

## ATTACHMENT H:

# GOALS POLICIES AND DEVELOPMENT STANDARDS FROM THE COMPREHENSIVE PLAN, COMMUNITY PLANS AND ZONING ORDINANCES

## **COMPREHENSIVE PLAN, COMMUNITY PLANS AND ZONING ORDINANCES**

In addition to those mitigation measures listed in CEQA, the Coastal Act and the local Santa Barbara County Comprehensive Plan and Zoning Ordinances include a number of policies and standards that address project design, mitigation and consultation, and in many cases require avoidance of significant cultural resources. These are quoted below.

### **H.1 COASTAL ACT**

Although archaeological resources are not considered to be coastal resources that must be avoided to the maximum extent feasible during development, the Act does require reasonable mitigation measures. The Coastal Act does not provide policy direction for historic resources such as, but not limited to, historic buildings.

#### **Public Resources Code Section 30244 Archaeological or Paleontological Resources**

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

### **H.2 SANTA BARBARA COUNTY COMPREHENSIVE PLAN**

The Santa Barbara County Comprehensive Plan includes policies that protect historical and archaeological sites, often requiring avoidance of significant cultural sites where possible, adequate mitigation where avoidance is not possible, and requiring consultation with Native Americans. Elements that include such policies and recommendations include the Land Use Element, the Coastal Land Use Plan, and the Conservation Element. Compliance with these policies must be demonstrated in order for a development project to be approved.

#### **H.2.1 Land Use Element Historical and Archaeological Sites Policies**

1. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.
2. When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.

3. When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with Guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.
4. Off-road vehicle use, unauthorized collection of artifacts and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited.
5. Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.

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## **H.2.2 Santa Barbara County Coastal Land Use Plan**

Policy 10-1: All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.

Policy 10-2: When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.

Policy 10-3: When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with Gof the State Office of Historic Preservation and the State of California Native American Heritage Commission.

Policy 10-4: Off-road vehicle use, unauthorized collection of artifacts and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited.

Policy 10-6: Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.

## **H.2.3 Conservation Element**

### **Historic Sites Recommendations**

The County should retain the period of time, prescribed in County Ordinance 1716, during which a County Advisory Landmark Committee designation and restrictive conditions remain in effect without Board of Supervisors' confirmation for 90 days in order to allow more time for alternate means of preservation to be evaluated.

The Santa Barbara County Advisory Landmark Committee should evaluate the Historic Sites Inventory of the Conservation Element in order to determine which sites qualify for a County Historical Landmark designation, and should recommend that the Board of Supervisors approve such designations along with

appropriate restrictive conditions. When the County-wide Historical Sites Inventory for the State Department of Parks and Recreation has been completed, the Committee also should review this information and should recommend County Landmark designations for qualified sites and features.

Present environmental impact assessment procedures should be revised in order to require a detailed evaluation of direct and indirect impacts on any site or feature included in the County's Historic Sites Inventory and an analysis of alternate means for preservation by the County Advisory Landmark Committee.

Qualified property owners should be encouraged by the County Advisory Landmark Committee to enter into historical properties contracts with the County to ensure permanent preservation of historically or architecturally significant sites.

### **Archaeological Sites Recommendations**

The following recommendations are made with reference both to general urban expansion in the County and to development of specific project areas:

Once the most likely direction of urban growth has been determined from the Comprehensive Plan, those archaeological site areas most likely to be subjected to development should be systematically surveyed. Such surveys would provide information on the nature and location of sites that would be useful to planners and developers before modification begins.

For specific project areas, the following steps should be taken:

A systematic ground survey of the project area and alternative areas should be carried out by the archaeologist selected. Preliminary testing of sites within the designated construction area may be included.

A report should be submitted by the archaeologist to the planners and developers concerned with the project and to responsible government agencies. This report should include details on surface and sub-surface finds, evaluation of the area and the sites it may contain, and suggestions for further actions concerning archaeological resources.

The following list of recommendations presents suggested ways in which archaeological studies may be incorporated into corporate, private, and public projects. They are listed in descending order of preference (adapted from King, Moratto and Leonard n.d.):

Archaeological sites may be incorporated into parks or landscaped areas in such a way that no damage will be done to the archaeological materials. Areas with archaeological sites may also be designated as limited use areas where they can be protected from vandalism. For either of these first two alternatives, a preliminary survey and surface collection by a competent archaeologist must be carried out prior to any action. Buffer zones adjacent to these sites may be necessary, but the extent of such a zone must be determined for each site.

Outdoor museums are a feasible alternative to destruction when the nature of the archaeological remains is such that their careful excavation and preservation by professionals would prove attractive to the public. This alternative would be of value to the public relations of many private firms, and would serve to increase the awareness of the County's prehistory among both residents and tourists. A museum of this sort might consist of a simple tin roof and fence protecting ongoing or completed excavations and appropriate displays of artifacts. Painted Cave is an example of how this approach has been implemented in Santa Barbara County.

One method of preserving sites for future archaeological investigation is through the use of extensive land fill. If sites scheduled for possibly damaging use could be covered with sufficient clean fill to avoid damage, such sites would be preserved.

Salvage excavation is a last resort in the "preservation" of archaeological information. Such short notice excavations destroy relevant information which might be more effectively excavated with future improved archaeological methods and techniques. In salvage archaeology, it frequently is impossible to generate an adequate research design before excavation is commenced. Considering these factors, the loss of valuable information is inevitable. In addition, salvage operations are expensive undertakings. Consequently, every effort should be made to preserve, rather than excavate; endangered archaeological sites.

Other recommended approaches which might increase the protection and preservation of archaeological resources include:

Public purchase and protection of representative sites from each topographic class (King, Moratto and Leonard n.d. :15) .

Granting of tax relief to private owners protecting archaeological resources (King, Moratto, and Leonard n. d.:15). Protection should include no alteration of the ground surface of any archaeological site, and no surface or subsurface collecting by private owners or the public. If this approach is implemented, specific guidelines for private protection of sites can be obtained from archaeologists at the University of California, Santa Barbara.

Action by the County to preserve and protect known historic cemetery sites (less than 200 years old). Such a policy has been legislated by the State but initiative taken by County officials would ensure enforcement of the law.

Designation of high density archaeological resource areas as Historical Monuments. Applications for placing such areas on the National Register of Historic Places presently are pending in Santa Barbara County.

Development of public education programs which would include general information on the prehistory of Santa Barbara County, with emphasis on the importance of archaeological sites as a data base for further understanding of the aboriginal inhabitants. Such a program might decrease the rate at which

archaeological resources are destroyed by vandalism.

### **H.3 COMMUNITY PLANS- GOALS, POLICIES, AND DEVELOPMENT STANDARDS**

Several Community Plans contain goals, objectives, programs, actions, policies, and development standards relevant to the preservation of cultural resources. These include the community plans for Summerland, Eastern Goleta Valley, Goleta, Montecito, Los Alamos, Orcutt, Toro Canyon, Mission Canyon, Santa Ynez, and the Gaviota Coast.

Goals and objectives provide general and broad direction concerning the importance and treatment of cultural resources located within the plan area. Programs are activities that the County should conduct relative to cultural resources. Compliance with development actions, development standards, and policies must be demonstrated in order for a development project to be approved.

#### **H.3.1 Summerland Community Plan**

**Policy HA-S-1: Significant cultural, archaeological and historical resources in the Summerland area shall be protected and preserved.**

**Action HA-S-1.1:** Prior to issuance of a CDP or LUP, RMD shall determine whether the project site is located in either a known archaeological site or in an area with potential archaeological resources. This shall be determined by consulting the Summerland Archaeological Resources Map (Figure 29) as well as the DER staff archaeologist for any new archaeological survey results which would update Figure 29.

In the event that the site is located in an area which is likely to contain archaeological resources and there has not yet been a Phase I survey of the property, the applicant shall fund preparation of a Phase I survey to be prepared by an RMD-qualified archaeologist, unless this requirement is specifically waived by the RMD staff archaeologist (based upon his/her professional opinion that the Phase I is not needed to avoid archaeological resources). All recommendations of an archaeological report analysis including completion of additional archaeological analysis (Phase 2, Phase 3) and/or project redesign shall be implemented or incorporated into the proposed development prior to issuance of the CDP or LUP.

**Action HA-S-1.2:** Appropriate preservation and restoration/renovation measures shall be implemented to ensure that adverse impacts to significant historical resources are avoided except where they would preclude reasonable development on a parcel.

**Action HA-S-1.3:** All remodeling resulting in increased building size or demolition of designated Historic structures shall be reviewed by RMD for consistency with County Comprehensive Plan historic resource preservation policies.

**Action HA-S-1.4:** When funding is available, the County shall work with the Summerland Citizens Association and the County Landmarks Committee to develop and maintain a historic resource survey of the Summerland Planning area to provide the basis for future preservation efforts.

### H.3.2 Eastern Goleta Valley Community Plan

**GOAL #15.** THE HISTORIC AND ARCHEOLOGICAL FEATURES OF EASTERN GOLETA VALLEY ARE PRESERVED.

**OBJECTIVE HA-EGV-1:** Protect and preserve significant archaeological, historic built environment, and tribal cultural resources in the Eastern Goleta Valley.

**Policy HA-EGV-1.1:** Known and discovered significant historic, archeological, and tribal cultural resources shall be protected from immitigable disturbance or destruction.

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**DevStd HA-EGV-1A:** Any significant archaeological site and 50-foot buffer area shall be temporarily fenced with chain link or other structurally sound material in the event of proposed construction within 100 feet of a sensitive area.

**DevStd HA-EGV-1B:** A Phase 1 archaeological investigation and report shall be performed when identified as necessary by the Director of Planning and Development using the best available resources. The content, format, and length of the Phase 1 report shall be commensurate with the size of the project and the findings of the investigation. If it is not possible to avoid impacts to archaeological resources through project redesign, then the proponent shall fund a Phase 2 investigation and report to determine the significance of the resource prior to approval of any permit for development. All feasible recommendations resulting from the Phase 1 and, if required, Phase 2 investigation and report, including project redesign and/or additional archaeological analyses (Phase 3) shall be incorporated into any permit approved for development.

**Policy HA-EGV-1.2:** Development resulting in increased building size or demolition of buildings/structures included in the list of historic, or buildings/structures over 50 years of age and evaluated as important at the local, state or national level, shall be reviewed for consistency with historic resource preservation policies by P&D.

**DevStd HA-EGV-1C:** A Phase 1 and, if required, Phase 2 historic built environment investigation and report shall be performed when identified as necessary by the Director of Planning and Development. The investigation shall include areas of projects that could result in direct or indirect impacts to historic-age buildings, structures, or districts or could change the integrity of the setting for such resources on adjacent parcels. The content, format, and length of the Phase 1 and, if required, Phase 2 historic report shall be commensurate with the size of the project and the findings of the investigation. All feasible recommendations resulting from the Phase

1 and, if required, Phase 2 historic built environment investigation and report, including project redesign and/or recommended mitigation, shall be incorporated into any permit approved for development.

**DevStd HA-EGV-1D:** No permits shall be issued for any development or activity that would adversely affect integrity, including historic setting, of officially designated Historic Landmarks and Places of Historic Merit, historic resources eligible for the CRHR, or identified historic districts unless a professional evaluation of the proposal has been performed pursuant to the County's most current Regulations Governing Archaeological and Historical Projects. All such professional studies shall be reviewed and approved by Planning and Development and all feasible mitigation measures shall be incorporated into any permit approved for development.

**Policy HA-EGV-1.3:** To the greatest extent feasible, significant historic and/or cultural landscapes shall be preserved, including those emblematic of Native American tribes, early pioneers, ranch and agricultural operations, and the development of the community over the long term.

**Objective HA-EGV-2:** Protect and preserve significant tribal cultural resources in the Plan area.

**Policy HA-EGV-2.1:** Significant tribal cultural resources of concern to the Chumash Indians should be protected and preserved to the maximum extent feasible.

**Action HA-EGV-2A:** The County, Chumash representatives, and community should work together to ensure appropriate tribal access to significant tribal cultural resources while respecting the rights and privileges of private property owners.

### **H.3.3 Goleta Community Plan**

**Policy HA-GV-I:** Significant cultural, archaeological and historical resources in the Goleta area shall be protected and preserved to the maximum extent feasible.

**Program HA-GV-1.1:** The County shall work with local historical and/or architectural organizations to seek funding for a comprehensive historical architectural survey of the Goleta area. Significant resources shall be declared potentially eligible by the County Advisory Landmarks Committee for the National Register, the State Historic Inventory, and County Landmarks/place of Historical Merit. All such resources shall be evaluated according to County Regulations Governing Archeological and Historical Projects.

**Action HA-GV-1.2:** If avoidance of impacts or capping within an archaeological site is not feasible, the significance of the site shall be assessed pursuant to County Regulations Concerning Heritage Resource Studies. If the site is found to be significant, impacts to the archaeological site shall be

mitigated pursuant to County Regulations Governing Archeological and Historical Projects.

**DevStd HA-GV-1.3:** Any archaeological site and 50-foot buffer area shall be temporarily fenced with chain link or other structurally sound material in the event of proposed construction within 100 feet of a sensitive area.

**Program HA-GV-1.4:** The County shall consider developing a program for acquiring protective easements or purchase of development rights to maintain rural landscapes - clusters of farm houses, outbuildings, and plantings.

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**DevStd HA-GV-1.5:** In the event that archaeological or paleontological remains are uncovered during construction, excavation shall be temporarily suspended and redirected until the provisions of Public Resources Code section 5097.5, 5097.9 et seq. are satisfied.

**Action HA-GV-1.6:** All development within the boundaries of recorded archaeological sites shall be avoided to the maximum extent feasible by incorporating the site in open space. If avoidance is not possible, the site shall be covered with fill pursuant to County Regulations Concerning Heritage Resource Guidelines Studies. Residual impacts caused by the loss of scientific access to the site shall be mitigated pursuant to County Regulations Governing Archeological and Historical Projects.

**Program HA-GV-1.7:** When funding is available the County shall consider developing a historic overlay to protect potentially significant historic structures from impacts of demolition or construction. The County shall review all permit applications within the historic overlay district, determining the level of significance through a Phase II historical study performed by an architectural historian according to the County regulations governing heritage resource studies. The conclusions of the report shall be reviewed by the County Landmarks Advisory Committee for comments and findings of completeness.

**Policy HA-GV-2:** All development resulting in increased building size or demolition of structures included in the list of historic resources included above in the Goleta Community Plan shall be reviewed for consistency with historic resource preservation policies by RMD.

### **H.3.4 Montecito Community Plan**

**GOAL CR-M-1: Preserve And Protect Properties And Structures With Historic Importance In The Montecito Community To The Maximum Extent Feasible.**

**Policy CR-M-1.1:** The historic adobes of Montecito should be protected to the maximum extent feasible by incorporating their preservation into any plans for development of those parcels.

**Policy CR-M-1.2:**

Improvements to the Coral Casino recreation club shall be designed in a manner to protect and enhance the historic use and architectural integrity of the property. Any renovations or new development on this property shall be constructed at heights that do not exceed the height of existing structures.

**Action CR-M-1.2.1:** The County shall consider designating the Coral Casino as a historically important property under the proposed Historic Resource Preservation Ordinance.

**GOAL CR-M-2: Preserve And Protect Those Cultural Resources Deemed Of Special Significance To The Maximum Extent Feasible Without Interfering With The Rights Of The Property Owners.**

**Policy CR-M-2.1:** Significant cultural, archaeological, and historic resources in the Montecito area shall be protected and preserved to the extent feasible.

**Action CR-M-2.1.1:** The County shall develop and adopt a Historic Resource Preservation Ordinance that will apply to the demolition and remodeling of historically important properties in Montecito. The ordinance shall include appropriate preservation, restoration and renovation measures for properties 50 years of age or older which meet one or more of the following criteria:

1. Its location is a site of significant historic event.
2. Its identification with a person or persons who significantly contributed to the culture and development of the community.
3. Its exemplification of a particular architectural style or way of life important to the community.
4. Its exemplification of the best remaining architectural type in a neighborhood.
5. Its identification as the creation, design, or work of a person or persons whose effort has significantly influenced the heritage of the community.
6. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship.
7. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

**Action CR-M-2.1.2:** The County, in cooperation with local community groups such as the Montecito Association Historical. Committee, shall update the list of historically important sites in Montecito. This list shall be adopted by the Board of Supervisors as the list of properties to be protected under the Historic Resource Preservation Ordinance, when adopted.

**Development Standard CR-M-2.1.1:** Prior to the issuance of a Land Use or Coastal Development Permit, RMD shall determine whether the project site is located either in a known archaeological site or in an area with potential archaeological resources. This shall be determined

by consulting the Resource Management Department staff archaeologist for archaeological surveys of the area which would provide such information. In the event that the site is located in an area which is likely to contain archaeological resources and there has not yet been a Phase I survey of the property, the applicant shall fund preparation of a Phase I survey to be prepared by an RMD-qualified archaeologist, unless this requirement is specifically waived by the RMD staff archaeologist (based upon his/her professional opinion that the Phase I survey is not needed to avoid archaeological resources). All recommendations of an archaeological report analysis including completion of additional archaeological analysis (Phase 2, Phase 3) and/or project redesign shall be implemented or incorporated into the proposed development prior to issuance of a Land Use or Coastal Development Permit.

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### **H.3.5 Los Alamos Community Plan**

**GOAL HA-LA-1:** Preserve And Protect Those Cultural And Historic Resources Deemed Of Special Significance To The Maximum Extent Feasible.

**Policy HA-LA-1.1:** Promote historic tourism by identifying and preserving local historic resources.

**Policy HA-LA-1.2:** Significant cultural, archeological, and historic resources in the Los Alamos Planning Area shall be protected and preserved. Efforts to preserve and enhance historic structures shall be encouraged.

**Dev Std HA-LA-1.2.1:** New development shall preserve and or restore the character defining features of significant historic resources, in particular, the façade of significant historic structures visible from Bell Street, unless shown to be technically infeasible and precludes reasonable development. For structures that have been determined to be a significant historic resource, the project applicant shall retain a County-qualified architectural historian to collaborate in designing the proposed adaptive reuse of structures that are to be renovated to maximize the integration of new architectural elements with those historical character-defining features.

**Action HA-LA-1.2.2:** The County, in cooperation with the County Historical Landmarks Advisory Commission and property owners, shall evaluate existing historic resources within Los Alamos for potential listing as Historic Landmarks or Places of Historic Merit.

### **H.3.6 Orcutt Community Plan**

**Policy HA-O-1:** Archaeological and historic resources in the Orcutt Planning Area shall be protected and preserved to the maximum extent possible.

**DevStd HA-O-1.1:** Development on Key Sites that have not been surveyed by a County qualified archaeologist should be surveyed and mitigated in accordance with State and County archaeological and historic guidelines.

**Policy HA-O-2:** Structures of historic significance in Old Town Orcutt, as shown on Figure 38, shall be preserved unless this would prevent reasonable development of a property. If any of these structures are not designated as a historic structure by the County Landmarks Commission, it should be considered for such a designation as part of the Old Town Implementation Study.

**Action HA-O-2.1:** Where feasible, historic structures should be incorporated within development proposals.

**Action HA-O-2.2:** If significant impacts to historic resources in the rural areas of Orcutt cannot be feasibly mitigated onsite, the County should consider the appropriateness of offsite mitigation consisting of improvements to the character and integrity of structures in Old Town.

**Action HA-O-2.3:** In cooperation with private citizens, the County should establish a Historic District in Old Town Orcutt with the intent of protecting and restoring the community's most valuable historic homes through a combination of incentives and regulations, and maintaining and enhancing the overall historic character of Old Town. The boundaries of this district should be North A venue, Gray Street, Clark A venue, Highway 135, Pinal A venue, Dyer Street, Rice Ranch Road, and Marcum Street.

**Action HA-0-2.4:** As funding becomes available, the County shall consider adopting an ordinance or modifying Section 35-243.1 of Article III of the County Zoning Ordinance for Orcutt to prevent demolition of historically significant structures (see Figure 38) by neglect, and avoid demolition without examining alternative methods for preserving the resources including relocating structures. The ordinance should include incentives for the protection of historic structures such as encouraging uses consistent with the preservation of the building (e.g., bed and breakfast, museum, library).

**Action HA-0-2.5:** To encourage the preservation of historic resources, the County shall actively pursue potential funding from federal, state and local sources to provide monetary assistance for applicants undertaking preservation and renovation projects for historic structures.

### **H.3.7 Toro Canyon Community Plan**

**GOAL HA-TC:** Preserve and Protect Significant Cultural, Archaeological and Historical Resources in the Toro Canyon Plan Area to the Maximum Extent Feasible.

**Policy HA-TC-1:** Archaeological resources shall be protected and preserved to the maximum extent feasible.

**DevStd HA-TC-1.1:** A Phase 1 archaeological survey shall be performed when identified as necessary by a county archaeologist or contract archaeologist or if a county archaeological sensitivity map identifies the need for a study. The survey shall include areas of projects that would result in ground disturbances, except where legal ground disturbance has previously occurred. If the archaeologist performing the Phase I report, after conducting a site visit, determines that the likelihood of an archaeology site presence is extremely low, a short-form Phase I report may be submitted.

**DevStd HA-TC-1.2:** All feasible recommendations of an archaeological report analysis including completion of additional archaeological analysis (Phase 2, Phase 3) and/or project redesign shall be incorporated into any permit issued for development.

**Action HA-TC-1.3:** The Board should consider either funding creation of a sensitive archaeological resources map for the Toro Canyon Area or allocating funds for a full-time County archaeologist.

**DevStd HA-TC-1.4:** (*COASTAL*) The County shall consult with the Native American Heritage Commission, State Historic Preservation Officer, and the Most Likely Descendant during each stage of the cultural resources review to determine whether the project may have an adverse impact on an important cultural resource.

**Policy HA-TC-2:** (*NON-LCP*) Historic resources shall be protected and preserved to the maximum extent feasible.

**Action HA-TC-2.1:** (*NON-LCP*) The County Historic Landmarks Advisory Commission shall evaluate structures of historical significance in Toro Canyon.

**Action HA-TC-2.2:** (*NON-LCP*) To encourage the preservation of historic resources, the County shall pursue potential funding from federal, state and local sources to provide monetary assistance for applicants undertaking preservation and renovation projects for historic structures.

**DevStd HA-TC-2.3:** (*NON-LCP*) No permits shall be issued for any development or activity that would adversely affect the historic value of the properties listed in Table 13, unless a professional evaluation of the proposal has been performed pursuant to the County's most current Regulations Governing Archaeological and Historical Projects, reviewed and approved by Planning and Development and all feasible mitigation measures have been incorporated into the proposal.

**Action HA-TC-2.4:** (*NON-LCP*) The County shall work with Caltrans to place a sign along Highway 101 which recognizes the commemorative value of the historic memorial oak trees. The sign could be located near a cluster of the oaks in the median strip and could read, "Oaks planted in memory of WWI soldiers, 1928."

### **H.3.8 Mission Canyon Community Plan**

**GOAL HA-MC-1:** Preserve and protect historically significant landscapes, County Places of Historic Merit, County Historic Landmarks, and other cultural, archaeological, and historical resources in Mission Canyon.

**Policy HA-MC-1:** Archaeological resources shall be protected and preserved to the maximum extent feasible.

**DevStd HA-MC-1.1:** A Phase I archaeological survey shall be performed when identified as necessary by a County archaeologist or contract archaeologist using best available resources. The content, format, and length of the Phase I survey report shall be consistent with the size of the project and findings of the study. If archaeological remains are identified and cannot be avoided through project redesign, the applicant shall fund a Phase II study to determine the significance of the resource prior to issuance of any permit for development.

**DevStd HA-MC-1.2:** All proposed mitigation recommendations resulting from the Phase I or Phase II study, including completion of additional archaeological analyses (Phase III) and/or project redesign shall be incorporated into any permit issued for development to the extent feasible.

**Action HA-MC-1.3:** The County shall work with qualified archaeologists, historians, and private landowners to identify, survey, and map parcels that potentially contain portions or traces of the Mission Santa Barbara aqueduct. The County shall coordinate with the Historic Landmarks Advisory Commission to develop a program for protection of the aqueduct features. **Policy HA-MC-2:** Historical resources shall be protected and preserved to the maximum extent feasible.

**DevStd HA-MC-2.1:** No permits shall be issued for any development or activity that would adversely affect the integrity of officially designated County Historic Landmarks and Places of Historic Merit, historical resources eligible for the California Register of Historic Resources, or identified historical districts unless a professional evaluation of the proposal has been performed pursuant to the County's most current regulations governing archaeological and historical projects. All such professional studies shall be reviewed and approved by Planning and Development and all feasible mitigation measures shall be incorporated into any permit issued for development to the extent feasible.

**Action HA-MC-2.2:** The County and the community should work to identify structures and places that qualify for nomination to Place of Historical Merit or Landmark status and forward these requests to the Historic Landmarks Advisory Commission.

**Action HA-MC-2.3:** The County shall pursue funding from federal, state and local sources to conduct historic resources surveys of Mission Canyon with consultation from the Historic Landmarks Advisory Commission, and citizen resources such as the Mission Canyon Association, Pearl Chase Society, Santa Barbara Historical Society and other relevant entities.

**Action HA-MC-2.4:** The County shall consider adopting the State Mills Act program to offer property tax abatement incentives to qualified historical properties.

**Policy HA-MC-3:** Traditional cultural, historical, and spiritual sites of concern to the Chumash Indians shall be protected and preserved to the maximum extent feasible.

**Action HA-MC-3.1:** The County, Chumash representatives, and community should work together to ensure appropriate tribal access to traditional cultural, historical, and spiritual sites while still respecting the rights and privileges of private property owners.

### **H.3.9 Santa Ynez Valley Community Plan**

**GOAL HA-SYV:** Preserve and Protect Significant Cultural, Archaeological and Historical Resources in the Santa Ynez Valley Planning Area to the Maximum Extent Feasible.

**Policy HA-SYV-1:** Archaeological resources shall be protected and preserved to the maximum extent feasible.

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**DevStd HA-SYV-1.1:** A Phase 1 archaeological survey shall be performed when identified as necessary by a County archaeologist or contract archaeologist using the best available resources. The content, format, and length of the Phase 1 survey report shall be consistent with the size of the project and findings of the study.

**DevStd HA-SYV-1.2:** If archaeological remains are identified and cannot be avoided through project redesign, the proponent shall fund a Phase 2 study to determine the significance of the resource prior to issuance of any permit for development. All proposed mitigation recommendations resulting from the Phase 1 or Phase 2 study, including completion of additional archaeological analysis (Phase 3) and/or project redesign shall be incorporated into any permit issued for development.

**Policy HA-SYV-2:** Historic resources shall be protected and preserved to the maximum extent feasible.

**Action HA-SYV-2.1:** The County and the community should continue to work to identify structures and places that qualify for nomination to Landmark Status and forward these requests to the County Historical Landmarks Commission.

**Action HA-SYV-2.2:** To encourage the preservation of historic resources, the County shall pursue potential funding from federal, state and local sources to provide monetary assistance for applicants undertaking preservation and renovation projects for historic structures.

**DevStd HA-SYV-2.3:** No permits shall be issued for any development or activity that would adversely affect the integrity of officially designated Historic Landmarks and Structures of Merit, historical resources eligible for the CRHR, or identified historical districts unless a professional evaluation of the proposal has been performed pursuant to the County's most current Regulations Governing Archaeological and Historical Projects. All such professional studies shall be reviewed and approved by Planning and Development and all feasible mitigation measures shall be incorporated into any permit issued for development.

**Action HA-SYV-2.4:** Within five years of adoption of the final Plan, the County shall initiate an inventory of historical resources within the planning area. The Santa Ynez, Los Olivos, and Ballard townsites shall be evaluated to determine whether the core areas of these townsites qualify as historical districts, which resources contribute to the significance of any such districts, and where the boundaries of any such districts lie.

**Policy HA-SYV-3:** The County shall encourage and support measures to educate residents and visitors about the Valley's historical resources.

**Action HA-SYV-3.1:** The County and Valley residents should pursue a monument sign program to identify and educate the public about historic Valley sites and structures.

**Policy HA-SYV-4:** Traditional cultural, historical, and spiritual properties of concern to the Santa Ynez Tribal Elders Council should be protected and preserved to the maximum extent feasible.

**Action HA-SYV-4.1:** The County shall continue its government-to-government consultations with the Santa Ynez Reservation to ensure that traditional resources of concern to the Chumash are identified and taken into account in future development planning.

**Action HA-SYV-4.2:** The County shall ensure the confidentiality of traditional cultural, historical, and spiritual geographic locations.

**Action HA-SYV-4.3:** The County, Tribe, and community should work together to ensure appropriate tribal access to traditional cultural, historical, and spiritual properties while still respecting the rights and privileges of private property owners.

**DevStd HA-SYV-4.4:** Development of sidewalks, drainage structures, parking facilities, or the installation of underground utilities in Santa Ynez and Los Olivos shall be done in a manner that preserves the integrity of historical resources, as feasible. Plans for any such development shall be reviewed by the County Archaeologist or a designated historical consultant; Phase 1 surveys and Phase 2 testing and evaluation, if necessary, shall be completed prior to development, and measures to avoid, reduce, or mitigate adverse impacts shall be incorporated into project design.

#### **H.4 ZONING ORDINANCES DEVELOPMENT STANDARDS**

The zoning ordinances contain development standards in many respects similar to the Comprehensive Plan policies and development standards that require avoidance of significant cultural sites where possible, adequate mitigation where avoidance is not possible, and requiring consultation with Native Americans. Zoning Ordinances include the Land Use and Development Code, Article II Coastal Zoning Ordinance, and the Montecito Land Use and Development Code. Compliance with these standards is required in order for a development project to be approved.

##### **H.4.1 Land Use and Development Code Resource Protection Standards**

###### **35.60.040 - Archaeological Resources**

- A. Development proposed on a lot where archaeological or other cultural sites are located shall be designed to avoid impacts to the cultural sites if possible.
- B. When sufficient planning flexibility does not permit avoiding construction on an archaeological or other cultural site, adequate mitigation shall be required. Mitigation shall

be designed in compliance with the guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.

- C. Native Americans shall be consulted when development proposals are submitted that impact significant archaeological or cultural sites.
- D. All available measures, including purchase of the site, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological and other classes of cultural sites.

#### **H.4.2 Article II Coastal Zoning Ordinance Development Standards**

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##### **Section 35-65. Archaeology.**

- 1. When developments are proposed for lots where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.
- 2. When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.
- 3. Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.

#### **H.4.3 Montecito Land Use and Development Code Resource Protection Standards**

##### **35.450.030 - Archaeological Resources**

- A. Development proposed on a lot where archaeological or other cultural sites are located shall be designed to avoid impacts to the cultural sites if possible.
- B. When sufficient planning flexibility does not permit avoiding construction on an archaeological or other cultural site, adequate mitigation shall be required. Mitigation shall be designed in compliance with the guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.
- C. Native Americans shall be consulted when development proposals are submitted that impact significant archaeological or cultural sites.
- D. All available measures, including purchase of the site, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.