT DELINEATE LAND USE AND )  
ZONING DESIGNATIONS WITHIN THE GAVIOTA )  
COAST PLAN AREA, TO IMPLEMENT THE GOALS, )  
POLICIES, AND DEVELOPMENT STANDARDS OF )  
THE GAVIOTA COAST PLAN. )

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Land Use Plan.
- B. On December 20, 1980, by Resolution No. 80-566, the Board of Supervisors adopted the Land Use Element of the Comprehensive Plan for the County of Santa Barbara.
- C. On July 19, 1982, by Ordinance No. 3312, the Board of Supervisors adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35, Zoning, of the Santa Barbara County Code, which included, by reference, a series of maps that delineate the zone and overlay zone designations that apply to property located within the unincorporated area of the County of Santa Barbara located within the Coastal Zone.
- D. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Santa Barbara County Land Use and Development Code, Section 35-1 of Chapter 35 of the Santa Barbara County Code, which included, by reference, the County Zoning Map that delineates the zone and overlay zone designations that apply to property located within the unincorporated area of the County of Santa Barbara located outside the Coastal Zone.
- E. The proposed amendments are consistent with the Santa Barbara County Comprehensive Plan, including the Community and Area Plans, the Santa Barbara County Local Coastal Program, and the requirements of California planning, zoning, and development laws.
- F. Citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups have been provided the opportunity for involvement in compliance with Government Code.



- G. The County contacted and offered to conduct consultations with California Native American tribes in compliance with Government Code Sections 65352.3 and 65352.4.
- H. This County Planning Commission has held a duly noticed hearing in compliance with Government Code Sections 65353 and 65854 on the proposed amendments and ordinances, at which hearing the amendments and ordinances were explained and comments invited from the persons in attendance.
- G. In compliance with Government Code Section 65855, which requires the County Planning Commission's written recommendation on the proposed amendments and ordinances to include the reasons for the recommendation and the relationship of the proposed ordinances and amendments to applicable general and specific plans, the County Planning Commission has determined that the proposed amendments and ordinances are consistent with the Comprehensive Plan, including the Gaviota Coast Plan, and provide the greatest community welfare without compromising community values, environmental quality, or the public health and safety, as included in the findings in Attachment B of the County Planning Commission staff memo dated September 7, 2016, which is included by reference. The County Planning Commission has also determined that the Gaviota Coast Plan and associated amendments to the Land Use Element and Coastal Land Use Plan of the Comprehensive Plan make it consistent with the Comprehensive Plan.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt the following Resolutions and Ordinances that would implement the goals, policies and development standards of the Gaviota Coast Plan:
  - a. A Resolution amending the Land Use Element (Case No. 13GPA-00000-00006) of the Santa Barbara County Comprehensive Plan (Attachment 1);
  - b. An Ordinance amending the County Land Use and Development Code (Case No. 13ORD-00000-00006), Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 2);
  - c. An Ordinance amending the County Zoning Map (Case No. 13RZN-00000-00002) (Attachment 3);
  - d. A Resolution amending the Coastal Land Use Plan (Case No. 13GPA-00000-00007) of the Santa Barbara County Local Coastal Plan (Attachment 4);
  - e. An Ordinance amending the Article II Coastal Zoning Ordinance (Case No. 13ORD-00000-00007) of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 5);
  - f. An Ordinance amending the Article II Coastal Zoning Ordinance of Chapter 35, Zoning, of the Santa Barbara County Code by repealing and retiring the Gaviota Coast Rural Region Zoning Map, the North Gaviota Coast Rural Region Zoning Map, the Gaviota Coast Coastal Plan Zoning Overlay Map, and the Point Conception Coastal Plan Zoning Overlay

Map, and amending the Lompoc Valley Rural Region Zoning Map, and adopting new Gaviota Coast Plan Zoning Maps, new Gaviota Coast Plan Zoning Overlay Maps, and new Gaviota Coast Plan Environmentally Sensitive Habitat Overlay (Case No. 13RZN-00000-00003) (Attachment 6); and

- h. A Resolution adopting the Gaviota Coast Design Guidelines (Attachment 7).
- 3. This County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this County Planning Commission, based on the findings included as Attachment B of the County Planning Commission staff memo dated September 7, 2016.
- 4. This County Planning Commission endorses and transmits a certified copy of this Resolution to the Board of Supervisors in compliance with Government Code Section 65354 and Section 65855.
- 5. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to show the above mentioned action by the County Planning Commission.


PASSED, APPROVED AND ADOPTED this September 19 \_\_\_\_\_, 2016 by the following vote:

AYES: Cooney, Brown, Brooks

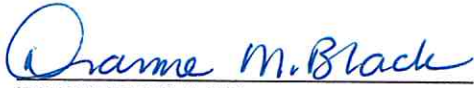
NOES: Ferini, Blough

ABSTAIN:

ABSENT:

  
\_\_\_\_\_  
LARRY FERINI, Chair  
Santa Barbara County Planning Commission

ATTEST:

  
\_\_\_\_\_  
DIANNE BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By   
\_\_\_\_\_  
Deputy County Counsel



ATTACHMENTS:

1. Board of Supervisors Resolution Amending the Land Use Element (Case No. 13GPA-00000-00006)
2. Board of Supervisors Ordinance Amending the County Land Use and Development Code (Case No. 13ORD-00000-00006)
3. Board of Supervisors Ordinance Amending the County Zoning Map (Case No. 13RZN-00000-00002)
4. Board of Supervisors Resolution Amending the Coastal Land Use Plan (Case No. 13GPA-00000-00007)
5. Board of Supervisors Ordinance Amending the Article II Coastal Zoning Ordinance (Case No. 13ORD-00000-00007)
6. Board of Supervisors Ordinance Amending the Article II Coastal Zoning Ordinance of Chapter 35, Zoning, of the Santa Barbara County Code by repealing and retiring the Gaviota Coast Rural Region Zoning Map, the North Gaviota Coast Rural Region Zoning Map, the Gaviota Coast Coastal Plan Zoning Overlay Map, and the Point Conception Coastal Plan Zoning Overlay Map, and amending the Lompoc Valley Rural Region Zoning Map, and adopting new Gaviota Coast Plan Zoning Maps, new Gaviota Coast Plan Zoning Overlay Maps, and new Gaviota Coast Plan Environmentally Sensitive Habitat Overlay Maps (Case No. 13RZN-00000-00003)
7. Board of Supervisors Resolution Adopting Gaviota Coast Plan Design Guidelines