

**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Board of Supervisors

FROM: Glenn Russell, Ph.D., Director



DATE: October 15, 2009

RE: Santa Barbara Ranch Addendum for 10/20/09 Hearing

Attached is the Addendum for the Santa Barbara Ranch project scheduled for consideration the Board of Supervisors hearing on October 20, 2009. This was inadvertently left out of the Board Agenda Report attachments.

TO: Decision-Makers

FROM: Dianne Black, Director of Development Services
Planning and Development
Staff Contact: Tom Figg, Project Manager



DATE: October 5, 2009

RE: CEQA Determination: Finding that CEQA Section 15164 (Addendum) applies to the Santa Barbara Ranch Project (Case No. 04EIR-00000-00014). CEQA Section 15164 allows an addendum to be prepared when only minor technical changes or changes which do not create new significant impacts would result. The Final Environmental Impact Report (State Clearinghouse No. 2005011049), prepared for the Santa Barbara Ranch Project, is hereby amended by this 15164 letter for the proposed rescission of Ordinance No. 4694, in whole or part.

Location:

The Santa Barbara Ranch Project ("Project"), as revised by Alternative 1B, entails a broad array of legislative and quasi-judicial land use approvals that collectively allow the development of 71 new residential dwellings, equestrian center, agricultural support facilities, a worker duplex, public amenities (including access road, parking and restroom, and coastal access trails), and creation of conservation easements for permanent protection of open space and agriculture. The Project site encompasses the Santa Barbara Ranch and the Dos Pueblos Ranch, together totaling 3,254 acres and 85% of the lots comprising the Official Map of the Town Of Naples (Naples Townsite). The two ranches are zoned for AG-II-100 (Coastal Zone) and Unlimited Agriculture (non-Coastal Zone), and are located two miles west of the City of Goleta, AP Nos. 079-040-005 to 081-240-018, Third Supervisorial District.

Background:

The County of Santa Barbara (the "County") prepared a Revised Draft and a Final Environmental Impact Report for the Project (collectively, the "EIR"). A full and complete Project description appears in Section 2.0 of the Final EIR, identified as State Clearinghouse No. 2005011049 ("FEIR"). The FEIR addresses the potential environmental effects associated with the Project, as well as with various Project Alternatives. Findings and a Statement of Overriding Considerations were adopted by the County Board of Supervisors (the "Findings") in accordance with the California Environmental Quality Act ("CEQA") (Public Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., Title 14, § 15000 et seq.). The Findings provide the written analysis and conclusions regarding environmental impacts, mitigation measures, other alternatives to the Project, and the overriding considerations, which justify the approval of Alternative 1B despite its significant unavoidable environmental effects. The Project, FEIR and Findings were approved by the Board of Supervisors on October 21, 2008.

As part of the Project approvals, Ordinance No. 4694 conditionally adopted separate Development Agreements for inland and coastal portions of Santa Barbara Ranch (“SBR”). Ordinance No. 4694 also granted the owners of Dos Pueblos Ranch the right to apply for a Development Agreement covering those portions of the Project that pertain to Dos Pueblos Ranch subject to, and contingent upon, the owner’s commitment to participate in various actions connected to the SBR Development Agreements. The Development Agreements provide for a vesting of Project approvals for a specified time period, “freezing” the rules, regulations, and policies that are applicable to the Project as they exist at the time of approval. In exchange for this privilege, the Project proponent must: (i) institute restoration of Dos Pueblos Creek with a minimum contribution of \$400,000 (contingent upon resolution of CDFG claims); (ii) provide affordable housing through in-lieu payments or equivalent measures above and beyond those that can be imposed by adopted policy; (iii) provide a Cultural Resources Easement (contingent upon reaching agreement with Native American representatives); (iv) dedicate coastal trail spurs to allow for potential interconnections on both sides of Hwy 101; and (v) provide habitat enhancement on the coastal terrace of SBR above and beyond that which is required under the Final EIR.

A revision is now proposed to the Project (“Project Revision”) consisting of rescinding Ordinance No. 4694. Such action would void Development Agreements previously granted to the applicant and/or nullify all rights previously granted to the owners of Dos Pueblos Ranch with regard to applying and receiving approval for a separate Development Agreement. In addition, this revision would eliminate all benefits to the County that were agreed to by the applicant and described in the preceding paragraph. On the basis of evidence hereinafter listed below, the Project Revision entails changes in the Project description that are inconsequential, do not entail new environmental effects not previously considered, and do not increase any environmental effects previously identified in the FEIR. Therefore the proposed project revision, described above in Section 4, would not trigger Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act (“CEQA”) so as to require preparation of either a Subsequent or Supplemental EIR:

- a. The Development Agreements are included as part of the Project description forth in the FEIR and Findings. The Project Revision would not change the existing environmental baseline condition insofar as it would reduce, not increase, the overall Project scope.
- b. Loss of the benefits to the County would not result in any adverse environmental effects because no benefits were ever accrued by the County and thus, there would be no change to the existing environmental conditions.
- c. The foregone benefits entail environmental enhancements that go above and beyond that which is required under the FEIR; thus, their forfeiture would not compromise adopted mitigation measures or related findings.
- d. Because the change to the Project would have no changes to the existing environmental conditions, the environmental impacts associated with the Project remain unchanged from those addressed in the FEIR.

Findings:

It is the finding of the Planning and Development Department that the previous environmental document as herein amended may be used to fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15164, preparation of a new EIR or ND is not required.

Discretionary processing of the Santa Barbara Ranch Project (and Project Revision) may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.