

SANTA BARBARA COUNTY PLANNING COMMISSION
Coastal Zone and Inland Staff Report for the Las Varas Ranch Project

Hearing Date: July 30, 2014

Staff Report Date: July 10, 2014

**Case Nos.: 05TPM-00000-00002, 05LLA-00000-00005,
05LLA-00000-00006, 07RZN-00000-00006,
07RZN-00000-00007, 07CUP-00000-00057,
11COC-00000-00001, 11CDP-00000-00078**

Environmental Document: 10EIR-00000-00005

Deputy Director: Alice McCurdy

Division: Development Review

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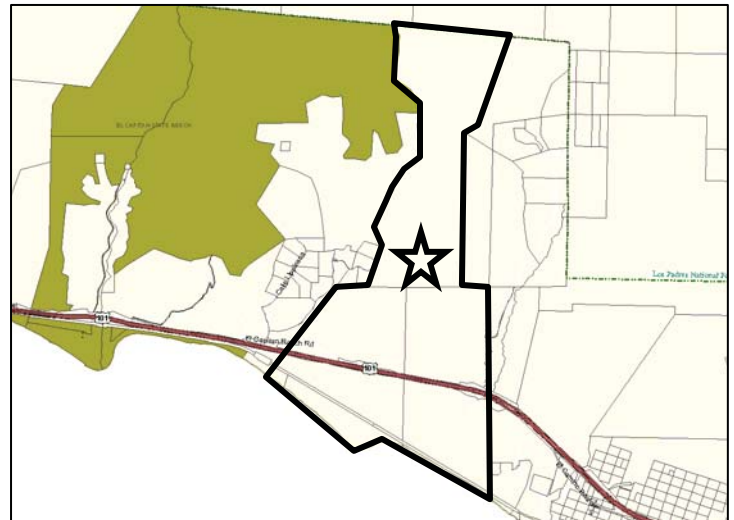
Planner's Phone #: 884-6844

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The project site encompasses 1,784 total acres identified as APNs 079-080-001, -002, -009, -012, -013, -014, -022, and 081-240-003 and -014 and is located on both sides of Highway 101 one mile east of El Capitan State Beach at 10045 Calle Real in the Gaviota area. 3rd Supervisorial

Application Complete: April 9, 2008

Processing Deadline: 180 days from certification of EIR

1.0 REQUEST

Hearing on the request of Susan Petrovich, agent for the applicant to consider Case Nos. 05TPM-00000-00002, 05LLA-00000-00005, 05LLA-00000-00006 [applications filed on February 28, 2005], 07RZN-00000-00006 [application filed on May 8, 2007], 07RZN-00000-00007 [application filed on May 22, 2007], 07CUP-00000-00057 [application filed on July 19, 2007], 11COC-00000-00001 [application filed on December 2, 2011], and 11CDP-00000-00078 [application filed on December 6, 2011] for:

1. Approval of two rezones of approximately 1,238 acres from Unlimited Agriculture (U) under Ordinance 661 to AG-II-100 in compliance with Section 35.104 of the County Land Use and Development Code;
2. Approval of a Tentative Parcel Map in compliance with County Code Chapter 21 to divide 404 acres into 3 lots of 100 acres, 147 acres and 157 acres, on property zoned AG-II-100;

3. Approval of a Conditional Certificate of Compliance to legalize the creation of a 94-acre lot, in compliance with Section 66499.35 of the State Subdivision Map Act, in an area zoned AG-II-100;
4. Approval of a Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21, to adjust lines between 3 lots of 8 acres, 11 acres and 94 acres to reconfigure into 2 lots of 55 and 58 acres, on property located in the AG-II-100 Zone;
5. Approval of a Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21, to adjust lines between 4 lots of 740 acres, 281 acres, 242 acres, and 1 acre to reconfigure into 2 lots of 1,115 acres and 150 acres, on property located in the AG-II-100 Zone;
6. Approval of a Conditional Use Permit to allow installation of a private shared water system in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance and Section 35.82.060 of the County Land Use and Development Code, on property zoned AG-II-100; and
7. Approval of a Coastal Development Permit to allow installation of a private shared water system in the coastal zone in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance on property zoned AG-II-100;

And to certify the Environmental Impact Report (10EIR-00000-00005) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant and unavoidable effects on Biological Resources are anticipated; significant but mitigable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, Agricultural Resources, Biological Resources, Cultural Resources, Fire Protection, Geologic Processes, Hazardous Materials, Land Use, Recreation, Transportation/Circulation, and Water Resources.

The EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara. The EIR is available for review on P&D's website at <http://www.sbcountyplanning.org/projects/05TPM-00002/index.cfm>. The EIR is also available for review at the Central Branch of the City of Santa Barbara Library, 40 E. Anapamu St., Santa Barbara.

The applications involve APNs 079-080-001, -002, -009, -012, -013, -014, -022, and 081-240-003 and -014 (total of 1,784 acres) located at 10045 Calle Real in the Gaviota area, 3rd Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and recommend conditional approval of Case Nos. 05TPM-00000-00002, 05LLA-00000-00006, 05LLA-00000-00005, 07RZN-00000-00007, 07RZN-00000-00006, 07CUP-00000-00057, 11COC-00000-00001, and 11CDP-00000-00078 marked "Officially Accepted, County of Santa Barbara July 30, 2014 County Planning Commission Attachments A-F", based upon the project's consistency with the Comprehensive Plan, including the Coastal Land Use Plan, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for the project specified in Attachment A of this staff report, including CEQA findings.
2. Recommend that the Board of Supervisors certify the Environmental Impact Report (10EIR-00000-00005) and adopt the mitigation monitoring program contained in the conditions of approval.
3. Adopt a Resolution (Attachment D) and recommend that the Board of Supervisors approve an amendment to the zoning map for the subject parcels from Unlimited Agriculture under Ordinance 661 to AG-II-100 (draft ordinance amendment included as Attachment D);
4. Recommend that the Board of Supervisors approve a modified project (Case Nos. 05TPM-00000-00002, 11COC-00000-00001, 05LLA-00000-00006, 05LLA-00000-00005, 07RZN-00000-00007, 07RZN-00000-00006, 07CUP-00000-00057, and 11CDP-00000-00078), subject to the conditions included as Attachment B.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project is being considered by the County Planning Commission based on Chapter 21 Section 21-6 which states that the County Planning Commission is the decision maker for Tentative Parcel Maps that are not exempt from environmental review and for Lot Line Adjustments that exceed a 10% increase or decrease in the area of the smallest existing parcel. Section 35-180.4 of Article II and Section 35.80.020 of the County Land Use and Development Code state that the County Planning Commission reviews rezones and provides a recommendation to the County Board of Supervisors who are the final decision makers. Section 35-172.3 of Article II states that the Zoning Administrator has jurisdiction for all Minor Conditional Use Permits. However, when multiple applications are being considered together, they are heard by the highest decision making authority, which in this case is the County Board of Supervisors.

4.0 ISSUE SUMMARY

The following summary highlights some of the key issues associated with this project, including in regards to the project scope, public access and trail easements, environmental review, agricultural preservation, and staff recommendations. Brief summary statements are provided in *italics* at the beginning of each subsection to assist in review of the issues.

Parcel Configuration

The project would reconfigure the 1,784-acre ranch from nine (seven residentially developable) to seven parcels, with one additional parcel south of U.S. Highway 101.

The proposed project largely involves a reconfiguration of existing parcels within Las Varas Ranch, as well as the identification of residential development envelopes within each newly configured lot in order to confine future residential development. No residential development is currently proposed, though infrastructure including development of a private shared water system and access road improvements would be constructed as part of the current proposed project. The entire ranch is composed of 10 parcels totaling approximately 1,802 acres. One of the existing lots located immediately north of the highway at the western boundary of the ranch, totaling 18.26 acres, is not included as part of the project, so the project includes the reconfiguration of nine of the lots through a combination of mergers, lot line adjustments and one subdivision. Of the nine lots included in the project, seven have Certificates of Compliance.

One lot, the 94-acre middle lot in between the railroad and Pacific Ocean, was illegally created in 1960 by a previous owner and does not currently have a Certificate of Compliance. The applicant is requesting a Conditional Certificate of Compliance (CCOC) as part of this project to legalize this lot. The Planning Commission must approve this CCOC, consistent with State direction to approve COCs. Approval of the CCOC is necessary to facilitate the creation of Parcels 1 and 2. A small 1.27-acre lot north of the highway does not have a Certificate of Compliance, but is proposed to be merged with proposed Parcel 6 so its current legal status is irrelevant. The end result is a total of seven lots, two north of the highway and five south of the highway. Therefore, the overall number of lots would decrease by two and the number of developable lots would be unchanged as a result of this project. However, the project does have the effect of shifting one developable lot from the north side of the highway to the south side of the highway.

Proposed Dedication of Trail Easements

The project offers a public parking lot and approximately four miles of vertical and horizontal access easements, including a proposed lateral trail easement that would serve as a segment of the California Coastal Trail. Plans for the California Coastal Trail have been developing for over forty years. Provisions for the Coastal Trail onsite have been a major issue for the Las Varas Ranch project.

In addition to the parcel reconfiguration, the project includes three easements to be dedicated to the County for public access, including: 1) a public parking area and an interrupted vertical trail easement along Las Varas Creek that would provide public access from the highway to the beach along an unpaved trail of approximately 0.75 miles in length (completion of the trail and access to the beach would require the County to obtain an access easement from the Union Pacific Railroad (UPRR) through the existing culvert that separates the ranch property from the beach); 2) a continuous lateral shoreline easement along the sandy beach above the mean high tide line to the base of the bluff along the entire southern boundary of the property (nearly two miles in length); and 3) a continuous lateral easement along the north side of the highway that could serve as a segment of the California Coastal Trail.

The California Coastal Trail is a state-designated non-motorized trail system that is envisioned to link coastal communities along the entire length of California. It is intended to provide a continuous network of trails and pathways that will extend 1,200 miles along the coast from Oregon to Mexico. The California Coastal Trail derives originally from Proposition 20. Approved by voters and enacted into law in 1972, Proposition 20 laid the groundwork for establishment of the California Coastal Commission and the Coastal Act. It also mandated preparation of the California Coastal Plan (1975) and submission of the Plan to the State legislature for adoption. Policy 145 of the Plan provides that “a hiking, bicycle, and equestrian trails system shall be established along or near the coast” and that “ideally the trails system should be continuous and located near the shoreline.” Policy 145 also states that the trail is to be established “consistent with the protection of agriculture, fragile natural resources, coastal-dependent developments, and land-owners’ property rights.” The policy goes on to state that “it may be necessary for some trail segments to be away from the oceanfront area to meet the objective of a continuous system.” The Coastal Act of 1976, which superseded the California Coastal Plan as the legal framework governing the coastal zone, required local jurisdictions to identify an alignment for the California Coastal Trail in their Local Coastal Programs (LCPs). In the County’s LCP, the Board-adopted Parks, Recreation and Trails (PRT) Map depicts a trail following the shoreline along the Gaviota Coast from just west of the City of Goleta to beyond Gaviota State Park and along Hollister Ranch, though the scale of the map is coarse and represents a general trail corridor rather than a specific alignment.

In 2001, State Senate Bill 908 (Chesbro) provided funding for the California Coastal Conservancy to develop an implementation plan for this trail, which will ultimately require the participation of private landowners to provide trail easements through their properties in order to construct the trail. Six objectives of the California Coastal Trail have been articulated, including among them: 1) providing a continuous trail as close to the ocean as possible with connections to the shoreline at appropriate intervals; and 2) assuring that the location and design are consistent with the California Coastal Act and Local Coastal Program and respectful of the rights of private landowners.

The easements offered as part of the proposed project would expand the network of recreational opportunities on the Gaviota Coast by providing dedicated public trail segments and opportunities for connections with other existing recreational facilities nearby. However, numerous comments on the Draft EIR and Recirculated Draft EIR by members of the public and interested parties, along with comments submitted to your Commission at your original hearings on this project in January/February 2012, expressed concern that the proposed lateral trail easement would not meet the intent of the California Coastal Trail. Specifically, the proposed lateral easement is located north of the highway at a significant distance from the shoreline, and it lacks any connection with the vertical beach access trail on the south side of the highway. The trail advocates assert that the lateral trail easement should be sited south of the highway and as close to the shoreline as possible (i.e. bluff-top or near-shore trail) in order to be consistent with the Board-adopted PRT Map and goals and objectives of the California Coastal Trail. This position is shared by the Board-appointed County Riding and Hiking Trails Advisory Committee (CRAHTAC). Additionally, the EIR identifies significant concerns with public safety hazards

created by the separation between the vertical trail easement and lateral trail easement and the need for trail users to cross the highway in order to make the trail connection. In a recent meeting between P&D staff and representatives of the Santa Barbara Trails Council and Gaviota Coast Conservancy, the representatives reiterated their strong interest in establishment of the bluff-top trail, along with minimizing development on the bluffs and permanently preserving development options for the site through establishment of an agricultural conservation easement. They made clear how important they consider Las Varas Ranch to be in the context of the Gaviota Coast and the long-term goals for developing the California Coastal Trail along the Gaviota Coast and improving public access. They indicated a willingness to allow for greater density elsewhere within the ranch, namely north of the highway, as a tradeoff for establishing the bluff-top trail and preserving the bluffs. However, the applicant continues to express no interest in a bluff-top trail, even if it were to mean the potential for additional development elsewhere within the ranch.

Prior Review and Recirculated Draft EIR

As directed by the Board of Supervisors for their consideration of the trails issue, the EIR was revised to evaluate additional trail alignments and their impacts on various resources, including agriculture. The impacts of the trail use on agricultural operations within the ranch have been the subject of disagreement between experts, as well as disagreement between the trails community and project applicant. The trails community contends that the EIR overstates the impacts of the bluff-top trail on the cattle operation, while the applicant contends that the EIR understates the impacts.

As referenced above, staff brought this project to the Planning Commission originally in January/February 2012 for consideration. After two hearings, with significant discussion regarding the proposed trail elements of the project, your Commission voted to request that the Board of Supervisors determine whether the burden imposed by the project applications warrants exaction of a coastal trail alignment south of Highway 101. The Planning Commission requested that if the Board were to determine that an exaction is warranted, the Board should direct staff to prepare additional environmental review of potential trail alignments, recirculate the document as necessary, and return to the Planning Commission for a full recommendation on the project applications. Consistent with this request, the project was presented to the Board of Supervisors on April 17, 2012 for direction. At the hearing, the Board concluded that additional environmental review of potential trail alignment alternatives was required before a determination could be made regarding the appropriateness of an exaction of an alternative coastal trail. The Board directed staff to conduct the additional environmental review and return to the Planning Commission for consideration, deferring any determination as to whether a trail exaction is warranted. Pursuant to this direction, staff prepared a Recirculated Draft EIR that included an analysis of two trail alternatives as well as revisions to other sections of the document as directed. The Recirculated Draft EIR was released for public review and comment on December 5, 2013, with the comment period ending on February 3, 2014.

The two trail alternatives analyzed in the Recirculated Draft EIR include a bluff-top trail alignment suggested by members of the trails community and a trail alternative that follows the existing ranch road immediately south of the highway for the eastern half of the property and

then connects to the north side of the highway using the existing Gato Creek undercrossing, where it continues along the old Calle Real route to the western property line. This latter alternative was suggested by the applicant for further analysis (since it had been previously considered but rejected in the original Draft EIR), indicating that it was something they could potentially accept as a compromise as they considered it less impactful to the agricultural operation than the bluff-top trail.

The Recirculated Draft EIR concluded that both trail alternatives would be more impactful to agricultural resources and biological resources than the proposed trail, but would also result in greater recreational benefits as compared to the trail proposed as part of the project. In the case of the bluff-top trail alternative, it would also result in potentially greater impacts on cultural resources and visual resources as compared to the proposed project, with the visual impacts stemming from required pedestrian bridges over the railroad tracks. For all resource areas, impacts of the two trail alternatives are considered significant but mitigable.

There is significant disagreement between the EIR preparers, the applicant, and members of the trails community in regards to the impacts of the bluff-top trail alternative on the existing cattle operation. The EIR concludes that the eastern half of the trail, where it follows along the edge of heifer calving and weaning pastures, would result in a significant impact that could only be mitigated by seasonal closure of the eastern half of the trail during the calving season due to the sensitivity of young cows to potential disturbances that could occur from trail users and their dogs. A vegetative screening of 20 feet or more in width was considered adequate to reduce stress induced by the sight of trail users on the cattle, but would not successfully reduce impacts from noise by trail users and their dogs. The rest of the trail where it would follow along pastures used by older cow/calves and bulls would have fewer impacts as these cows are less susceptible to disturbance from trail users (see Section 6.10.2 of the FEIR). The EIR also concludes that future residential development within the ranch would have insignificant impacts on the cattle operation since the residential development envelopes are sited away from portions of the ranch used for heifer weaning and calving. The EIR conclusions are based on objective analysis by Orrin Sage, an agricultural consultant with significant experience with these issues.

The applicant insists that the EIR understates the impacts of the bluff-top trail on the cattle operation, contending that the trail would render numerous acres of pastureland unusable and that trail users (and their dogs) could add significant stress to the older cows as well along the entire length of the trail. On the other hand, the trails community contends that the EIR grossly overstates the impacts of the trail on the cattle operation and understates the impacts of future residential development. They continue to point to other examples around the state where trails traverse grazing lands with no apparent impact on the cattle grazing operations, and have submitted various forms of evidence to support their position. Most recently, the Santa Barbara County Trails Council submitted a letter report from Dr. Neil Havlik, who has significant experience as a natural resource manager involving public lands where cattle grazing and public trails interface. Based on his experience managing public lands with grazing leases, Dr. Havlik found potential conflicts between trail users and livestock to be minor and relatively uncommon. He believes that the impacts from the bluff-top trail on the heifer calving and weaning elements of the cattle operation at Las Varas Ranch could be adequately mitigated by a well planted 30-40

foot wide buffer composed of native coastal sage scrub vegetation and that a seasonal trail closure is not necessary.

Thus, there is disagreement among experts as to the impacts of the bluff-top trail on the cattle operation. Your Commission has the discretion to come to a different conclusion than the EIR based on substantial evidence.

Trail Recommendation

Based on the EIR analysis and a consideration of applicable State and County recreation policies, the Alternative 4A lateral trail alignment is recommended for approval as part of the project.

While one key goal of the California Coastal Trail is to establish a trail as close to the coastline as possible, another key goal is “to provide a continuous trail.” As discussed in the Coastal Conservancy’s report entitled “Completing the California Coastal Trail” prepared in 2003, the Coastal Trail is envisioned to be a braided trail with varying segments, rather than a single uniform alignment. Locating the trail on the north side of the highway, while more distant from the ocean, provides expansive views of the ocean and creates a connection to an existing segment of the Coastal Trail located north of the highway and to the west of the project site between Las Varas Ranch and El Capitan State Park. This linkage would establish a nearly six mile continuous segment between Las Varas Ranch and Refugio State Beach. However, the trail entirely north of the highway would not be as close to the shoreline as possible, would not satisfy the goal of providing connections with vertical beach access trails, and would present a potential public safety hazard as discussed above.

Another concern with the proposed trail north of the highway is that the applicant has indicated that its construction would be contingent upon the placement of a pedestrian bridge over the existing underpass used by cattle to cross under U.S. Highway 101 at Gato Creek. As the applicant is not proposing to fund or construct these improvements, there is a concern that the establishment of this trail could be delayed well into the future.

For these reasons, P&D staff is recommending that an alternative trail alignment corresponding to the alignment analyzed as Alternative 4A of the EIR be approved instead of the lateral trail proposed as part of the project. While the bluff-top trail analyzed under Alternative 4B would be highly preferable from a recreational standpoint and would be consistent with the preferred Coastal Trail alignment included in the Draft Gaviota Coast Plan, the applicant has repeatedly indicated an unwillingness to grant an easement for a bluff-top trail.

While the Alternative 4A alignment does not offer the same recreational benefits as a bluff-top trail in terms of proximity to the shoreline and views of the ocean, it would be a significant improvement over the applicant- proposed lateral trail alignment as it would provide a critical connection between the lateral coastal trail and the proposed vertical beach access trail and public parking lot. It could also potentially be designed to accommodate cyclists, something that the bluff-top trail would not accommodate (except potentially mountain bikes). In addition,

relative to the proposed lateral trail alignment, it would obviate the need to construct a pedestrian bridge over the existing Gato Creek underpass, while still having the benefit of providing a connection to an existing segment of the Coastal Trail west of the project site. Further, this alternative would bring the trail closer to the coastline than the applicant's proposal, more in keeping with the goals and policies in siting the California Coastal Trail. At the same time, this alternative would have fewer impacts on the existing cattle operation, as compared to the bluff-top trail alternative, in that it would not remove any pasture areas from grazing and would not bring trail users in close proximity to heifer weaning and calving areas. Conflicts with the agricultural operation that would result from the Alternative 4A trail alignment could be resolved through appropriate fencing, a self-closing gate system (or functionally similar alternative) at the undercrossing, and relocation of an existing water trough to move it further from the ranch road and trail alignment. Lastly, the applicant has indicated a preliminary willingness to offer to dedicate an easement along the Alternative 4A alignment.

Since the applicant is not willing to offer a bluff-top trail as part of the project, if your Commission wanted to require a bluff-top trail, your Commission would need to determine that there is a sufficient nexus between the burdens imposed by the development and the exaction to exact such a trail alignment.

In regards to the vertical beach access trail easement being offered by the applicant, establishment of this trail requires obtaining an access easement from UPRR and constructing a raised walkway within the culvert underneath the railroad tracks in order to provide safe public access outside of the flow line of Las Varas Creek. As the applicant is not proposing to fund or construct this improvement or to obtain the railroad easement on behalf of the County, there is a concern that the establishment of the trail will be delayed well into the future. However, as the proposed vertical trail easement would overcome a significant obstacle in establishing the only beach access proposed between the Bacara Resort and El Capitan State Beach, improvements required to open the trail would likely be a priority for the County and other groups that support coastal access. As such, construction of the trail would be an appropriate project for funding through coastal access grants, the County's Coastal Resource Enhancement Fund, or use of accumulated park fees. Costs would likely be between approximately \$100,000 and \$250,000. The landowner currently has crossing rights through the culvert that allow access under the railroad. In addition to the easement from the railroad, formal authorization from the California Public Utilities Commission (CPUC) is also required before the trail can be opened to the public, as the CPUC has jurisdiction over the safety of highway and rail crossings. In discussions with CPUC staff, they indicated support for approval of the formal access as it would provide an alternative to the informal access across the tracks that currently exists and which presents a significantly greater public safety hazard. CPUC staff also indicated that they would expect that UPRR would similarly be incentivized to grant an access easement to the County in order to establish formal access under the tracks and reduce the public's unauthorized use of the railroad tracks for accessing Edwards Point. However, the County has been unable to obtain any confirmation from UPRR staff regarding the likelihood of this easement.

Lastly, in regards to the proposed lateral access easement along the sandy beach above the mean high tide line being offered by the applicant, pursuant to Policy 7-3 of the Coastal Land Use

Plan, staff recommends a minor reconfiguration of the easement in the area of Edwards Point in order to ensure policy consistency. Specifically, since the bluffs recede in the area of Edwards Point, staff recommends that the easement be expanded to allow the public access behind the small knoll that forms Edwards Point to allow for lateral access around the point during periods of high tide, consistent with the policy.

Agricultural Viability and Agricultural Conservation Easement

An agricultural conservation easement is recommended for approval as part of the project to provide additional long term protection to the agricultural operations on Las Varas Ranch in order to ensure consistency with applicable State and County agricultural protection policies.

The ranch consists of 1,802 acres, 1,784 acres of which are included as part of the project. Existing agricultural uses within the project site include cattle ranching and avocado and lemon orchards. Despite the existing parcel lines, the ranch has been managed as a single agricultural operation since 1967, when the current owner purchased the ranch, with established farming practices, cattle fencing, access roads, and annual grazing patterns covering much of the ranch. Approximately 649 acres of rangeland within the ranch support an existing cattle grazing operation consisting of approximately 60 cow-calf pairs, 10 replacement heifers, four bulls, and seven horses. Approximately 198 acres of lemons and avocados are currently in active production, with the largest acreage located north of the highway. There are no lands within the project boundaries that are under Williamson Act contracts.

Based on the EIR analysis, the proposed project, including CC&Rs requiring continued cooperative management of the ranch, would not significantly impact the potential agricultural suitability and productivity of the ranch. In other words, the ranch as a whole and five of the proposed parcels would remain commercially viable, which is similar to the existing condition. Similarly, the Rangeland Assessment prepared as part of the EIR concluded that the proposed project would not significantly impair the viability of the existing cattle grazing operation. Mitigation measures have been identified to ensure that impacts on agricultural resources are reduced to less than significant levels.

Public comments on the EIR expressed concern with the impacts of the lot reconfiguration and future residential development on the ongoing agricultural viability of the ranch, particularly with regard to the increased development potential south of the highway and the potential for future wealthy landowners to disengage from agriculture or have the agricultural operation become subordinate to residential use of the parcels. Commenters also expressed dissatisfaction with a reliance on CC&Rs for ensuring the continued use of the ranch for agriculture. In response to comments, the applicant inserted a provision that would ensure the CC&Rs remain in effect and unchanged for a minimum of 50 years, which provides for a certain level of assurance that the ranch would remain devoted to agricultural production and ranching for multiple generations.

In addition to the CC&Rs, the identification and establishment of residential development envelopes would ensure that non-agricultural development and uses within the ranch are

confined to no more than two acres within each parcel. This envelope restriction is consistent with the provisions of the County's Agricultural Preserve Program and is indicative of the County's determination that a limited amount of residential development and use can be compatible with an agricultural operation. These envelopes could be modified or expanded in the future through a Recorded Map Modification, though any such application would necessitate further review and approval by the County decision makers.

There are numerous policies regarding the preservation and protection of agricultural land, including California Coastal Act policies, and policies of the Coastal Land Use Plan and County Agricultural Element. These include policies adopted to prevent the conversion of agricultural land to non-agricultural uses, maintain the maximum amount of prime agricultural land in agricultural production, and ensure that divisions of land do not diminish the long-term agricultural productivity of the property (see Section 6.2 below for further discussion). For example, Coastal Land Use Plan Policy 8-4 requires the County, as a requirement for approval of any proposed land division of agricultural land, to make a finding that the long-term agricultural productivity of the property will not be diminished by the proposed division.

While no development is currently proposed and the overall number of legal developable lots would not change as part of this project, the project would increase the number of developable lots south of the highway. The land division would create one new legal parcel in between the highway and railroad and the Lot Line Adjustment would increase the developability of the westernmost bluff-top parcel in between the railroad and Pacific Ocean. In consideration of policies protecting agriculture and given the scope of the proposed project, staff has included a condition requiring an agricultural conservation easement be recorded for the areas of the ranch outside of the proposed residential development envelopes, access roads/driveways, and other non-agricultural facilities (e.g. water treatment facility). While an easement would not require that the property remain in productive agriculture, it would provide greater assurance that future residential development within the ranch would not diminish the long-term agricultural productivity of the property by preventing future conversions of agricultural land within the ranch and ensuring that the majority of the ranch remains available for agricultural use. An easement would provide an added level of protection for the agricultural activities on the ranch, above and beyond the benefits provided by the CC&Rs and identification of residential development envelopes. It would also make more difficult the potential for further land divisions in the future, such as further division of proposed Parcel 6, or creation of a fourth parcel in between the highway and railroad through a combination of a Lot Line Adjustment and Tentative Parcel Map. An easement would fix the development envelopes such that future Recorded Map Modifications would not be possible. An easement could also potentially enhance the likelihood that future landowners purchase a parcel with intentions of continued agricultural use, as they would be fully aware of the commitment to maintaining most of the ranch for potential agricultural uses. Thus, the agricultural conservation easement would ensure greater consistency with applicable policies and enhance the ability of the County decision makers to make the required findings for approval.

Future Development

Although no development is currently proposed, a residential development envelope is identified on each proposed parcel and the project incorporates mitigation measures to reduce the impacts of future development.

No residential development is proposed as part of the current project. The project involves the establishment of residential development envelopes to accommodate future development, as well as infrastructure improvements to provide access and services to the individual envelopes. Recent residential development proposals along the Gaviota Coast have included residential estates in excess of 6,000 square feet. Recognizing that the development of up to seven large residential estates could result in various impacts to the site related to visual resources, biological resources, historic resources, and recreational resources, the EIR identified mitigation measures that would impose limits on the location and extent of future residential development on the site. Chief among these include height limits of 15 feet for structures located south of the highway consistent with the View Corridor Overlay and 16 feet for structures located north of the highway, consistent with the Ridgeline/Hillside Guidelines. Additionally, the EIR includes a mitigation that future development within the portion of the ranch eligible for designation as a Rural Historic Landscape under the National and California Registers be compatible in size, bulk, scale, height, and style with the existing historic buildings on the ranch. These measures would help to ensure that future residential development on the site would remain subordinate to the rural agricultural setting and would not significantly impair the important visual and historic resources of the site. Future residential development on all lots would be subject to design review, and in the appeals jurisdiction of the coastal zone (i.e. Lots 1 through 5), would require follow up Coastal Development Permits with hearings before the Zoning Administrator (CDHs). Thus, there would be future opportunity for public input on individual residential development since no development is currently proposed and the size, design, and exact location of structures is speculative at this time.

Recommended Project Alternative

The EIR identifies Alternative 3C as the environmentally superior alternative. However, staff is recommending a hybrid alternative which combines components of the EIR identified environmentally superior alternative (3C) with mitigating elements of Alternatives 2A and 4A.

The EIR evaluated eight alternatives to the proposed project, including the No Project Alternative and two coastal trail alternatives. Of the alternatives considered, the EIR concludes that Alternative 3C is the Environmentally Superior Alternative. This alternative includes a combination of reducing and relocating the proposed development envelopes on Parcels 2, 3, 4, and 5. This alternative would reduce or avoid significant impacts as compared to the proposed project. The envelope on Parcel 3 is reduced under this alternative consistent with Mitigation CULT 2-1 in order to reduce impacts to archaeological resources. In addition, impacts to California red-legged frog and other sensitive aquatic species would be significantly reduced under this alternative by relocating the development envelope on Parcel 2 further away from Gato Creek and up onto the coastal terrace. This has the effect of avoiding the Class I significant impact on sensitive wildlife species. This alternative would also reduce potential visual and

recreational impacts associated with future residential development adjacent to the beach at Edwards Point. Further, reduction of the size of the development envelope on Parcel 5 would provide greater protection of existing wetlands. It would also reduce the potential for development adjacent to the riparian corridor and eucalyptus grove that serves as a potential monarch butterfly overwintering site.

However, there are elements from other alternatives that could be combined with this alternative to create a project that is, on balance, most protective of resources and consistent with applicable State and County policies. Specifically, as discussed above, incorporating the Alternative 4A trail alignment instead of the lateral trail north of the highway proposed as part of the project would enhance the project's consistency with public access and recreation policies and reduce the potential for public safety impacts. In addition, incorporating the development envelope size and configuration on proposed Parcel 4 as depicted in Alternatives 2A and 2B (2-acre envelope tucked immediately adjacent to and south of the cluster of historic structures) into the project would improve the project's consistency with Coastal Land Use Policy 4-9 (clustered development), thereby preserving unobstructed broad views of the ocean from the highway. This envelope location would also minimize the potential area removed from cattle grazing and have fewer impacts on biological resources as compared to the Alternative 3C development envelope. Its location immediately adjacent to the cluster of historic buildings would further and more concretely demand that any future residential development be designed to be compatible with the scale and character of the historic ranch buildings, as compared to if the development envelope were more isolated from the historic structures. While impacts to historic resources would be potentially greater within this approach as compared to Alternative 3C, impacts could nonetheless be reduced to less than significant levels with the incorporation of the identified mitigation measures.

While not derived from the analysis of project alternatives in the EIR, staff also recommends that Building Area #1 on proposed Parcel 6 (6a) be eliminated due to greater potential for future residential development within this area to raise policy conflicts, including with regard to Land Use Element Visual Resources Policy 2 (skyline intrusion) and Agricultural Element Policy II.D (retention of productive agricultural lands). As discussed above, staff also recommends establishment of an agricultural conservation easement over the ranch as well as a modification to the shoreline access easement along the beach at Edwards Point in order to ensure consistency with applicable policies related to agricultural protection and coastal access.

For the reasons discussed herein, and given the feasibility of this hybrid alternative, staff is recommending that this hybrid alternative, along with the proposed agricultural conservation easement and shoreline access easement modification, be considered for project approval instead of the original project as proposed. Since this hybrid alternative would not result in any Class I significant and unavoidable impacts, a Statement of Overriding Considerations would not be required to approve the project.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Rural, Coastal and Inland, Agriculture (A-II-100), View Corridor Overlay, Recreation/Open Space Overlay, ESH Overlay along Las Varas and Gato Creeks
Zone	AG-II-100 (100 acre minimum parcel size) in Coastal Zone; Unlimited Agriculture under Ord. 661 (U, 10-acre minimum parcel size) in Inland portion
Site Size	1,784 acres
Present Use & Development	Agriculture – orchards and grazing; Residential
Surrounding Uses/Zoning	<i>North:</i> U.S. Forest Service Land, Unlimited Agriculture <i>South:</i> Pacific Ocean <i>East:</i> Agriculture, AG-II-100 <i>West:</i> Agriculture and Residential (AG-II-100 and U), REC (El Capitan State Beach)
Access	Private ranch roads off U.S. Highway 101 and Calle Real
Public Services	Water Supply: Reservoir, Goleta Water District, Private Wells and Shared Water System Sewage: Private septic systems Fire: County Fire Department Police: County Sheriff

5.2 Setting

The project site, encompassing the historic Las Varas and Edwards ranches, is located along the Gaviota Coast approximately four miles northwest of the western extent of the City of Goleta, on either side of U.S. Highway 101. The project site trends north-south and stretches from the Los Padres National Forest boundary on the north to the Pacific Ocean on the south. The project site is bordered by the Dos Pueblos Ranch to the east and orchards, limited rural residential estates, and a polo horse breeding and training operation to the west.

The Ranch comprises approximately 1,802 acres over nine APNs (10 lots, 8 of which have Certificates of Compliance), with one 18-acre lot being excluded from the project proposal. Three of the existing lots are developed with single family dwellings, agricultural employee dwellings, and agricultural accessory buildings. The remaining lots are currently undeveloped.

The landforms within the parcels south of Highway 101 are characteristic of the gently sloping to nearly level coastal terraces common along the Gaviota Coast west of the City of Goleta. The project area north of Highway 101 is generally characterized by more moderate slopes (10% to 30%) with several steep ravines associated with the drainages flowing north to south. Several existing ranch roads crisscross the Ranch, providing access to much of the site. There are several drainages

and named creeks (Gato and Las Varas) that run north to south through the site, draining the watersheds within the Ranch to the Pacific Ocean. The Ranch is underlain by Vaqueros and Rincon formations and several landslides exist within the project site north of Highway 101.

In addition to the four drainages and associated riparian corridors within the Ranch, the project site consists of coastal grasslands and scrub-covered bluffs south of Highway 101, transitioning north of the highway into scrub and oak woodlands in the foothills. Plant communities within the site include primarily native and non-native grassland, scrubland, and riparian woodland (oaks and sycamores), as well as individual oaks. Approximately 200 acres of agricultural orchards (lemons and avocados) are intermixed within these vegetation communities throughout the lower half of the site (north and south of Highway 101). Fauna present on the site include common wildlife species found in the foothills and riparian corridors of the coastal range, as well as larger carnivores such as coyotes, mountain lions, and bobcats. Several sensitive species, including California red-legged frog, Coast Range newt, and White-tailed kite, among others, have been documented within the site. Numerous other reptiles and amphibians, bird species, including several raptors, and mammals are known or expected to occur within the Ranch. Ranching on the site consists of approximately 60 cow-calf pairs, 10 replacement heifers, four bulls, and seven horses that graze throughout the Ranch. The Ranch has a long history of human activity and several documented archaeological sites and historic resources are found on the property.

5.3 Project Description

LOT RECONFIGURATION

The proposed project is composed of three distinct applications, broken down by geographic area: 1) in between the Union Pacific Railroad (UPRR) and Pacific Ocean; 2) in between U.S. Highway 101 and UPRR; and 3) north of U.S. Highway 101. See Attachment F for a figure depicting the lot reconfiguration and proposed project elements.

In between the Union Pacific Railroad (UPRR) and Pacific Ocean, the project includes a Lot Line Adjustment between Lots B and C after receipt of a Conditional Certificate of Compliance for Lot B, followed by a voluntary merger by the applicant between Lots A and B¹. This has the effect of reconfiguring three existing parcels of 11.08 acres (Lot A), 94.25 acres (Lot B), and 8.35 acres (Lot C) into two lots of 55 acres (Parcel 1) and 58.68 acres (Parcel 2), respectively.

The resultant 55-acre parcel (Parcel 1) would have a 5-acre designated residential development envelope and the resultant 58.68-acre parcel (Parcel 2) would have a 2.55-acre designated residential development envelope. Total estimated grading quantities are approximately 350 cubic yards of cut and 250 cubic yards of fill associated with access road improvements.

In between the UPRR and U.S. Highway 101, the project includes a lot merger combining two existing lots of 239.53 acres (Lot D) and 165.21 acres (Lot E) and a subdivision (Vesting Tentative Parcel Map) resulting in three proposed parcels of 100.00 acres (Parcel 3), 147.53 acres (Parcel 4), and 157.21 acres (Parcel 5), respectively. Parcel 3 would have a 3.5-acre

¹ The order of recordation – COC, Lot Line Adjustment, Voluntary Merger – is mechanical and will be performed by the County Surveyor correctly after final action by the Board of Supervisors.

residential development envelope, while Parcels 4 and 5 would each include a 5-acre designated residential development envelope encompassing existing development on the site. Total estimated grading quantities are approximately 2,000 cubic yards of cut and 1,500 cubic yards of fill associated with access road improvements.

Table 1. Existing and Proposed Parcel Information

Table 1: Existing and Proposed Parcel Information					
Existing Parcel	Existing Parcel Size (acres)	Proposed Parcel	Proposed Parcel Size (acres)	Proposed Envelope Size (acres)	Discretionary Actions
In Between UPRR and Pacific Ocean					
A	11.08	1	55	5.0	COC, LLA, CUP (coastal)
B	94.25				
C	8.35	2	58.68	2.55	
In Between U.S. Highway 101 and UPRR					
D	239.53	3	100	3.5	Vesting TPM, CUP (coastal/inland)
E	165.21	4	147.53	5.0	
		5	157.21	5.0	
North of U.S. Highway 101					
F	740.09	6	1,115	NA	LLA, CUP (coastal/inland)
G	281.35				
H	242.3	7	150.01	2.50	
I	1.27				

North of U.S. Highway 101, the project includes a Lot Line Adjustment of two lots following a voluntary lot merger by the applicant combining four existing lots of 740.09 acres (Lot F), 281.35 acres (Lot G), 242.3 acres (Lot H), and 1.27 acres (Lot I) into two lots. The Lot Line Adjustment and lot merger would result in two parcels of 1,115 acres (Parcel 6) and 150.01 acres (Parcel 7), respectively. The resultant 1,115-acre parcel (Parcel 6) would not include a specific development envelope given its size, though residential development would be limited to up to a five-acre development envelope within one of three potential development areas. The resultant 150.01-acre parcel (Parcel 7) would include a 2.5-acre residential development envelope. Total estimated grading quantities are approximately 5,500 cubic yards of cut and 5,000 cubic yards of fill associated with roadway development and improvements.

FUTURE RESIDENTIAL DEVELOPMENT

Future residential (non-agricultural) structures, improvements and development within each lot would be restricted to two contiguous acres within each designated development envelope or potential development area. No non-agricultural structures, improvements, development, grading or ground disturbance is to occur outside of the residential development envelopes within each of the proposed parcels except for: 1) proposed access roads, utility lines, any wastewater disposal areas and connection laterals to serve future residences as needed; 2) underground water storage tanks or cisterns for fire protection or other purposes serving the individual development envelope; and 3) any above ground storage tanks, pump facilities or distribution lines pertaining to the shared water system. Agricultural structures and uses, including associated ground disturbance, may be located inside or outside of the development

envelopes. Non-agricultural structures may include, but are not limited to, primary residences, garages, guest houses, and other accessory structures as may be permitted under zoning including storage structures, hobby rooms, artist studios, pool houses, and cabanas. Non-agricultural improvements include, but are not limited to, driveways and utility corridors serving non-agricultural structures, swimming pools, hot tubs, non-agricultural fences and walls, patios, decks, tennis and ball courts, wastewater disposal areas (septic tanks and leach fields), landscape irrigation systems, hard surfaced areas, walks, arbors, trellises, turf, and landscaping.

Shared access roads would generally follow existing ranch roads and would range from 16 feet to 20 feet in width and would be improved with all-weather surfaces (and widened where necessary). All resulting parcels would be served by private septic systems and a private shared water system as discussed below. Additional grading would be expected as part of future building pad preparation on each residential building site, though the majority of the development envelopes would be located on relatively flat terrain, thereby minimizing the amount of cut and/or fill that would be necessary. Drainage from proposed development areas and roadways would be collected and conducted to appropriate adjacent natural drainages. Undeveloped areas of the Ranch would continue to sheet flow consistent with historical drainage patterns.

PUBLIC TRAIL EASEMENTS

The project includes the dedication of an easement to the County of Santa Barbara for a public parking lot and public riding and hiking trail leading to the beach along the eastern boundary of proposed Parcel 5 (see Attachment G for site plan and trail easement locations). The easement includes an 84-foot x 170-foot area in the northeast corner of proposed Parcel 5 for the 30-space public parking lot and an approximately 4,000-foot long, 15-foot wide corridor for the trail. It would pass through an existing 8-foot wide, 12 to 15-foot high culvert under the Union Pacific Railroad tracks and out to the beach once the County obtains a public access easement through the culvert from the railroad company. The trail would largely follow the western bank of Las Varas Creek as it meanders south to the Pacific Ocean. The first half of the trail would pass through clearings along the edge of an existing avocado orchard, though there would be a few instances in which orchard trees would remain in between the trail corridor and the creek. The second (lower) half of the trail follows an existing dirt ranch road along the eastern side of the avocado orchard, in between the orchard and Las Varas Creek, before reaching the aforementioned culvert. The trail is primarily flat with one or two short drops in elevation along the way.

The project also includes the dedication of a lateral 25-foot wide easement to the County of Santa Barbara for a public riding and hiking trail along the southern property line of proposed Parcel 6 and continuing along Calle Real immediately south of Parcel 7 adjacent to U.S. Highway 101. This portion of the lateral easement crosses through the 18.26-acre parcel that is not included in the Lot Line Adjustment application. Per the applicant's proposed easement, construction of the trail would require the placement of a pedestrian span bridge over the existing underpass used by cattle to cross under U.S. Highway 101 at Gato Creek. From east to west, this trail corridor would follow the existing ranch road until reaching the existing farm employee residence/orchard facility area. At that point the trail would continue on the southern (highway) side of these structures (in order to avoid the residence and agricultural packing/storage facility)

before rejoining the ranch road near the border between parcels 6 and 7. The trail would then continue to follow the existing ranch road, crossing Gato Creek on the pedestrian bridge referenced above, at which point the trail would follow an old segment of Calle Real through the remainder of the site.

The project also includes granting of a lateral easement across the coastal properties (Parcels 1 and 2) to allow for public access along the shoreline, to include the sandy beach area located seaward of the base of the coastal bluffs.

In addition to dedicating these easements to the County, the project also includes construction of the 30-space parking lot. The parking lot would have a gravel surface and include a bicycle rack and would be constructed concurrent with construction of the first residential development south of the highway. The County or other appropriate agency would design, construct, and operate the trails and any other necessary improvements, though most of the trail segments follow existing ranch roads or are located alongside orchards such that only minor improvements would be necessary. The County would also be responsible for obtaining a public access easement from the Union Pacific Railroad company in order to formalize access through the culvert to the beach. In order to protect the existing agricultural areas from public trespass along the future public trails, fencing is proposed by the applicant along the orchard or grazing side of both the vertical and lateral trail easements. The fence is proposed to be approximately six feet high of a chain link material. The height and construction is subject to change if trespassers, poachers, or others gain entry through the fencing. Wildlife accessible passageways or culverts would be incorporated into the fence design to avoid impacting movement of wildlife along the corridors. The applicant has proposed to restrict use of the public easements to daylight hours (i.e. from dawn to dusk) in order to protect the existing agricultural operation and security of existing and future residents.

ACCESS ROADS

Internal circulation within the project site would be improved in order to provide access to each of the development envelopes or potential development areas in compliance with County Fire Department access requirements. This would occur through a combination of widening, paving, and extending existing ranch roads through the site, with widths ranging from 16 feet for individual lot driveways and roadways serving two lots, to 20 feet for roadways serving multiple lots. Specifically, the access road improvements include a total of up to approximately 4,145 linear feet of new roads, approximately 4,750 linear feet of widening of existing ranch roads, and approximately 7,490 linear feet of paving of existing ranch roads. The project includes replacement of the existing Arizona crossing on Gato Creek in between proposed Parcels 3 and 4 with a span bridge, which would be raised above the 100-year flood elevation of the creek and include abutments located outside of the creek banks.

WATER AND SEWER SERVICE

The project includes a Minor Conditional Use Permit for a State Small Water System to serve future residences on the seven proposed parcels that would result from the proposed project. The water system would support up to two residential water connections (assuming an agricultural employee residence or guest house on each parcel) for each parcel for a total of 14 water connections. It would meet domestic and landscape irrigation water demands. Each new residential development served by the shared water system would include a water storage tank

holding a minimum of 2,500 gallons for fire protection purposes, consistent with Development Standard #3 of the County Fire Department.

Water for the shared water system would be supplied by surface water from an existing stream water diversion and storage facility within the Ranch and groundwater from a recently drilled well. The shared water system would include a water well, two booster pumps, treatment facility, and two above-ground water tanks to serve two different pressure zones. One of these would be located above the northern end of building area 6c and the other would be located adjacent to an existing ranch road approximately 150 feet east of Gato Creek and west of the middle of building area 6c. The treatment facility would be located on Parcel 6 adjacent to an existing ranch road near Gato Creek and would include a building of approximately 960 square feet (24 feet x 40 feet) for treatment equipment and supplies. It would require electrical power and an all-weather access road. The water tanks would have storage capacities of 30,000 and 60,000 gallons. The water lines would range between 2 and 4 inches in diameter.

The proposed water treatment system is a “packaged” type plant consisting of a filtration unit, chemical feeds, waste decant tank, finished water storage tank, and booster pump. The support chemicals for the system include 12.5% Sodium Hypochlorite for oxidation, a coagulant (either aluminum sulfate or ferric chloride), and a cationic polymer to aid the coagulation process. The chemicals will be in bulk dry format and mixed in separate 50 to 100 gallon tanks and liquid fed into the raw water supply line prior to entering the packaged system. This function would be provided by a licensed service company. The system produces a waste stream that is typically 3-5% of the total flow pulled, which is composed of backwash water and waste from the clarifiers.

The waste stream would be diverted to a decant tank (approximately 2,500 gallons) located next to the treatment building and the system would recover 95% of the waste stream which would be recirculated for potable use. The decant tank would need periodic removal of the solids, and it is anticipated that removal of the solids would be performed by a service company and disposed of at a sanitation receiving station on a semi-annual or annual basis. There would be no effluent released from the system.

Irrigation for the agricultural operation would continue to be supplied by the existing Edwards Reservoir and network of irrigation lines. Back up wells are in place to supplement the primary sources of irrigation during dry years, though these are rarely used.

Domestic water service for the existing residential development on the project site is provided by the Goleta Water District through two agricultural water meters. However, this water is non-potable, so potable water is provided by bottled water deliveries from the District. This service would remain in place for existing development within the project site.

Sewer service would be provided by individual septic systems and associated leach fields within each proposed parcel. Existing septic systems are in place to serve existing development within proposed Parcels 4 and 5, as well as the existing residential units on Parcel 6. New systems would be installed for all new development. With the exception of Parcel 2, septic systems would be installed within the designated residential development envelopes. The system for

Parcel 2 would be installed on the coastal terrace just west of the residential development envelope.

AGRICULTURAL OPERATIONS

Existing grazing lands on the ranch are proposed to continue as common grazing lands to be collectively managed through a cooperative grazing agreement and the development of CC&Rs to ensure such collective management. At a minimum, the CC&Rs would limit perimeter fencing outside of development envelopes and would provide a cooperative management structure through identification of an HOA or other cooperative entity. Fences for agricultural purposes would be coordinated with Ranch Management so as not to impact existing and future agricultural operations. Each parcel resulting from the projects will be subject to CC&Rs that will include a requirement that all land outside the designated owners' development envelopes will be devoted to agricultural usage (i.e. cultivated agriculture or cooperative cattle grazing). The CC&Rs would include the following type of language and would not be able to be terminated or substantially altered for a minimum of 50 years, after which time they would be automatically extended each year unless two-thirds of the landowners vote otherwise. Amendments not affecting the continued agricultural operation could occur at anytime during the life of the CC&Rs and require only a majority vote given the broad range of issues they would cover:

Prior to Declarant's² conveyance of the first Lot, Declarant shall record an easement for the benefit of [insert here either the name of the homeowners association or of the agricultural co-op], over all areas of the Ranch excluding (i) the designated Owner development envelopes, and the common access roadway system; and, (iii) the areas devoted to water storage; and, (iv) the areas presently devoted to orchard usage (which excluded areas are depicted on Exhibit "____" attached to this Declaration and made a part hereof), which easement shall entitle and obligate [insert here either the name of the homeowners association or of the agricultural co-op] to manage, operate, maintain, and control the easement area for agricultural production, including but not limited to irrigated and dry land livestock grazing, using sound ranching practices and sound rangeland maintenance measures to ensure that the easement area is operated to its full agricultural potential without jeopardy to the land and its water supply, and for marketing the livestock and other agricultural products from the easement area. The easement area, or any portion thereof, may be leased to responsible third parties, but [insert here either the name of the homeowners association or of the agricultural co-op] shall reserve ultimate management control, responsibility, and supervision over the easement. Every Lot within the Ranch shall be subject to said easement and no Owner shall obstruct or interfere with [insert here either the name of the homeowners association or of the agricultural co-op]'s rights thereunder. Said easement also shall include a grant of access rights as shall be reasonably necessary for [insert here either the name of the homeowners association or of the agricultural co-op]'s management, operation, maintenance, and control over the easement area and livestock grazed thereon for agricultural production.

² "Declarant" is the property owner who signs and records the CC&R's, the full name of which is "Declaration of Covenants, Conditions and Restrictions."

Existing orchards on the ranch are proposed to remain but would be individually managed by individual lot owners. However, minimum standards for production of commercial agriculture and best management practices in the orchard areas would be governed by the ranch CC&Rs.

REZONES

The applicant has requested a consistency rezone of the Inland parcels that are currently zoned Unlimited Agriculture (“U”) under Ordinance Number 661 (now obsolete) to Agriculture II with a 100-acre minimum lot area (AG-II-100) under the County Land Use and Development Code. These include two entire parcels (Existing Lots G and F) and portions of three other parcels (Existing Lots H, E, and D). The subject parcels are designated Agriculture II, 100-acre minimum lot area (A-II-100) under the Comprehensive Plan. The proposed rezone would update the zoning of the subject parcels consistent with current governing ordinances and the designation in the Comprehensive Plan. Parcels, and portions thereof, within the Coastal Zone are currently zoned AG-II-100 and therefore do not require rezoning.

5.4 Background

The ranch consists of 1,802 acres (1,784 acres of which are included as part of the project) located in the rural unincorporated Gaviota Coast area of Santa Barbara County, approximately four miles west of the City of Goleta and the urban/rural boundary. Existing agricultural uses within the project site include cattle ranching and avocado and lemon orchards, as well as multiple agricultural support facilities (barns, pens, reservoirs, and equipment storage) and a number of residences and agricultural employee dwellings, which are proposed to remain. The property has been in various forms of agriculture and cattle ranching since the ranch was established in the eighteenth century as a part of one of Mission Santa Barbara’s original five royal *ranchos*. Many of the existing structures on the ranch date back to the late 1800s and early 1900s and are considered historically significant. They contribute to the site’s significance as a Rural Historic Landscape, which encompasses the coastal terrace south of the highway. An area of the ranch was even briefly used as a military internment camp housing captured Germans during World War II. Las Varas Ranch historically operated as at least two separate ranches (Las Varas and Edwards) until the current owners, the Dohenys, purchased the property in 1967 and began operating the property as a single ranch.

While operating as a single ranch operation, the project is composed of several distinct applications because the ranch is separated by intervening fee ownerships associated with the railroad and U.S. Highway 101. One Lot Line Adjustment application, Case No. 05LLA-00000-00005, covers the three existing parcels in between the railroad and Pacific Ocean and is located entirely within the coastal zone. The Conditional Certificate of Compliance (11COC-00000-00001) accompanying this application also covers a parcel located entirely within the coastal zone. The second Lot Line Adjustment application, Case No. 05LLA-00000-00006, involves the existing parcels north of the highway and is located partially within the coastal zone and partially within the inland area. A Vesting Tentative Parcel Map, Case No. 05TPM-00000-00002, involves the two existing parcels located in between the highway and railroad and is located partially within the coastal zone and partially within the inland area. A Conditional Use Permit for the private shared water system, Case No. 07CUP-00000-00057, involves the entire project site and is therefore located partially within the coastal zone and partially within the

inland area. There are two rezone applications located within the inland area, one which accompanies the inland portions of 05LLA-00000-00006 (07RZN-00000-00006), and one which accompanies the inland portions of 05TPM-00000-00002 (07RZN-00000-00007).

6.0 PROJECT ANALYSIS

6.1 Environmental Review

An Environmental Impact Report has been prepared for this project to evaluate potentially significant impacts under CEQA and to identify mitigation measures to reduce impacts and alternatives to the project that would avoid or substantially lessen significant impacts. A public scoping hearing for the EIR was held on June 24, 2008. The Draft EIR was released for a 45-day public comment period on January 28, 2011. A public hearing was held on March 3, 2011 to receive oral comments on the adequacy of the Draft EIR. A Recirculated Draft EIR, which evaluated two trail alternatives and made revisions to the analyses of several issue areas, was released for a 60-day public review and comment period on December 5, 2013. A public hearing was held on January 13, 2014 to receive oral comments on the adequacy of the Recirculated Draft EIR. A summary of the key environmental impacts of the proposed project (and associated mitigation measures) discussed in the Revised Final EIR and raised by the public comments is provided below. Overall, the project would result in one significant and unavoidable (Class I) impact related to biological resources based on the current proposed project. A redesign of this element of the project, as discussed in the project alternatives, would avoid or substantially lessen this impact, such that the residual impact would be less than significant. Other significant impacts identified in the EIR would be reduced to less than significant levels with the incorporation of appropriate mitigation measures. Following the summary of impacts and mitigation measures associated with the proposed project is a summary of the alternatives evaluated in the EIR and how they compare to the proposed project. As discussed above in Section 4.0, staff is recommending approval of a hybrid alternative that combines elements of Alternative 3C, Alternative 2A, and Alternative 4A because it would reduce or avoid significant impacts as compared to the proposed project in the areas of aesthetics/visual resources, biological resources, historic resources, fire protection, land use, recreation, and water quality.

6.1.1 Impacts and Mitigation Measures

Aesthetics/Visual Resources

The project site contains numerous scenic views and viewsheds open to the public from various public vantage points, including U.S. Highway 101, Union Pacific Railroad, the beach, public trails, and near shore waters of the Pacific Ocean. The project site offers high quality expansive views of the rural undeveloped coastline and foothills of the Santa Ynez Mountains. Visual simulations prepared as part of the EIR demonstrate the potential visibility of the development envelopes from various public vantage points. Although many of the development envelopes have been located to avoid visual impacts, future residential development within at least some of the development envelopes has the potential to degrade public views if not sited and designed properly. This is especially true for development within proposed parcels 1, 2, 3, 4, and 6 (depending on where on Parcel 6 future development would occur). Future development has the

potential to introduce development that is visually incompatible with the rural character of the area and the scale and character of existing development on the site. Additionally, if not designed properly, future residential development has the potential to degrade the existing dark night sky conditions by introducing new sources of light and glare into the area. Mitigation measures to reduce these potential impacts include: 1) restricting building heights to 16 feet north of the highway and 15 feet south of the highway, consistent with Ridgeline/Hillside guidelines and View Corridor Overlay height requirements; 2) requiring future development to be compatible with the design, scale and character of vicinity development and utilize natural building materials and colors compatible with surrounding terrain; 3) requiring that the size, bulk, scale, height, and style of future development south of the highway be compatible with the ranch's existing historic buildings, as determined by an architectural historian; 4) requiring that development on Parcels 1 and 2 be set back far enough from the beach and sized appropriately so as not to intrude into the skyline or break the view plane of the Santa Ynez Mountains as viewed by the public; and 5) following night sky lighting practices.

Agricultural Resources

The project site contains approximately 200 acres of lemon and avocado orchards and approximately 630 acres of suitable grazing land to support the existing cattle operation. A Rangeland Assessment was prepared as part of the EIR to evaluate the existing grazing land in terms of its ability to support a viable cattle grazing operation. The report concludes that the existing ranch in its current configuration has a carrying capacity of approximately 42 animal units per year, which exceeds the threshold of 25 to 30 animal units per year suggested by the Santa Barbara County Cattleman's Association as indicative of a viable cattle operation. However, the report concluded that the individual parcels are not viable as standalone parcels, as their rangeland carrying capacity is below this threshold. The report concluded that the reconfiguration of the parcels within the ranch and future residential development within the individual residential development envelopes on each parcel would not result in the ranch no longer functioning as a viable cattle operation given the proposal to manage the ranch cooperatively, to be enforced via CC&Rs. Thus, impacts of the project to the existing cattle operation would be less than significant. The EIR also concludes that the proposed project would not significantly impact the ranch's existing orchard operation, as the ranch as a whole would remain viable and individual parcels within the ranch that are currently viable for cultivated agriculture would remain viable under the proposed parcel reconfiguration. None of the development envelopes contain land that is currently in active cultivation or land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, with the exception of a small corner of proposed building area #1 on proposed parcel 6 (less than 0.5 acres). The EIR concludes that the introduction of up to seven residential home sites and public recreation within the ranch has the potential to indirectly impair the existing agricultural operations within the ranch. Use of the public trails within the ranch, especially those adjacent to productive orchards, carries with it the possibility for trespass into the adjacent agricultural areas and associated theft and/or vandalism. The project does include installation of a fence along the orchard side of the trails in order to inhibit or deter trespass.

The application of pesticides in close proximity to the public trails could result in unintended exposure of trail users to said chemicals if not applied appropriately or if access were not adequately controlled. The application of agricultural chemicals is strictly regulated by the Agricultural Commissioner's Office, thereby minimizing any potential for pesticide drift or inadvertent exposure. Impacts are considered less than significant. The EIR does include a *recommended* mitigation measure involving the periodic closure of trails during spraying of chemicals in order to further minimize unintended consequences and liability to the ranch. This recommended mitigation measure has been incorporated as a condition of project approval.

The development of residential uses in close proximity to active agricultural areas could create conflicts between the two uses, as the common nuisances associated with agriculture (e.g. noise, dust, odor, etc.) could be experienced by residents. Mitigation to reduce this potential conflict and to ensure that future residential development does not impair the ongoing agricultural operation includes a buyer notification program to be recorded on the individual deeds accompanying the sale of each lot and the recordation of CC&Rs, as proposed by the applicant, to ensure the continued agricultural use of the ranch. Mitigation has also been identified to reduce impacts to first-calf heifers from residential construction on proposed Parcels 4 and 5 during the calving season, including visual screening, timing the start of construction to occur outside of the calving season, and restrictions on construction activities. Impacts would be less than significant with implementation of these mitigation measures.

Biological Resources

The proposed project, including the future residential development on each parcel, would result in potential adverse impacts to nesting and foraging bird and raptor species, erosion and sedimentation from construction and resultant effects on aquatic species, removal of native and non-native vegetation, introduction of invasive plants, wildlife mortality from increased interactions with humans, fragmentation and loss of wildlife habitat, degradation of monarch butterfly sites, and degradation of native grasslands and seasonal wetlands. These impacts would primarily result from: 1) construction of the new bridge over Gato Creek, which results in short-term adverse construction impacts but long-term beneficial impacts associated with the removal of the existing Arizona crossing; 2) construction of roadway infrastructure and individual home sites and the associated potential for vegetation removal, erosion and sedimentation, and disturbance to bird nesting and roosting; 3) the location of residential development envelopes adjacent to or within sensitive habitat and vegetation communities, especially the location of the development envelope on Parcel 2 in close proximity to Gato Creek; and 4) impacts to wildlife from the introduction of residences and human habitation into wildlife habitat areas. Mitigation measures to reduce potentially significant impacts to biological resources include: 1) preconstruction surveys for active bird nests and bat roosts within 500 feet of construction areas; 2) implementation of erosion and sediment control measures during construction; 3) establishing a minimum 100-foot buffer between future residences and habitable structures and the edge of sensitive habitat areas (30 feet for native grasslands) to protect sensitive habitat from degradation from construction activities and ongoing fuel management; 4) preparation and implementation of a fuel management plan to be balanced with sensitive resource protection; 5) review of landscape plans by the P&D staff biologist to ensure that

invasive species are not introduced on to the site; 6) revegetation of disturbed areas with native plants; 7) implementation of a Gato Creek protection and restoration plan during construction of the span bridge; 8) habitat protection and avoidance plan for development on Lots 1 and 2; 9) envelope reduction for Lot 2 to reduce wildlife impacts associated with development adjacent to Gato Creek; 10) protection of monarch habitat; 11) maintaining minimum wetland buffers; 12) and aligning water lines to avoid sensitive plant species or riparian vegetation. With incorporation of these mitigation measures, impacts to biological resources would be reduced to less than significant levels with the exception of impacts to sensitive wildlife species and riparian habitat associated with development on Parcel 2. These impacts would remain significant and unavoidable absent relocation of the development envelope further from Gato Creek.

Cultural Resources

As detailed in the EIR, the project site contains several historic and archaeological resources. A historic resources report prepared for the site concluded that several of the existing structures on-site are historically significant and the portion of the ranch south of the highway qualifies as a Rural Historic Landscape under the California and National Registers as a result of the ranch's association with the broad historical pattern of Goleta ranching. The site has retained its historic integrity since most of its important landscape characteristics are unchanged since the period of significance (1880 to 1959). Proposed infrastructure improvements and residential development envelopes have largely been sited to avoid impacts to known archaeological resources. The development envelope on one parcel has been reduced in size and the access road serving the site rerouted in order to avoid impacts to significant cultural resources. Mitigation has been identified to reduce the residential development envelope on a second parcel in order to similarly avoid a significant cultural resource site. While the areas of each parcel proposed for development have been surveyed, given the general cultural sensitivity of the site, there is the potential for unknown archaeological resources to be present on-site and unintentionally disturbed during grading and construction activities. Mitigation identified in the EIR to reduce this impact includes construction monitoring, unless subsurface testing within the area of disturbance determines that no resources are present, as well as the standard discovery measure. With implementation of these various mitigation measures, impacts to archaeological resources would be reduced to less than significant levels.

While none of the existing historic structures on-site are proposed to be removed or altered, the introduction of new development into the Rural Historic Landscape has the potential to be incompatible with the character-defining features of the site and impair their integrity to a point where they are no longer able to convey their historic significance. Further, new development in close proximity to historic structures has the potential to degrade the historical significance of these structures by altering the characteristics of the surrounding environment that contribute to their significance. These impacts are considered potentially significant but mitigable. Mitigation includes requiring that new development within the Rural Historic Landscape boundaries be compatible in size, bulk, scale, height and style with the existing historic buildings consistent with the Secretary of the Interior's standards, as determined by a County-approved architectural historian. Other mitigation includes photo-documentation of the significant

buildings within the Rural Historic Landscape prior to development in these areas and requiring that any rehabilitation of these structures comply with the Secretary of the Interior's standards.

Geologic Processes

Similar to other projects involving grading on sloping topography, the project has the potential to result in erosion and sedimentation during and after grading and construction. The implementation of standard best management practices during construction to control erosion and revegetate disturbed areas would reduce short-term erosion and sedimentation impacts to less than significant levels. The incorporation of best management practices and drainage features to reduce runoff in the long-term would effectively reduce long-term erosion and sedimentation impacts to less than significant levels. The County's Coastal Zoning Ordinance requires that development be sited a minimum of a 75-year setback from the top of coastal bluffs in order to protect it from bluff retreat and protect the bluffs from development-induced erosion.

For the project site, this equates to a setback of approximately 70 feet from the top of bluff. The development envelope on Parcel 1 is sited approximately 150 feet from the top of bluff at its closest point, more than double the minimum required setback. The development envelope on Parcel 2 is located adjacent to the mouth of the Gato Creek at a point where the sea cliff recedes and no blufftop exists such that bluff retreat is not a concern at this location. Nonetheless, if not sited and designed properly, future development could generate runoff that could contribute to bluff erosion. This is considered a potentially significant but mitigable impact. Mitigation to reduce this impact includes a requirement that structures and improvements on Parcels 1 and 2 be designed such that surface and subsurface drainage is conducted away from coastal bluffs and does not contribute to bluff erosion. Other potential geologic hazards affecting future development include landslides and slope stability within parcels 6 and 7 north of the highway and the potential for radon gas exposure due to the presence of the Rincon formation underlying much of the project site. While the proposed infrastructure improvements and future residential development are geologically feasible, the EIR includes a mitigation measure requiring further site-specific geologic studies to provide recommendations for proper grading, foundation design, and other structural components of future development. Additional mitigation includes radon testing in all areas of proposed structural development. Impacts would be less than significant with incorporation of these mitigation measures.

Recreation

There are no established public recreational facilities or trails that would be affected by the proposed project. Available evidence suggests that historic use of Edwards Point and associated unauthorized access through the Ranch is relatively low and sporadic, largely coinciding with large winter swells that are necessary for the surf to break at Edwards Point. The proposed project includes two trail easements and lateral beach access that would provide recreational opportunities in the area. Once the access easement through the culvert is obtained from the railroad company and the necessary improvements completed, the beach access would help to facilitate continued use of Edwards Point by surfers and beachgoers through an established public trail, avoiding the need for the public to pass without authorization through the property

and avoiding the public safety hazards associated with walking along the railroad tracks. While made more difficult by future development on Parcels 1 and 2, surfers could continue to access the beach as they do currently, as future development would not physically block continued unauthorized access along the railroad, and there are multiple options for leaving the railroad corridor and accessing Edwards Point that would not be physically blocked by the location of the residential development envelopes. The three public trail/access easements would improve the scope and extent of recreational facilities in the project vicinity. While the proposed vertical trail easement does not include an easement for public access under the railroad (this would have to be obtained from UPRR separately by the County), the easement through the ranch property removes a significant barrier to establishing formal beach access in this portion of the coast. By paving the way for establishment of a formal public access point to and along the beach, the project potentially benefits a much wider segment of the population, many of whom would be deterred from accessing the site currently due to public safety concerns and concerns over unlawful access through private property. The project's dedication of public trail easements would, when implemented, provide a higher level of public access that would be safer, legal, and more consistent with agricultural protection policies than the existing, informal trail access. Impacts are considered less than significant. However, the lateral trail's proposed location on the northern side of U.S. Highway 101 would not allow access between it and the proposed vertical beach access trail. This lack of connectivity between the vertical and lateral trail easements might encourage members of the public to risk their safety by crossing the freeway in order to gain access between the beach access and Coastal Trail and vice versa. This lack of connectivity is a serious public safety concern. A connection with the vertical trail on the south side of the freeway would be preferable in order to avoid the potential safety issues of people crossing the freeway.

New development is not expected to block scenic views of the mountains or ocean, nor would it intrude into the skyline as seen from El Capitan State Beach or public trails northwest of the project site. However, future residential development has the potential to degrade the experience of the recreating public as experienced from nearby locations if not designed to be compatible with the surrounding landscape (e.g. bright or reflective building materials, excessive mass, bulk and scale, inappropriate landscaping, etc.). This impact is considered potentially significant but mitigable with appropriate design review of future development by the Central Board of Architectural Review.

Development of the two coastal bluff parcels within the project site (proposed Parcels 1 and 2) could degrade the quality of the public's recreational experience if not sited and designed properly to be compatible with the surrounding land uses and rural character. Development within the more forward portion of the Parcel 2 development envelope could be prominently visible to surfers and beach users and could substantially degrade the quality of the recreational experience, if not sited or designed properly, by conflicting with the existing rural, minimally developed character of this portion of the coast. Further, a two-story structure would tend to loom over the beach in this location, breaking the skyline as seen from the beach and ocean. This is considered a significant but mitigable impact. The mitigation measures identified to reduce impacts to historic resources and visual resources would similarly reduce this impact. Additional mitigation to reduce this impact includes requiring that residences be set back far

enough from the beach and sized appropriately so as to not intrude into the skyline or break the view plane of the Santa Ynez Mountains as viewed by the public. Based on visual simulations conducted as part of the EIR, this equates to a setback of approximately 400 feet from the water's edge.

Transportation/Circulation

The project site is accessed by an at-grade interchange on U.S. Highway 101. A traffic study conducted as part of the project concluded that the corner and stopping sight distances do not meet minimum Caltrans design criteria. In addition, the existing left-turn deceleration lane for northbound motorists is below the length required by Caltrans. Since the project would increase vehicular traffic at this intersection, primarily associated with the public beach parking, future users would be exposed to a potential traffic hazard resulting from sight distances and deceleration lanes below that which are typically required for safe operation. Impacts would be significant but mitigable. Mitigation identified in the EIR includes the applicant funding improvements to this interchange, including modifying a small cut slope 600 feet north of the Las Varas Ranch Road access to increase sight distance; extending the existing northbound left turn deceleration lane by approximately 240 feet within the center median to meet the minimum Caltrans distance of 530 feet; and providing full acceleration and deceleration lanes along the southbound shoulder of the highway.

Water Resources/Flooding

The introduction of new impervious surfaces into the project site would increase the extent of surface runoff and peak flows within the site's watercourses. However, the vast majority of the site would remain undeveloped and there is ample opportunity to achieve infiltration of additional runoff before it reaches nearby watercourses. Thus, the increase in runoff is not expected to significantly alter flooding or stream flows within the project site. Impacts are less than significant and no mitigation is required. Construction-related water quality impacts primarily result from the exposure of soil to erosion and transport by surface water runoff, and the transport of construction materials and waste into area watercourses from the site during rain events. These short-term water quality impacts are considered significant but mitigable with the incorporation of standard best management practices during construction, including incorporation of an erosion and sediment control plan and ensuring that equipment washout areas are located at least 100 feet from any waterbody. The project would not have substantial impacts on the hydrological regime or substantially alter drainage patterns of the property or result in significant increases in surface runoff at the watershed level. However, future development could have more localized impacts on water quality through increases in pollutant loads typically associated with rural residential land uses. Long-term water quality impacts are considered significant but mitigable with incorporation of biofiltration to allow for infiltration of runoff, minimizing the extent of impervious surfaces, and protecting any outdoor trash container areas to prevent off-site transport.

The EIR evaluated water supply and demand present on the ranch to determine if future residential development within each parcel would affect the water supply currently available to

surrounding properties. The Goleta Water District provides domestic service to all of the existing residences and surrounding development within the ranch as well as irrigation water to areas of the ranch within the District boundaries. Water use from the two existing Goleta Water District agricultural water meters has averaged approximately 92 AFY in recent years. There are no separate meters for domestic use. New domestic water demand would be provided by a recently drilled well (Gato Well #3) and the existing Edwards Reservoir/Gato Creek diversion through a new shared water system that would be constructed to deliver water to future residential development. The existing Goleta Water District meters would remain and be used to supplement the private shared water system. Total annual domestic water demand associated with future residential development is projected to be approximately 18 AFY based on an assumption of up to two residential units per parcel (e.g. one single family residence and one agricultural employee dwelling or one guest house). The California Department of Water Resources (DWR), Division of Water Rights approved water right Permits 17360 (Application 24985) and 17361 (Application 25165) in 1978 for the diversion of water from Gato Creek and an unnamed stream tributary to Gato Creek for irrigation, stockwatering, recreation, fire protection and domestic uses. These permits primarily allow for storage of water at Edwards Reservoir, along with limited direct diversion rights, for a total diversion of 704.3 acre-feet per year (AFY), which is over three times the average annual use for irrigation to support the existing agricultural operation on the ranch, and stream flow in Gato Creek is approximately 1,048 AFY (at least 647 AFY after upstream diversions to the reservoir are accounted for). Given the relatively small scale of the project and the nature of the existing water supply, the EIR concludes that projected water use associated with future residential development would remain within the existing capacity of the reservoir and available stream flows, would not impact or interfere with water availability for surrounding properties, and would not result in overdraft of the aquifer underlying the ranch. Impacts are considered less than significant and no mitigation is required. However, the EIR does include recommended mitigation measures to reduce water use associated with residential development and landscaping.

6.1.2 Project Alternatives

As required under CEQA, the EIR evaluated a reasonable range of alternatives to the proposed project that would avoid or substantially lessen significant environmental effects. The EIR evaluated eight alternatives, including the No Project Alternative, two Reduced Project alternatives, three Project Redesign alternatives, and two trail alternatives. Additional alternatives, including a Transfer of Development Rights program and clustering development on the north side of the highway were considered but ultimately rejected due to their infeasibility.

Alternative 1 - No Project Alternative

The No Project alternative assumes that the ranch would be developed under its current parcel configuration. Under the No Project alternative it is assumed that each of the existing parcels that are vacant would be developed with a single family residence, which is a permitted use in the AG-II-100 zone district. One of the existing parcels south of the railroad (the 11-acre lot) is undevelopable, and the developability of the 1.27-acre lot north of the highway is uncertain absent a demonstration of parcel validity. Therefore, it is assumed that between seven and eight

parcels could be developed under the No Project Alternative. Because there is roughly the same number of developable parcels under this alternative as with the proposed project, many of the impacts associated with development are generally the same. Development under this alternative would result in greater impacts in some issue areas, such as agriculture since development would not be subject to the restrictions being imposed as part of the project (e.g. development envelopes and CC&Rs providing for long-term agricultural viability). In other issue areas, such as biological resources, impacts would be likely reduced because there would be greater opportunity for establishing sufficient setbacks from Gato Creek due to the existing parcel configuration in between the railroad and Pacific Ocean.

Alternative 2A - Reduced Project Option A

Under this alternative, development envelopes would be reduced to 2.5 acres or less in size in order to avoid sensitive resources on the site (See Figure 6.4-1 in the Revised Final EIR). Future residential development would be limited in height to 15 feet south of the highway and 16 feet north of the highway under this alternative. Other components of the project would remain the same. This alternative would reduce impacts to cultural resources, biological resources and visual resources. Other impacts would be generally similar under this alternative as compared to the proposed project.

Alternative 2B - Reduced Project Option B

This alternative is similar to Option A above, but includes different envelope locations for Lots 1 and 2 (see Figure 6.5-1 in the Revised Final EIR). Impacts with respect to visual resources, biological resources, and recreation would be reduced under this alternative as compared to the proposed project associated with the height limits, envelope restrictions and envelope locations, though to a lesser degree than under Reduced Project Option A. Other impacts under this alternative would be generally similar to the proposed project.

Alternative 3A - Project Redesign Option A

This alternative preserves the lots in their proposed configurations but relocates the envelopes on parcels 2 and 4 to reduce significant impacts (see Figure 6.6-1 in the Revised Final EIR). The size of each envelope under this alternative is generally similar to the corresponding envelope in the project. Other elements of the alternative would remain the same as for the proposed project.

Aesthetic impacts under this alternative would be significantly reduced by relocating the envelopes on Parcels 2 and 4 to less publicly visible locations, especially as viewed from U.S. Highway 101, the railroad, and the beach. Impacts to biological resources would be significantly reduced under this alternative, including a reduction of the impact to sensitive species along Gato Creek from Class I to Class II, due to relocation of the development envelope on Parcel 2 from alongside Gato Creek to up on the coastal bluff. Relocation of the development envelope on proposed Parcel 4 to the eastern edge of the parcel would significantly reduce impacts to historic resources by separating new residential development from the cluster of historic buildings that contribute to the Rural Historic Landscape and is a character defining feature of the site. By shifting the development envelope on Parcel 2 up to the coastal terrace, future residential development on this lot would be less likely to be visible by beachgoers and surfers at

Edwards Point. This would help to protect the quality of the recreational experience in this location by minimizing the potential for incompatible development to detract from the public's scenic views and enjoyment of the undeveloped rural coastline. By relocating the development envelope on proposed Parcel 2 further away from Gato Creek, potential short-term and long-term water quality impacts to the creek from development of a future residence and associated storm water runoff would be reduced relative to the proposed project. Other impacts of the project would be generally similar under this alternative as compared to the proposed project.

Alternative 3B - Project Redesign Option B

This alternative relocates the development envelopes on Parcels 2, 3, and 4 to other areas of the respective parcels (see Figure 6.7-1 in the Revised Final EIR). Other elements of the alternative are the same as for the proposed project. Aesthetic impacts under this alternative would be significantly increased as compared to the proposed project, resulting in a Class I significant and unavoidable impact associated with future residential development within the highly visible Parcel 3 development envelope. Impacts to biological resources would be significantly reduced under this alternative by locating the development envelope on Parcel 2 further from Gato Creek. Impacts to cultural resources under this alternative would be reduced by locating future residential development on Parcel 3 further from the boundaries of a known archaeological site. Impacts to recreation would also be reduced under this alternative as compared to the proposed project by virtue of relocating the Parcel 2 development envelope on to the bluff top and further from Edwards Point where it would otherwise have the potential to degrade the recreational experience by introducing development that is potentially incompatible with the scenic rural setting. Other impacts of this alternative are generally the same as compared to the proposed project.

Alternative 3C - Project Redesign Option C

This alternative includes relocating or redesigning the envelopes on Parcels 2, 3, 4, and 5 to reduce impacts to sensitive visual, biological, cultural, and recreational resources (see Figure 6.8-1 in the Revised Final EIR). The envelope on Parcel 2 would be relocated to the coastal bluff to ensure adequate separation from the Gato Creek riparian corridor. The envelope on Parcel 3 would be reduced in size in order to avoid significant archaeological resources. The envelope on Parcel 4 would be shifted slightly north in order to create greater separation from the cluster of existing historic structures. Lastly, the envelope on Parcel 5 would be reduced in order to avoid impacts to wetland resources and ensure sufficient setbacks from monarch butterfly habitat. In all cases, the non-agricultural development areas would be limited to no more than two contiguous acres within each envelope. The EIR identifies this alternative as the Environmentally Superior Alternative. Under this alternative, the Class I significant and unavoidable impact on sensitive wildlife species would be avoided.

Alternative 4A - Ranch Road Coastal Trail

This alternative includes realigning the proposed lateral coastal trail through the property to follow an existing ranch road south of the highway to the existing undercrossing at Gato Creek.

At this point, the trail would cross under the highway and connect with an old segment of Calle Real along the north side of the highway and continue west through the remainder of the Ranch (see Figure 6.9-1 in the Revised Final EIR). All other elements of the project would remain the same. This alternative would reduce impacts to Recreation, but would result in slight increases in impacts to agricultural resources and biological resources. All other impacts would remain the same.

Alternative 4B - Bluff-top Coastal Trail

This alternative includes realigning the proposed lateral coastal trail from the north side of the highway to generally follow the coastal bluffs along the length of the property (see Figure 6.10-1 in the Revised Final EIR). All other elements of the project would remain the same. This alternative would result in substantially greater recreational benefits as compared to the proposed project, but would also result in increased impacts with respect to aesthetics/visual resources, agricultural resources, biological resources, and cultural resources.

6.2 Comprehensive Plan Consistency

The following policy consistency analysis evaluates the project as conditioned by staff to correlate to the recommended hybrid alternative.

REQUIREMENT	DISCUSSION
<p><u>DEVELOPMENT STANDARDS</u></p> <p>CLUP Policy 2-1: In order to obtain approval for a division of land, the applicant shall demonstrate that adequate water is available to serve the newly created parcels except for parcels designated as “Not A Building Site” on the recorded final or parcel map.</p> <p>CLUP Policy 2-6, LUDP 4: Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e. water, sewer, roads, etc.) are available to serve the proposed development.</p>	<p><u>Consistent:</u> The proposed project, as modified through the conditions of approval, includes development of a shared water system to serve future residential development within the project site. The source of water for the shared water system would be a combination of private wells, diverted water from Gato Creek, and use of stored water within Edwards Reservoir at the northern end of project site. The water system would include a small treatment plant to treat the water to meet domestic potable water standards. As discussed in more detail in Section 6.1.1 above (Water Resources/Flooding), and in Section 4.12 of the Revised Final EIR, the existing water supply has been evaluated and adequate water exists. Septic system feasibility studies (i.e. percolation tests) have been prepared demonstrating that private septic systems are feasible to provide domestic wastewater service for future residential development. Lastly, adequate access to serve future residential development would be provided as part of the project, with road widths and grades</p>

REQUIREMENT	DISCUSSION
	meeting County Fire Department standards. Most of the proposed access roads follow existing ranch roads.
<p><u>BLUFF PROTECTION</u></p> <p>CLUP Policy 3-4: In areas of new development, above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years, unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used. The County shall determine the required setback.</p> <p>CLUP Policy 3-5: Within the required blufftop setback, drought-tolerant vegetation shall be maintained. Grading, as may be required to establish proper drainage or to install landscaping, and minor improvements, i.e., patios and fences that do not impact bluff stability, may be permitted. Surface water shall be directed away from the top of the bluff or be handled in a manner satisfactory to prevent damage to the bluff by surface and percolating water.</p> <p>CLUP Policy 3-6: Development and activity of any kind beyond the required blufftop setback shall be constructed to insure that all surface and subsurface drainage shall not contribute to the erosion of the bluff face or the stability of the bluff itself.</p>	<p><u>Consistent:</u> No development or landscaping is proposed within the blufftop setback of the project site. The development envelope on proposed Parcel 1 is approximately 150 feet from the top of the coastal bluff at its closest point, offering more than two times the minimum setback distance based on a retreat rate of 0.94 feet per year for 75 years. The relocated Parcel 2 development envelope required under Condition No. 83 would be setback from the edge of the bluff by approximately 400 feet, which would far exceed the minimum blufftop setback distance.</p> <p>Development outside of the required setback would be designed to ensure that surface runoff and subsurface drainage associated with septic leachfields would be directed away from the blufftop so as not to contribute to erosion of the bluff face or stability of the bluff itself.</p>
<p><u>ENVIRONMENTALLY SENSITIVE HABITAT</u></p> <p>Coastal Act Policy 30240: (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall</p>	<p><u>Consistent:</u> Both mapped and unmapped environmentally sensitive habitat (ESH) areas are present within the project site. Consistent with CLUP Policy 9-1, these areas have been precisely mapped as part of the EIR analysis (Section 4.4), and site inspections by qualified biologists have been conducted. The project as conditioned does involve development in close proximity to two mapped ESH areas on the project site, which include the lower reaches (south of U.S. Highway 101) of Gato and Las Varas creeks. Development within the Las</p>

REQUIREMENT	DISCUSSION
<p>be compatible with the continuance of such habitat areas.</p> <p>CLUP Policy 2-11: All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.</p> <p>CLUP Policy 9-1: Prior to issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies or the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.</p>	<p>Varas Creek ESH area is limited to site alterations associated with future construction of the new public trail along the creek under separate permit, which is permitted within ESH pursuant to CLUP Policy 9-38. Future residential development under the project as conditioned would be required to be setback from the ESH areas (Condition No. 18) in order to protect sensitive resources, and increased surface runoff would be slowed and/or treated before it enters watercourses in order to minimize erosion and control water quality (Condition No. 60). Native vegetation would remain as part of the project. The proposed bridge over Gato Creek would replace an existing Arizona Crossing, resulting in long-term benefits to the creek corridor in this location. Short-term effects resulting from construction of the bridge and any temporary disturbance to riparian vegetation would be mitigated (Condition No. 24). Significant disruption or degradation of ESH areas would be avoided as part of the project as the residential development envelopes are located in relatively open areas where minimal vegetation removal would be necessary to accommodate future development. The relocated Parcel 2 development envelope required under Condition No. 83 would provide a substantial buffer from the Gato Creek ESH area by shifting the envelope further west and away from the creek as compared to the original proposed project.</p>
<p><u>GEOLOGIC HAZARDS</u></p> <p>CLUP Policy 3-8: Applications for grading and building permits, and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami runup, landslides, beach erosion, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, a geologic report shall be required. Mitigation</p>	<p><u>Consistent:</u> The project site is in an area that is subject to certain geologic hazards, including beach erosion, landslides, slope instability, expansive soils, etc. The project's development envelopes and access roads have been sited to avoid exposure to these various hazards where feasible. Geologic reports have been prepared as part of the proposed project and mitigation measures would be required (Condition Nos. 46 and 47), in order to ensure the project does not exacerbate existing</p>

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measures shall be required where necessary.	geologic hazards or result in exposing structures, residents, or members of the public to geologic hazards.
<p><u>GRADING AND EROSION</u></p> <p>CLUP Policy 3-15, Land Use Element Hillside and Watershed Protection Policy 3: For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.</p> <p>CLUP Policy 3-16, Land Use Element Hillside and Watershed Protection Policy 4: Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained throughout the development process to remove sediment from runoff waters. All sediment shall be retained onsite unless removed to an appropriate dumping location.</p> <p>CLUP Policy 3-17, Land Use Element Hillside and Watershed Protection Policy 5: Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.</p>	<p><u>Consistent:</u> The project as conditioned would involve limited grading activities on hillsides, primarily associated with the proposed access road serving proposed Parcel 7. Additional grading would be required to construct the access roads through the rest of the project site, and future development would require limited grading as well, though it would likely be minimal since the development envelopes are located within relatively level areas of the project site. It is not known at this time how these grading activities would occur in terms of their scheduling. However, mitigation measures applied to the project (Condition Nos. 55 and 58) to reduce erosion and sedimentation from ground disturbances, including preparation and implementation of an erosion and sediment control plan, would ensure consistency with these policies.</p>
<p><u>FLOOD HAZARDS</u></p> <p>CLUP Policy 3-11, Land Use Element Flood Hazard Area Policy 1: All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in</p>	<p><u>Consistent:</u> The project as conditioned involves the replacement of an existing Arizona crossing on Gato Creek with a span bridge. The bridge abutments would be located outside of the creek banks, within the floodway fringe. The bridge would be raised approximately three feet above the 100-year</p>

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<p>the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</p> <p>CLUP Policy 3-12, Land Use Element Flood Hazard Area Policy 2: Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control work, i.e., dams, stream channelizations, etc.</p>	<p>flood level (base flood elevation) of Gato Creek, consistent with CLUP Policy 3-11. The proposed shared water system would also cross Gato Creek north of U.S. Highway 101. The water line would be raised over the base flood elevation of the creek using minor pipeline support structures. No other development is proposed within the floodway or floodway fringe, consistent with these policies. No stream channelization or other flood control projects are proposed and the project would not cause or contribute to flood hazards within or downstream of the project site.</p>
<p><u>HILLSIDE /WATERSHED PROTECTION</u></p> <p>CLUP Policy 3-13, Land Use Element Hillside and Watershed Protection Policy 1: Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p> <p>CLUP Policy 3-14, Land Use Element Hillside and Watershed Protection Policy 2: All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p><u>Consistent:</u> Most of the proposed development under the project as conditioned, including the access roads and future development envelopes, are in relatively level areas of the site, including within the coastal terrace south of the highway and on ridge tops on the north side of the highway. Access roads to serve future development would utilize existing ranch roads where feasible in an effort to minimize grading, site alteration, and creation of new areas of disturbance. Proposed development envelopes are located in relatively open areas where the removal of native vegetation and trees would be minimal. Future residential development of the site under the proposed as conditioned avoids areas of the site with known hazards, such as landslides, steep slopes in excess of 30%, and flood zones.</p>
<p><u>STREAMS AND CREEKS</u></p> <p>CLUP Policy 9-41, Land Use Element Streams and Creeks Policy 1: All permitted construction and grading within stream corridors</p>	<p><u>Consistent:</u> The majority of the project, as modified through the conditions of approval, is located outside of stream corridors. With the exception of the development envelope on proposed Parcel 5, which already includes an</p>

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<p>shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.</p> <p>CLUP Policy 9-42: The following activities shall be prohibited within stream corridors: cultivated agriculture, pesticide applications, except by a mosquito abatement or flood control district, and installation of septic tanks.</p> <p>CLUP Policy 3-18, Land Use Element Hillside and Watershed Protection Policy 6: Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p> <p>CLUP Policy 3-19, Land Use Element Hillside and Watershed Protection Policy 7: Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p> <p>CLUP Policy 9-37: The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. The buffer shall be established based on an investigation of the following factors and after consultation with the Department of Fish and Game and Regional Water Quality Control Board in order to protect the biological productivity and water quality of streams:</p>	<p>existing residence, development envelopes are set back at least 100 feet from the top of banks of adjacent drainages in order to protect water quality and minimize disturbance of riparian habitat. Condition No. 83 would relocate the development envelope on proposed Parcel 2 to ensure that it is set back from the stream corridor of Gato Creek. The major element of the project within a stream corridor is the proposed access road and bridge over Gato Creek, which would replace the existing Arizona Crossing. There is no alternative location or route feasible that would avoid crossing the stream corridor, and the bridge would span the creek such that its abutments would be located outside of the stream banks. In addition, the proposed water system would include a water line crossing Gato Creek in between parcels 6 and 7. There is no alternative location or route feasible that would avoid crossing the creek. The line would be raised above the 100-year flood level of the creek and would be sited and constructed so as to minimize disturbance to riparian vegetation and water quality. Best management practices applied to construction within stream corridors would ensure short-term impacts to stream corridors are minimized during grading and construction (Condition Nos. 17 and 58). In addition, Condition No. 24 would ensure that any temporary damage to riparian vegetation as part of the bridge or pipeline construction is restored with appropriate native riparian vegetation, consistent with CLUP Policy 9-40. The beach access trail included as part of the project would utilize the stream corridor at the mouth of Las Varas Creek, at a point where the creek crosses under the railroad through a culvert. No vegetation removal would be necessary to accommodate public access through the culvert in this location. Once a public access easement is granted through the culvert by the railroad company, development (under separate permit) would likely include a</p>

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<p>a. soil type and stability of stream corridors b. how surface water filters into the ground c. slope of the land on either side of the stream d. location of the 100-year flood plain boundary</p> <p>Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except for channelization, the buffer shall allow for the reestablishment of riparian vegetation to its prior extent to the greatest degree possible.</p> <p>CLUP Policy 9-38: No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects, flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.</p> <p>CLUP Policy 9-40: All development, including dredging, filling, and grading within stream corridors, shall be limited to activities necessary for the construction of uses specified in Policy 9-38. When such activities require removal of riparian plant species, revegetation with local native plants shall be required except where undesirable for flood control purposes. Minor clearing of vegetation for hiking, biking, and equestrian trails shall be permitted.</p>	<p>raised platform along the side of the culvert to allow for safe pedestrian travel through the culvert without disrupting stream flows. Since this raised platform would be required for public trail access, it would be permitted pursuant to CLUP Policy 9-38.</p> <p>As conditioned, future development would be required to treat storm water runoff and convey it to appropriate drainage courses in a non-erosive manner (Condition No. 60). Surface runoff in areas not proposed for development would continue historical patterns of sheet flow to nearby drainages, facilitating groundwater recharge where possible. Septic systems required to support future residential development would be sited away from stream corridors to ensure wastewater is not accidentally discharged into nearby streams.</p>
<p><u>HISTORICAL AND ARCHAEOLOGICAL RESOURCES</u></p> <p>Coastal Act Policy 30244: Where development would adversely impact archaeological or paleontological resources as identified by the</p>	<p>Consistent: The proposed project, as modified through the conditions of approval, would avoid or minimize impacts to archaeological resources associated with future residential development and infrastructure improvements. The project includes the identification of</p>

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<p>State Historic Preservation Officer, reasonable mitigation measures shall be required.</p> <p>CLUP Policy 10-1, Land Use Element Historical and Archaeological Sites Policy 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.</p> <p>CLUP Policy 10-2, Land Use Element Historical and Archaeological Sites Policy 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.</p> <p>CLUP Policy 10-3, Land Use Element Historical and Archaeological Sites Policy 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.</p> <p>CLUP Policy 10-5, Land Use Element Historical and Archaeological Sites Policy 5: Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.</p>	<p>residential development envelopes on each proposed parcel. The envelope on proposed Parcel 3 would potentially result in development affecting a significant archaeological resource. In addition, the entire coastal portion of the ranch (south of U.S. Highway 101) has been identified as historically significant as a Rural Historic Landscape. Consistent with CLUP Policy 10-1, measures have been explored to avoid development on significant cultural sites. However, there are no County programs or funds in place to grant tax relief or facilitate the purchase of portions of the ranch affecting cultural sites. Given the nature and extent of the Rural Historic Landscape, complete avoidance of development in this area would not be possible absent a transfer of development to the inland portion of the ranch or an off-site location, both of which were considered infeasible. However, impacts on the Rural Historic Landscape and individually significant historic buildings from the proposed project are reduced through mitigation designed in accordance with CEQA Guidelines and guidelines of the State Office of Historic Preservation, including development consistent with the Secretary of the Interior's standards for the treatment of historic properties (Condition No. 41).</p> <p>Relocation of the development envelope on proposed Parcel 3 to another suitable area of the parcel in order to completely avoid development in the area of a known archaeological site would result in significant impacts to other resource areas. Specifically, relocating the envelope further west in the open grassland (as contemplated under Alternative 3B) would result in a significant unavoidable impact to coastal views, which are given high priority as a protected resource in the Coastal Zone. The rest of the parcel is constrained by similar viewshed impacts,</p>

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	<p>sensitive biological resources, or existing agricultural orchards. Thus, in lieu of complete avoidance, the project has been mitigated to reduce the development envelope on proposed Parcel 3 in order to avoid development in areas of the known archaeological site that contribute to the site's significance, consistent with Policy 10-3 (Condition No. 34). This and other mitigation is designed in accordance with CEQA guidelines and those of the State Office of Historic Preservation and Native American Heritage Commission.</p> <p>The development envelope on proposed Parcel 7 has been reduced under the proposed project in order to avoid development within another known archaeological site, consistent with these policies. The project, as modified through conditions of approval, has been designed to similarly avoid other archaeological resources within the project site.</p> <p>Consistent with these policies, the Native American community has been consulted as part of this project, as outlined in Section 4.5 of the EIR. This includes contacting and seeking input from members of the local Native American community identified by the California Native American Heritage Commission.</p>
<p><u>VISUAL RESOURCES</u></p> <p>Coastal Act Policy 30251: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government</p>	<p><u>Consistent:</u> No residential development is proposed as part of this project. However, development envelopes are being established, which identify the areas of the site where future residential development would potentially occur. Visual impacts potentially resulting from development within these envelopes have been mitigated by requiring review of future residences by the Central Board of Architectural Review (Condition No. 4), whose responsibility is to ensure the scale and design of development is compatible with surrounding development and the visual character of the area. Additionally, the project</p>

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<p>shall be subordinate to the character of its setting.</p> <p>CLUP Policy 4-3, Land Use Element Visual Resources Policy 2: In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</p> <p>CLUP Policy 4-5: In addition to that required for safety (see Policy 3-4), further bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public views from the beach. Blufftop structure shall be set back from the bluff edge sufficiently far to insure that the structure does not infringe on views from the beach except in areas where existing structures on both sides of the proposed structure already impact public views from the beach. In such cases, the new structure shall be located no closer to the bluff's edge than the adjacent structures.</p>	<p>has been mitigated to require that future development be compatible with the design and size of existing historic buildings on the site, helping to preserve the existing visual character (Condition No. 41). New development within the coastal portion of the site would be restricted to 15 feet in height where visible from public viewing places (Condition No. 3). Most of the development envelopes are not readily visible from U.S. Highway 101, the main public viewing area offering scenic views of the coastline, except for in relatively short sections. Given the size of the development envelopes, there are opportunities to site future residences in the least conspicuous portions of the envelopes, away from the edges of ridge tops or bluff tops where development may be more visible. The development envelope on proposed Parcel 1 is approximately 150 feet from the bluff top at its closest point (over 500 feet at its most distant point), providing ample setback to ensure that residential development within that envelope does not infringe on public views from the beach.</p> <p>By relocating the Parcel 2 development envelope, further west and further setback from the beach, as required under Condition No. 83, visual impacts associated with future residential development within this relocated envelope would be further reduced, consistent with these policies. There is the potential for development within Building Area #1 on proposed Parcel 6 (6a), assuming it were selected among the three building site options, to intrude into the skyline as viewed from U.S. Highway 101. Therefore, to ensure consistency with Land Use Element Visual Resources Policy 2, Condition No. 84 has been added to eliminate this building site as a possibility for future development.</p>
<p><u>VIEW CORRIDOR OVERLAY</u> All development in areas of the County where</p>	<p><u>Consistent:</u> The project site south of U.S. Highway 101 is located within the View</p>

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<p>there are views from Highway 101 to the ocean shall be reviewed by the County Board of Architectural Review for conformance to the following policies:</p> <p>CLUP Policy 4-9: Structures shall be sited and designed to preserve unobstructed broad views of the ocean from Highway #101, and shall be clustered to the maximum extent feasible.</p> <p>CLUP Policy 4-10: A landscaping plan shall be submitted to the County for approval. Landscaping when mature, shall not impede public views.</p> <p>CLUP Policy 4-11: Building height shall not exceed one story or 15 feet above average finished grade, unless an increase in height would facilitate clustering of development and result in greater view protection, or a height in excess of 15 feet would not impact public views to the ocean.</p>	<p>Corridor Overlay, and thus future development within these five proposed parcels would need to be consistent with these policies. With the exception of proposed Parcel 4, the development envelopes within these parcels are located in areas that would preserve the unobstructed views of the ocean from the highway, consistent with these policies. Any future development would be subject to review by the Central Board of Architectural Review (Condition No. 4), which would help to ensure consistency with these policies, including the use of appropriate landscaping consistent with CLUP Policy 4-10. Implementation of Condition No. 85 would ensure that future development on proposed Parcel 4 would be sited amongst an existing cluster of historic buildings and would preserve existing unobstructed views of the ocean from U.S. Highway 101 available elsewhere on the parcel, consistent with Policy 4-9. Mitigation has been applied restricting building heights to 15 feet consistent with Policy 4-11 (Condition No. 3). Additionally, this condition would also require any future development within these parcels to construct story poles as part of the design review process to ensure the proposed structures do not impede or degrade public views of the ocean.</p>
<p><u>RECREATION AND PUBLIC ACCESS</u></p> <p>Coastal Act Policy 30211: Development shall not interfere with the public's right of access to the sea where acquired through use, custom, or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.</p> <p>Coastal Act Policy 30212: Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal</p>	<p><u>Consistent:</u> Future residential development on the two oceanfront parcels under the project as conditioned would not restrict public access to and along the shoreline and use of the beach area for recreation. The project includes the dedication of an easement to the County for the purposes of establishing a public beach access trail within the project site. This trail would provide vertical public access from U.S. Highway 101 to the Pacific Ocean by way of passage through an existing culvert underneath the railroad and would include an area for a 30-space public parking lot next to the highway, to be constructed by the applicant. Establishment of the trail would first require</p>

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<p>resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.</p> <p>CLUP Policy 7-1: The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include:</p> <ul style="list-style-type: none"> (a) Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds. (b) Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs. (c) Actively seeking other public or private agencies to accept offers of dedications, having them assume liability and maintenance responsibilities, and allowing such agencies to initiate legal action to pursue beach access. <p>CLUP Policy 7-2: For all development between the first public road and the ocean granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless:</p> <ul style="list-style-type: none"> (a) Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or (b) Access at the site would result in unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or (c) Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, 	<p>the County to obtain an easement from UPRR for access through the culvert. The trail would be fenced on one side to protect the adjacent agricultural operation from theft and vandalism. In addition, the trail and parking lot would only be open during daylight hours in order to protect the privacy of the site's residents, ensure public safety, as well as to protect the adjacent agricultural operation from damage and trespass. These measures would ensure consistency with Coastal Act Policy 30214.</p> <p>In addition to the coastal access trail, the project, as conditioned, also includes dedication of an easement to the County for the purposes of establishing a public trail along U.S. Highway 101, forming a segment of the California Coastal Trail. This is consistent with the policies encouraging the improvement and expansion of public recreational opportunities along the Gaviota Coast.</p> <p>The Countywide Parks, Recreation, and Trails Map (PRT 1) is drawn at a scale of 1 inch to 8000 feet. As such, the scale provided on this map is coarse and the map therefore depicts general corridors and alignments, rather than specific locations for future trails. The PRT 1 Map depicts a trail following the shoreline along the Gaviota Coast from just west of the City of Goleta to beyond Gaviota State Park and along Hollister Ranch. This map does not reflect on-the-ground conditions and site constraints that would affect trail location, such as resource constraints, steep canyons and drainages, or lack of space in between the highway or railroad and the ocean. Given the coarseness of the PRT map showing the general location of the coastal trail, the intent of CLUP Policy 7-25 can be met by siting a lateral trail along another portion of the project site (away from the bluff top) where fewer impacts to agricultural and biological resources</p>

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<p>or</p> <p>(d) The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner. In no case, however, shall development interfere with the public's right of access to the sea where acquired through use unless an equivalent access to the same beach area is guaranteed.</p> <p>The County may also require the applicant to improve the access corridor and provide bike racks, signs, parking, etc.</p> <p>CLUP Policy 7-3: For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County, based on findings reflecting historic use, existing and future public recreational needs, and coastal resource protection. At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.</p> <p>Coastal Act Policy 30214: (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics. (2) The capacity of the site to sustain use and at what level of intensity. (3) The appropriateness of limiting</p>	<p>would result.</p> <p>Condition No. 81 requires realignment of the proposed lateral trail to coincide with the lateral trail alignment identified in Alternative 4A of the EIR,. This alignment would be more consistent with the PRT Map and CLUP Policy 7-25 than the trail originally proposed as part of the project. This alignment is consistent with the general coastal trail corridor included in the PRT Map in that it follows the coastline, affords users views to the ocean, and provides a connection with other segments of the Coastal Trail in this area of the coast. It would also be more in keeping with the goals and objectives of the Coastal Trail in providing linkages between the Coastal Trail and vertical beach access trails and siting the trail closer to the shoreline.</p> <p>The applicant's dedication of easements to the County for the parking area and beach access trail (and construction of the parking area concurrent with future residential development south of the highway) would be consistent with the intent of these Coastal Act and Coastal Land Use Plan policies to provide for coastal access, including CLUP Policy 7-1. Prescriptive rights have not been legally established through the property, and the County cannot recognize prescriptive rights that have not been adjudicated or base a project's consistency with these policies on the <i>potential</i> for prescriptive rights to exist.</p> <p>The project includes a lateral easement along the shoreline itself, consistent with Coastal Act Policy 30212 and CLUP Policy 7-3, which would provide the public with access rights along nearly two miles of beach fronting the project site. As previously mentioned, since the bluffs recede in the area of Edwards Point, implementation of Condition No. 82 would ensure that the easement in the area of</p>

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<p>public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses. (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. (c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.</p> <p>Land Use Element Parks/Recreation Policy 4: Opportunities for hiking and equestrian trails should be preserved, improved, and expanded wherever compatible with surrounding uses.</p> <p><u>For Adopted PRT Trails:</u></p> <p>CLUP Policy 7-25: Easements of trails shall be required as a condition of project approval for that portion of the trail crossing the parcel upon which the project is proposed.</p>	<p>Edwards Point allows for lateral access around the point during periods of high tide, consistent with CLUP Policy 7-3. Together, the two lateral easements would meet the intent and objectives of the Coastal Trail, and would work toward the provision of a braided trail designed as a cohesive system to accommodate many people and different uses.</p>
<p><u>RECREATION FACILITIES</u></p> <p>Coastal Act Policy 30221: Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already</p>	<p><u>Consistent:</u> Future residential development on the two oceanfront parcels would not restrict public access to and along the shoreline and use of the beach area for recreation. Commercial recreational facilities are provided approximately two miles west of the project site at El Capitan State Beach. The proposed project includes a 30-space parking lot as part</p>

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<p>adequately provided for in the area.</p> <p>Coastal Act Policy 30212.5: Wherever appropriate and feasible, public facilities, including parking areas of facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public or any single area.</p> <p>CLUP Policy 7-13: In order to protect natural and visual resources of the coastal zone between Ellwood and Gaviota, development of recreational facilities shall not impede views between U.S. 101 and the ocean, shall minimize grading, removal of vegetation, and paving, and be compatible with the rural character of the area. Existing natural features shall remain undisturbed to the maximum extent possible, and landscaping shall consist of drought-tolerant species.</p> <p>CLUP Policy 7-14: Campgrounds and ancillary facilities sited south of U.S. 101 between Ellwood and Gaviota shall be set back as far as feasible from the beach in order to reserve near-shore areas for day use. Where feasible, new recreational facility development, particularly campgrounds and parking lots, shall be located north of U.S. 101.</p> <p>CLUP Policy 7-18: Expanded opportunities for access and recreation shall be provided in the Gaviota coast planning area.</p> <p><u>Implementing Actions:</u></p> <p>a. In order to maximize access to the beaches, vertical easements connecting the proposed coastal bicycle trail (linking Santa Barbara and Gaviota) to the beach shall be acquired by a public agency at the following locations: (3) Edwards (near Gato Canyon). The trails connecting the bicycle path to the beach shall be well-marked and bicycle</p>	<p>of the vertical trail easement in order to accommodate public use of the beach access trail. This will help to avoid overcrowding or overuse by the public of any single area by providing an additional beach access point along the coast once all necessary easements are obtained and improvements completed. Consistent with CLUP Policy 7-13, development of the public coastal access trail and public parking area would not impede views between U.S. Highway 101 and the ocean, and would not involve significant grading or disturbance of native vegetation. The parking area and access trail would be unpaved and the recreational facilities would be compatible with the rural character of the area. Consistent with CLUP Policy 7-14, the project does not propose campgrounds or other ancillary facilities that would interfere with day use of the beach and near-shore waters.</p> <p>As shown on the Coastal Land Use Plan maps, the coastal portion of the ranch in between the railroad tracks and the Pacific Ocean has a Proposed Public or Private Park/Recreational Facility Overlay designation. This overlay designation is reserved for sites that are appropriate and prioritized for recreational development. Policy 7-18 of the Coastal Land Use Plan calls for recreational opportunities and public access to be expanded along the coast. The project as conditioned is consistent with this policy as it improves public access and recreation to and along the coast. Policy 7-18 also includes implementing actions identifying specific sites for recreational opportunities and access along the Gaviota Coast. A portion of the project site is designated for acquisition by the County for the establishment of low-intensity camping, parking, restrooms, bike racks, picnic tables, and a store. The proposed project, as conditioned, and future residential development within this overlay area, would preclude the establishment of at least some of these facilities.</p>

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<p>racks shall be provided. Where necessary, stairways from the top of the bluffs shall be provided. Public parking and other facility development, other than staircases, fences, improved trails, bicycle racks, and picnic tables, shall not be permitted at these accessways except as specified in section b.</p> <p>b. In order to increase opportunities for coastal dependent and related recreational uses, the following areas, which have recreational potential, should be acquired by a public agency: Edwards – Parking, restrooms, picnic tables, bike racks, store, low-intensity camping.</p>	<p>However, the County has no funds to acquire this property for the recreational facilities envisioned in the CLUP. Individual landowners are not responsible for developing the recreational facilities identified in the CLUP on their own accord. These implementing actions represent more of a wish list and vision for the County as opposed to a burden imposed on private landowners.</p>
<p><u>AGRICULTURAL PRESERVATION</u></p> <p>Coastal Act Policy 30241: The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas’ agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:</p> <p>(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.</p> <p>(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.</p> <p>Coastal Act Policy 30242: All other lands suitable for agricultural use shall not be converted to non-agricultural uses unless: (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on</p>	<p><u>Consistent:</u> The project, as conditioned, would not convert the project site to non-agricultural uses. Single family dwellings are principally permitted uses within agriculturally zoned land and are incidental to ongoing agricultural operations. The residential development envelopes, combined with the CC&Rs and dedication of an agricultural conservation easement would ensure that agricultural resources are protected from future conversion or conflicts between residential and agricultural uses. The ranch would continue to run its existing cattle ranching operation as a collective unit and the future landowners within the ranch would be required to maintain the existing agricultural orchards (though flexibility would be provided for crop changes) through CC&Rs. Implementation of Condition No. 84 would ensure that the project would not result in the conversion of any orchard areas currently in production to non-agricultural uses, consistent with these policies. Construction of the public parking lot and vertical beach access would result in the loss of up to approximately 12 avocado trees. According to the impact analysis in Section 4.2 of the EIR, the project as conditioned would not substantially reduce the viability of the existing ranching and orchard operations.</p>

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<p>surrounding lands.</p> <p>CLUP Policy 8-2: If a parcel is designated for agricultural use and is located in a rural area not contiguous with the urban/rural boundary, conversion to non-agricultural use shall not be permitted unless such conversion of the entire parcel would allow for another priority use under the coastal Act, e.g., coastal dependent industry, recreation and access, or protection of an environmentally sensitive habitat. Such conversion shall not be in conflict with contiguous agricultural operations in the area, and shall be consistent with Section 30241 and 30242 of the Coastal Act.</p> <p>CLUP Policy 8-4: As a requirement for approval of any proposed land division of agricultural land designated as Agriculture I or II in the land use plan, the County shall make the finding that the long-term agricultural productivity of the property will not be diminished by the proposed division.</p> <p>Agricultural Element Policy IA: The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses. Imposition of any condition requiring an offer of dedication of a recreational trail or other recreational easement shall be discretionary (determined on a case-by-case basis), and in exercising its discretion, the County shall consider the impact of such an easement upon agricultural production of all lands affected by and adjacent to said trail or other easement.</p> <ol style="list-style-type: none"> 1. On lands which are in agricultural production and have a zoning or Comprehensive Plan designation for agriculture, provisions for recreational trails or other recreational easements defined in the Comprehensive Plan may be imposed by the County as a condition for a discretionary permit or land division only 	<p>Proposed recreational trails through the project site would be sited in locations so as not to significantly impair the integrity of the existing agricultural operations; fencing along the trails would help to reduce the potential for trespassing and vandalism which could otherwise impact the ongoing agricultural operations, consistent with Policy IA of the Agricultural Element. Further, provision of an established vertical beach access trail (once all of the improvements and the easement through the culvert is obtained from the railroad company) would not diminish the agricultural operation. It would protect the agricultural operation by providing an alternative means of accessing the beach, as the existing unauthorized access through the ranch to Edwards Point adversely impacts the existing agricultural operation by damaging fencing and in some cases disturbing cattle.</p> <p>The proposed realigned lateral trail alongside U.S. Highway 101 as required under Condition No. 81 would not violate the integrity of the agricultural operation, consistent with Policy IA of the Agricultural Element. The trail is proposed along existing ranch roads and would not remove areas currently used for grazing. While a small number of orchard trees would likely need to be removed to accommodate the trail along a portion of its length south of the highway, the overall integrity of the operation would remain the same and the impacts to the orchard operation would be minor given the small amount of acreage relative to the operation as a whole.</p> <p>With the exception of the two proposed oceanfront parcels, each proposed parcel under the project would meet minimum parcel sizes for agriculturally zoned and designated land. The two oceanfront parcels do not currently meet minimum parcel size requirements and the Lot Line Adjustment would not result in</p>

REQUIREMENT	DISCUSSION
<p>in the following circumstances:</p> <ol style="list-style-type: none"> a. The area in which the trail is proposed to be located is land which is not under cultivation or being grazed or is not part of a rotation program, or is not an integral part of the agricultural operations on the parcel; or, b. The land use permit requested is not for a use which is compatible with agricultural production on the property, as defined in the County Agricultural Preserve Uniform Rules. In this instance, the recreational trail or other recreational use shall be required to be located only on the portion of the property taken out of agricultural production for the permit; or, c. The land division requested requires a rezoning of the property to a more intensive zone district than that applied to the property prior to the application. <p>2. A recreational trail or other recreational use shall not be required as a condition for a discretionary permit (except a land division or a rezone which permits a smaller minimum parcel size than that permitted on the property at the time of the application) on lands which are in agricultural production and have a zoning or Comprehensive Plan designation for agriculture, in the following circumstances:</p> <ol style="list-style-type: none"> a. The permit requested is for a lot line adjustment or Minor Conditional Use Permit only; or, b. The discretionary permit requested is compatible with the agricultural use of the land, as defined in the County Agricultural Preserve Uniform Rules. <p>3. The following trails shall not be subject to paragraphs 1 and 2 above due to their</p>	<p>diminishing the agricultural viability of these lots. The coastal lots are currently used for grazing as part of the larger cattle operation, and proposed CC&Rs combined with dedication of an agricultural conservation easement (Condition No. 80) would ensure that the coastal lots continue to be available for grazing. The proposed development envelopes, as modified through the conditions of approval, would not interfere with the movement of cattle or significantly impair the productivity of this area for cattle grazing given their relatively small size, as confirmed in the Rangeland Assessment prepared as part of the EIR for this project. Implementation of an agricultural conservation easement (Condition No. 80) would further ensure that the long-term agricultural productivity of the property will not be diminished, consistent with CLUP Policy 8-4 and Coastal Act Policy 30241, and that the integrity of agricultural operations would not be violated by incompatible uses consistent with Policy IA of the Agricultural Element.</p>

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<p>historic and recreational significance:</p> <ul style="list-style-type: none"> • Franklin Trail • Arroyo Burro Trail • Fremont Trail • San Antonio Canyon Trail <p>4. Where trails are required, they shall be sited to minimize the impacts to prime soils, agricultural operations, public safety, and environmentally sensitive areas.</p> <p><u>Agricultural Element Policy II.B:</u> Santa Barbara County shall recognize, and give high priority to, the need for protection from trespass, thievery, vandalism, roaming dogs, etc., on all agricultural lands.</p> <p><u>Agricultural Element Policy II.D:</u> Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.</p> <p><u>Agricultural Element Policy III.A:</u> Expansion of urban development into active agricultural areas outside of urban limits is to be discouraged, as long as infill development is available.</p>	
<p><u>MARINE RESOURCES</u></p> <p><u>Coastal Act Policy 30230:</u> Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.</p>	<p><u>Consistent:</u> The proposed project, as conditioned, is not expected to significantly affect marine resources. As discussed elsewhere in this analysis (see analysis under Streams and Creeks policies above), increased runoff from the project and development of future residences would be treated and conveyed in a non-erosive manner consistent with historic drainage patterns or detained and allowed to infiltrate and recharge groundwater through the use of vegetated swales, small scale detention basins, or other drainage features (Condition No. 60). Future development would not result in the removal of</p>

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<p>Coastal Act Policy 30231: The biological productivity and the quality of coastal water, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p>	<p>native vegetation within stream corridors or result in the alteration of natural stream channels. These features would help to ensure that water quality of coastal streams is protected as part of the project. Increased recreational use of the beach that would occur with completion of the beach access trail would not be expected to significantly degrade the biological productivity and quality of the marine environment, as use levels would likely be moderated by the length of the trail to the beach (approximately $\frac{3}{4}$ of a mile) and the distance of the trailhead from the urban centers. This would help to ensure that marine species and other sensitive resources are maintained and not displaced by large numbers of beachgoers.</p>
<p><u>WHITE-TAILED KITE</u></p> <p>Coastal Plan Policy 9-26: There shall be no development including agricultural development, i.e., structures, roads, within the area used for roosting and nesting.</p> <p>Coastal Plan Policy 9-27: Recreational use of the roosting and nesting area shall be minimal, i.e., walking, bird watching. Protective measures for this area should include fencing and posting so as to restrict, but not exclude, use by people.</p> <p>Coastal Plan Policy 9-28: Any development around the nesting and roosting area shall be set back sufficiently far as to minimize impacts on the habitat area.</p>	<p><u>Consistent:</u> The project site provides foraging habitat for White-tailed kite. The potential for nesting, breeding, and/or roosting within the site is relatively high given surrounding conditions and the nature and extent of suitable habitat within the project site. However, the biological surveys conducted on the project site did not identify any roosting or nesting sites. Therefore, no development is proposed within identified roosting or nesting habitat. In order to minimize impacts to this species and be consistent with these policies, the project has been conditioned to require preconstruction surveys within 500 feet of any future development site prior to any grading or construction during the roosting and nesting season (Condition No. 15). If any raptor nests are found, no ground-disturbing activity shall occur within a buffer zone of 500 feet until the birds have fledged.</p>
<p><u>NATIVE PLANT COMMUNITIES</u></p> <p>CLUP Policy 9-35: Oak trees, because they are particularly sensitive to environmental conditions, shall be protected. All land use activities, including cultivated agriculture and grazing, should be carried out in such a manner</p>	<p><u>Consistent:</u> No oak trees are proposed to be removed or damaged as part of the project, as modified through the conditions of approval. Proposed access roads primarily follow existing ranch roads or are located in open areas where no tree removal would be required. Similarly, development envelopes</p>

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<p>as to avoid damage to native oak trees. Regeneration of oak trees on grazing lands should be encouraged.</p> <p>CLUP Policy 9-36: When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.</p>	<p>proposed as part of the project and modified through the conditions of approval are located in generally open areas and no oak trees would need to be removed to accommodate future development. The development envelopes have been sited to avoid or minimize direct impacts to native vegetation, including native grasslands, coastal sage scrub, and oak and riparian woodlands. Native riparian vegetation that may be temporarily impacted by the proposed new bridge and/or water line across Gato Creek would be restored and the scope of these project elements would be minimal (less than one acre) so as to limit impacts to native vegetation. While small patches of native grassland (between 0.09 and 0.68 acres in size) are located within some of the development envelopes, site design and layout of future residential development can be tailored to avoid or minimize impacts to this plant community as necessary, consistent with Policy 9-36. Condition Nos. 18 and 19 require site specific biological surveys at the time future development is proposed in order to establish appropriate buffers and setbacks from sensitive resources. These conditions recognize the dynamic nature of biological resources and the interest in accurately mapping resource conditions at the time that future development is proposed, as they may vary from current conditions. A portion of the relocated Parcel 2 development envelope required under Condition No. 83 contains native purple needlegrass. However, there is sufficient room within the envelope to site future residential development so as to avoid or minimize impacts to this plant community.</p>
<p><u>MONARCH BUTTERFLIES</u></p> <p>CLUP Policy 9-22: Butterfly trees shall not be removed except where they pose a serious threat to life or property, and shall not be pruned during roosting and nesting season.</p>	<p><u>Consistent:</u> The project, as conditioned, would not remove any known butterfly roosting trees. The development envelope on proposed Parcel 5 is located adjacent to a grove of eucalyptus trees serving as a monarch butterfly overwintering site. An existing residence is already located within this</p>

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<p>CLUP Policy 9-23: Adjacent development shall be set back a minimum of 50 feet from the trees.</p>	<p>envelope. Any future development within this envelope would be sited a minimum of 50 feet from these trees, consistent with these policies, and would be sited so as to avoid the need to remove any butterfly trees for fire clearance purposes. The reduction in the Parcel 5 development envelope required under Condition No. 86 ensures consistency with these policies. Widening of the existing ranch road and construction of a public trail alongside the ranch road required under Condition No. 81 at the northern end of eucalyptus woodland comprising Drainage #1, which is identified as part of a monarch butterfly roosting site, would likely result in the removal of some eucalyptus trees. However, this portion of the eucalyptus woodland is already disturbed in association with the existing ranch road, and the additional trees to be removed would be located immediately adjacent to the highway. As a result, these trees do not contribute to the habitat value of the eucalyptus grove for monarchs and are not expected to be used for monarch butterfly roosting. Conditions of approval requiring construction monitoring and timing of construction to occur outside the monarch overwintering season (Condition Nos. 28 and 29) would ensure consistency with these policies.</p>
<p><u>VERNAL POOLS</u></p> <p>CLUP Policy 9-20: Grass cutting for fire prevention shall be conducted in such a manner as to protect vernal pools. No grass cutting shall be allowed within the vernal pool area or within a buffer zone of five feet or greater.</p> <p>CLUP Policy 9-21: Development shall be sited and designed to avoid vernal pool sites as depicted on the resource maps.</p>	<p><u>Consistent:</u> No vernal pools have been identified within or in close proximity to the development envelopes on the project site proposed as part of the project, as modified through the conditions of approval. Thus, future development of the site within these envelopes and along existing and future access roads would avoid damage to any vernal pools, consistent with these policies.</p>
<p><u>NATIVE GRASSLANDS</u></p> <p>CLUP Policy 9-17: Grazing shall be managed</p>	<p><u>Consistent:</u> There are several small pockets of native grassland areas within the project site. The development envelopes included as part of</p>

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<p>to protect native grassland habitat.</p> <p>CLUP Policy 9-18: Development shall be sited and designed to protect native grassland areas.</p>	<p>the proposed project, as modified through the conditions of approval, and access roads have largely been sited to protect these native grassland areas, consistent with these policies. The existing grazing operation moves the cattle around the ranch throughout the year in order to avoid over-grazing. This practice is expected to continue and would help to protect native grassland habitat from overgrazing. While small patches of native grassland are located within some of the development envelopes, site design and layout of future residential development can be tailored to ensure protection of this plant community, consistent with Policy 9-18 (Condition Nos. 18 and 19). A portion of the relocated Parcel 2 development envelope required under Condition No. 83 contains native purple needlegrass. However, there is sufficient room within the envelope to site future residential development so as to protect this plant community consistent with these policies.</p>
<p><u>WETLANDS</u></p> <p>CLUP Policy 9-9: A buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands. No permanent structures shall be permitted within the wetland or buffer area except structures of a minor nature, i.e., fences, or structures necessary to support the uses in Policy 9-10. The upland limit of a wetland shall be defined as: 1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; or 2) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or 3) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation and land that is not. Where feasible, the outer boundary of the wetland buffer zone should be established at</p>	<p><u>Consistent:</u> With the exception of Parcel 5, which already includes a residence, proposed development envelopes, as modified through the conditions of approval, have been sited to avoid disturbance to any wetlands within the project site. The modified development envelopes are set back at least 100 feet from the top of banks of adjacent drainages and wetlands in order to protect water quality and to minimize disturbance of riparian habitat. In the case of Parcel 5, the development envelope has been reduced under Condition No. 86 consistent with this requirement in order to ensure that any additional development within this envelope meets the minimum setback requirements. No other development proposed as part of the project would be within wetlands or wetland buffer areas. The project would not result in any vehicle or pedestrian traffic in wetlands consistent with CLUP Policy 9-13, as the proposed trail easements are located outside of wetland areas. No changes to the</p>

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<p>prominent and essentially permanent topographic or man-made features (such as bluffs, roads, etc.). In no case, however, shall such a boundary be closer than 100 feet from the upland extent of the wetland area, nor provide for a lesser degree of environmental protection than that otherwise required by the plan. The boundary definition shall not be construed to prohibit public trails within 100 feet of a wetland.</p> <p>CLUP Policy 9-10: Light recreation such as birdwatching or nature study and scientific and educational uses shall be permitted with appropriate controls to prevent adverse impacts.</p> <p>CLUP Policy 9-11: Wastewater shall not be discharged into any wetland without a permit from the Regional Water Quality Control Board finding that such discharge improves the quality of the receiving water.</p> <p>CLUP Policy 9-13: No unauthorized vehicle traffic shall be permitted in wetlands and pedestrian traffic shall be regulated and incidental to the permitted uses.</p> <p>CLUP Policy 9-14: New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.</p> <p>CLUP Policy 9-16a: No grazing or other agricultural uses shall be permitted in coastal wetlands.</p>	<p>grazing practices are proposed as part of the project, and no new agricultural development is proposed in wetland areas, consistent with CLUP Policy 9-16a.</p>
<p><u>CIRCULATION</u></p> <p>Circulation Element Roadway Standards: The policy capacities provided in this Element shall be used as guidelines for evaluating</p>	<p><u>Consistent:</u> <i>Roadways:</i> Existing ADT counts on roadways in the vicinity of the project site indicate that all of the roadways are currently operating within acceptable levels of service and below the policy capacities assigned to</p>

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<p>consistency with this section of this Element. A project's consistency with this section shall be determined as follows:</p> <ol style="list-style-type: none"> A project that would contribute ADTs to a roadway where the Estimated Future Volume does not exceed the policy capacity would be considered consistent with this section of this Element. For roadways where the Estimated Future Volume exceeds the policy capacity but does not exceed the Acceptable Capacity, a project would be considered consistent with this section of this Element only if the number of ADTs contributed by the project to the roadway was less than or equal to 2 percent of the remaining capacity of that roadway or 40 ADT, whichever is greater. For roadways where the Estimated Future Volume exceeds the acceptable capacity but does not exceed Design Capacity, a project would be considered consistent with this section of this Element only if the number of ADTs contributed by the project to the roadway does not exceed 25 ADT. For roadways where the Estimated Future Volume exceeds the design capacity, a project would be consistent with this section of this Element only if the number of ADTs contributed by the project to the roadway does not exceed 10 ADT. 	<p>those segments. The contribution of ADTs from the proposed project to these roadways would not result in the Estimated Future Volumes for any of these segments exceeding their policy capacities. As such, the proposed project, as conditioned, would be consistent with this policy with respect to roadways.</p> <p><i>Intersections:</i> Besides the Las Varas Ranch Road and El Capitan Ranch interchanges on U.S. Highway 101, there are no intersections in the vicinity of the project that would be significantly affected by the proposed project. The site is accessed directly off U.S. Highway 101 approximately four miles west of the City of Goleta. These interchanges currently operate at LOS B or better and estimated future volumes would be unchanged given the nature of vehicle trips using these interchanges. The peak hour trips generated by the project (16 P.M. PHTs associated with future residential development and beach access parking lot) would not result in a change in volume to capacity (V/C) ratios at these interchanges above 0.15 and the interchanges would continue to operate within acceptable levels. As such, the project would be consistent with this policy.</p>
<p>Intersection Standards:</p> <ol style="list-style-type: none"> Projects contributing PHTs (peak hour trips) to intersections that operate at an Estimated Future Level of Service that is better than LOS C shall be found consistent with this section of this Element unless the project results in a change in V/C (volume/capacity) ratio greater than 0.20 for an intersection operating at LOS A or 0.15 for an intersection operating at LOS B. For intersections operating at an Estimated Future Level of Service that is less than or equal to LOS "C", a project must meet the 	

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<p>following criteria in order to be found consistent with this section of this Element.</p> <ol style="list-style-type: none"> 1) For intersections operating at an Estimated Future Level of Service C, no project must result in a change of V/C ratio greater than 0.10. 2) For intersections operating at an estimated future Level of Service D, no project shall contribute 15 or more Peak Hour Trips. 3) For intersections operating at an Estimated Future level of Service E, no project shall contribute 10 or more Peak Hour Trips. 4) For intersections operating at an Estimated Future Level of Service F, no project shall contribute 5 or more Peak Hour Trips. <p>c. Where a project's traffic contribution does not result in a measurable change in the V/C ratio at an intersection but does result in a finding of inconsistency with Intersection Standard 2 above, intersection improvements that are acceptable to the Public Works Department shall be required in order to make a finding of consistency with these intersection standards. A measurable change in V/C ratio shall be defined as a change greater than or equal to 0.01.</p> <p>d. Where a project's traffic contribution does result in a measurable change in V/C ratio and also results in a finding of inconsistency with Intersection Standards 1 or 2, above, intersection improvements that are sufficient to fully offset the change in V/C ratio associated with the project shall be required in order to make a finding of consistency with these intersection standards.</p> <p>e. The above intersection standards shall also apply to all projects which generate Peak Hour Trips to intersections within incorporated cities that are operating at levels of service worse than those permitted by the city's Circulation Element.</p>	

6.3 Zoning: Article II and County LUDC

6.3.1 Compliance with Article II and County LUDC

The project complies with applicable requirements and standards of Article II, the Coastal Zoning Ordinance. The parcels created through the Tentative Parcel Map within the portion of the ranch in between the highway and railroad meet minimum parcel size requirements and the improvements proposed as part of the project are permitted within the AG-II-100 zone.

There are three parcels in between the railroad and Pacific Ocean that are currently below the minimum parcel size for the AG-II-100 zone. These include an 8-acre, 94-acre, and 11-acre parcel. The 8-acre and 94-acre lots were illegally created in 1960 by the granting of a deed that did not comply with local ordinances in effect at the time. The illegal creation of the 8-acre lot was remedied by the issuance of development permits for this parcel, including a CUP in 1961 (61-CP-18) for gas processing facilities, pursuant to Section 66499.35(c) of the Subdivision Map Act. The illegal creation of the 94-acre parcel has not been remedied, and therefore the applicant is requesting a Conditional Certificate of Compliance (COC) as part of this project to legalize the lot. While the lot was illegally created in 1960, the current owners did not obtain their interest in the lot until 1969. Because the purchasers were an innocent party in the illegal subdivision, the lot must comply with ordinance requirements (e.g. minimum parcel size requirements) in place at the time of the purchase in 1969 before it can be developed. In this case, the minimum parcel size would be 10 acres under the Ordinance 661 Unlimited Agriculture zone district. Once the COC is obtained, a Lot Line Adjustment between the 94-acre and 8-acre lot and subsequent merger with the 11-acre lot would result in two lots of 55 and 58 acres in size. Thus, the parcels created through the Lot Line Adjustment in between the railroad and Pacific Ocean would be below the minimum parcel size required for the AG-II-100 zone. However, the existing parcels that are the subject of the Lot Line Adjustment are currently below the minimum 100-acre parcel size. The Lot Line Adjustment findings (Section 35-134 of Article II) allow parcels to be created that are below the minimum parcel size of the zone district so long as they were similarly below the minimum parcel size prior to being adjusted.

One of the criteria for determining whether or not parcels that are nonconforming as to size can be created through a Lot Line Adjustment is that the Lot Line Adjustment does not result in a greater number of residential developable parcels than existed prior to the adjustment. Two of the three existing parcels along the coastal bluff are residentially developable per the criteria identified in Section 35-134. Specifically, the two existing developable parcels are approximately 8 acres and 94 acres, respectively. Percolation tests conducted on the site demonstrate that private disposal systems are feasible. These parcels are located within the Goleta Water District's service boundary, so water service would also be feasibly obtained. These two parcels are currently accessed by existing unpaved ranch roads and do not involve steep grades or other constraints that would not meet County Fire Department standards for access. Improvement of these roads would ensure that adequate access is available to serve these parcels. Aside from the coastal bluffs, the two parcels are generally level and free of steep

slopes. Development could be sited consistent with the minimum setbacks required to accommodate the estimated 75-year bluff retreat. The two parcels are currently used for the ranch's cattle grazing operation and residential development on each lot would not threaten or impair the ongoing ranching operation, as residential development on these two lots would remove small areas of useable pasture from the 630 acres available throughout the cooperatively grazed ranch. There is no cultivated agriculture that would be impacted by development of these two lots. There is sufficient area within each lot to site development outside of existing environmentally sensitive habitat and buffer areas, as a large portion of each lot consists of non-native annual grassland which is not considered environmentally sensitive habitat. There are no known hazards on either parcel that would result in a hazard to life or property that could not be avoided or minimized through fuel management (for fire defensibility) and bluff setbacks (to accommodate bluff retreat). Development within the 8-acre parcel would be sited to avoid impacts to archaeological resources if possible, or any archaeological resources would be capped to allow for reasonable development and use of the site, consistent with County policies. As discussed in Section 6.2 and Section 6.3 above, the parcels are consistent with the applicable requirements of Article II and the Coastal Land Use Plan.

Therefore, since the Lot Line Adjustment would not increase the number of residentially developable parcels, the project complies with the Lot Line Adjustment findings.

The two lots (Lots 6 and 7) created through the Lot Line Adjustment north of the highway would meet the minimum parcel size requirements for the AG-II-100 zone. Additionally, the portions of these lots outside of the coastal zone that are currently zoned Unlimited Agriculture (U) under Ordinance 661 would be rezoned to AG-II-100 under the County Land Use and Development Code consistent with their existing land use designations.

The private shared water system to serve future residential development within the project site is a permitted use in the AG-II-100 zone district with a Minor Conditional Use Permit. It complies with applicable development standards for areas designated with the Environmentally Sensitive Habitat (ESH) Overlay zone (Section 35-97.19 of Article II), which mirror the relevant policies of the Coastal Land Use Plan analyzed above in Section 6.2 of the staff report.

6.4 Subdivision/Development Review Committee

The project was reviewed by SDRC on March 18, 2005. Several changes were made to the project in order to satisfy requirements of the various County departments. More recent condition letters provided by the applicable departments are attached to the conditions of approval in Attachment B to this staff report.

6.5 Design Review

No residential development is proposed at this time. The project's infrastructure improvements are not subject to design review. Future residential development will be subject to design review on a lot-by-lot basis.

6.6 Development Impact Mitigation Fees

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment various development impact mitigation fees. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid.

The developer of a project that is required to pay development impact mitigation fees may appeal to the Board of Supervisors for a reduction, adjustment or waiver of any of those fees based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted or waived. The appeal must be submitted to the director(s) of the relevant departments within 15 calendar days following the determination of the fee amount(s). For a discretionary project, the date of determination of fee amounts is the date on which the decision-maker adopts the conditions of approval and approves the project.

Estimated Countywide Development Impact Mitigation Fees			
Fee Program	Base Fee (per unit or 1,000 sf)	Estimated Fee	Fee due at
Recreation (Parks)			
Dev. Mitigation	\$1,165 per sfd	\$6,990	Final Inspection
Quimby Fees	\$1,195 per lot	\$1,195	TPM Recordation
Transportation	\$536 per new lot	\$536	Final Inspection
Fire (\$0.20/sf.)	N/A	N/A	Final Inspection

7.0 APPEALS PROCEDURE

A Zoning Map Amendment recommended for approval is automatically forwarded to the Board of Supervisors for final action. Since all of the project applications are considered together, the Board of Supervisors is the final decision maker, therefore no appeal is required. If the Planning Commission recommends against the Zoning Map Amendment, the applicant or other interested person may file a written request for the Board of Supervisors to consider the Zoning Map Amendment request within 5 days following the action of the Commission.

The action of the Board of Supervisors on the permits that are located within the Coastal Zone may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's notice of final action.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval with attached Departmental letters
- C. Revised Final EIR (<http://www.sbcountyplanning.org/projects/05TPM-00002/index.cfm>)
- D. Rezone Resolution and Ordinance Amendment
- E. Coastal Development Permit

Las Varas Ranch, Case Nos. 05TPM-00000-00002, 05LLA-00000-00006, 05LLA-00000-00005, 07RZN-00000-00007, 07RZN-00000-00006, 07CUP-00000-00057, and 11COC-00000-00001, 11CDP-00000-00078

Hearing Date: July 30, 2014

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F. Proposed Site Plan

G. Hybrid Alternative Site Plan

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

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

1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (10EIR-00000-00005) was presented to the County Planning Commission and all voting members of the County Planning Commission have reviewed and considered the information contained in the Final EIR (10EIR-00000-00005) and its appendices prior to approving the project. In addition, all voting members of the County Planning Commission have reviewed and considered testimony and additional information presented at or prior to public hearing[s] on January 18, 2012, February 8, 2012, and July 30, 2014. The Final EIR reflects the independent judgment and analysis of the County Planning Commission and is adequate for this proposal.

1.2 FULL DISCLOSURE

The County Planning Commission finds and certifies that the Final EIR (10EIR-00000-00005) constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The County Planning Commission further finds and certifies that the Final EIR has been completed in compliance with CEQA.

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.

1.4 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL

The Final EIR (10EIR-00000-00005) 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 (10EIR-00000-00005), 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:

Aesthetics/Visual Resources

The project site contains numerous scenic views and viewsheds open to the public from various public vantage points, including U.S. Highway 101, Union Pacific Railroad (UPRR), beach, public trails, and near shore waters of the Pacific Ocean. The project site offers high quality expansive views of the rural undeveloped coastline and foothills of the

Santa Ynez Mountains. Visual simulations prepared as part of the EIR demonstrate the potential visibility of the development envelopes from various public vantage points. Although many of the development envelopes have been located to avoid visual impacts, future residential development within at least some of the development envelopes, including those proposed under project alternatives, has the potential to degrade public views if not sited and designed properly. Future development has the potential to be visually incompatible with the rural character of the area and the scale and character of existing development on the site as well as to intrude into the skyline or impair scenic views if not sited and designed properly. Additionally, if not designed properly, future residential development has the potential to degrade the existing dark night sky conditions by introducing new sources of light and glare into the area. These are considered significant but mitigable impacts. Mitigation measures to reduce these potential impacts include: 1) restricting building heights to 16 feet north of the highway and 15 feet south of the highway, consistent with Ridgeline/Hillside guidelines and View Corridor Overlay height requirements; 2) requiring future development to be compatible with the design, scale and character of vicinity development and utilize natural building materials and colors compatible with surrounding terrain; 3) requiring that the size, bulk, scale, height, and style of future development south of the highway be compatible with the ranch's existing historic buildings, as determined by an architectural historian; 4) requiring that development on Parcels 1 and 2 be set back far enough from the beach and sized appropriately so as not to intrude into the skyline or break the view plane of the Santa Ynez Mountains as viewed by the public; and 5) following night sky lighting practices. The relocated and reduced development envelopes analyzed as project alternatives and incorporated into the project as conditions of approval would help to further reduce visual impacts. The County Planning Commission finds that these mitigation measures, in combination with the incorporation of alternative development envelope locations and sizes, are adequate to reduce these impacts to less than significant levels. The County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative aesthetic impacts is not considerable.

Agricultural Resources

The project site contains approximately 200 acres of lemon and avocado orchards and approximately 630 acres of suitable grazing land to support the existing cattle operation. A Rangeland Assessment prepared as part of the EIR concluded that the existing ranch in its current configuration has a carrying capacity of approximately 42 animal units per year, which exceeds the threshold of 25 to 30 animal units per year suggested by the Santa Barbara County Cattleman's Association as indicative of a viable cattle operation. However, the report concluded that the individual parcels are not viable as standalone parcels, as their rangeland carrying capacities are below this threshold. The development of residential uses under the proposed project in close proximity to active agricultural areas could create conflicts between the two uses, as the common nuisances associated with agriculture (e.g. noise, dust, odor, etc.) could be experienced by residents and ultimately lead to adverse modifications to or reductions in the agricultural operation. Mitigation to reduce this potential conflict and to ensure that future residential

development under the recommended hybrid alternative does not impair the ongoing agricultural operation includes a buyer notification program to be recorded on the individual deeds accompanying the sale of each lot and the recordation of CC&Rs, as proposed by the applicant, to ensure the continued agricultural use of the ranch. In addition, restrictions would be placed on future construction of residential development on Parcels 4 and 5 to reduce impacts to heifer calving and weaning activities. The County Planning Commission finds that these mitigation measures are adequate to reduce this impact to a less than significant level. The County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative agricultural impacts is not considerable.

Biological Resources

The recommended hybrid alternative, including the future residential development on each parcel, would result in potential adverse impacts to nesting and foraging bird and bat species, erosion and sedimentation from construction and resultant effects on aquatic species, removal of or disturbance to sensitive vegetation and habitats, introduction of invasive plants, temporary impacts to riparian vegetation, water quality and aquatic species from removal of the existing Gato Creek Arizona crossing and construction of the span bridge, fragmentation and loss of wildlife habitat, degradation of monarch butterfly habitat, degradation of seasonal wetlands, and disturbance to or removal of native riparian vegetation and sensitive plant species associated with the water system infrastructure. These impacts would primarily result from: 1) construction of the new bridge over Gato Creek, which results in short-term adverse construction impacts but long-term beneficial impacts associated with the removal of the existing Arizona crossing; 2) construction of roadway infrastructure and individual home sites and the associated potential for vegetation removal, erosion and sedimentation, and disturbance to bird nesting and roosting; and 3) the location of residential development envelopes adjacent to or within sensitive habitat and vegetation communities. Mitigation measures to reduce these potentially significant impacts to biological resources include: 1) preconstruction surveys for active bird nests and bat roosts within 500 feet of construction areas; 2) implementation of erosion and sediment control measures during construction; 3) establishing a minimum 100-foot buffer between future residences and habitable structures and the edge of sensitive habitat areas (30 feet for native grasslands) to protect sensitive habitat from degradation from construction activities and ongoing fuel management; 4) preparation and implementation of a fuel management plan to be balanced with sensitive resource protection; 5) review of landscape plans by the P&D staff biologist to ensure that invasive species are not introduced on to the site; 6) revegetation of disturbed areas with native plants; 7) implementation of a Gato Creek protection and restoration plan during construction of the span bridge; 8) implementation of a habitat protection and avoidance plan for development on Lots 1 and 2; 9) protection of monarch habitat; 10) maintaining minimum wetland buffers; and 11) aligning water lines to avoid sensitive plant species or riparian vegetation. The County Planning Commission finds that these mitigation measures, combined with the reduced and relocated residential development envelopes identified as project alternatives and incorporated as conditions of approval, are adequate to reduce these impacts to less than

significant levels. The County Planning Commission further finds that implementation of the mitigation measures discussed above and incorporation of the project alternatives recommended by staff would ensure that the project's contribution to cumulative impacts to biological resources is not considerable.

Cultural Resources

As detailed in the EIR, the project site contains several historic and archaeological resources. A historic resources report prepared for the site concluded that several of the existing structures on-site are historically significant and the portion of the ranch south of the highway qualifies as a Rural Historic Landscape as a result of the ranch's association with the broad historical pattern of Goleta ranching. The site has retained its historic integrity since most of its important landscape characteristics are unchanged since the period of significance (1880 to 1959). Proposed infrastructure improvements and residential development envelopes have largely been sited to avoid impacts to known archaeological resources. The recommended hybrid alternative has the potential to disturb unknown cultural deposits resulting from ground disturbance associated with the installation of infrastructure and future residential development, which is considered a significant but mitigable impact. Mitigation measures to reduce this impact include construction monitoring, unless subsurface testing within the area of disturbance determines that no resources are present, as well as the standard discovery measure. The proposed Parcel 3 development envelope overlaps a portion of a recorded archaeological site, considered a significant resource under CEQA. Mitigation to reduce this impact includes reducing the residential development envelope on Parcel 3 in order to avoid the significant portions of the recorded archaeological site, prohibiting ground disturbance outside of the Parcel 3 development envelope, temporary fencing to protect the site during construction activities, and construction monitoring and further analysis in the event that archaeological remains are encountered. The Parcel 7 development envelope and access road are located adjacent to the boundaries of a recorded archaeological site. Ground disturbance associated with construction could result in potential unintended impacts to the recorded site given its proximity. Mitigation to reduce this impact includes the erection of temporary fencing around the site during construction, prohibiting ground disturbance in close proximity to the recorded archaeological site, as well as construction monitoring and the standard discovery clause. The County Planning Commission finds that these mitigation measures are adequate to reduce these impacts to less than significant levels. The County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative archaeological impacts is not considerable.

While none of the existing historic structures on-site are proposed to be removed or altered, the introduction of new development into the Rural Historic Landscape has the potential to be incompatible with the character-defining features of the site and impair their integrity to a point where they are no longer able to convey their historic significance. Further, new development in close proximity to historic structures has the potential to degrade the historical significance of these structures by altering the characteristics of the surrounding environment that contribute to their significance.

These impacts are considered potentially significant but mitigable. Mitigation includes requiring that new development within the Rural Historic Landscape boundaries be compatible in size, bulk, scale, height and style with the existing historic buildings consistent with the Secretary of the Interior's standards, as determined by a County-approved architectural historian. Other mitigation includes photo-documentation of the significant buildings within the Rural Historic Landscape prior to development in these areas and requiring that any rehabilitation of these structures comply with the Secretary of the Interior's standards. The County Planning Commission finds that these mitigation measures are adequate to reduce these impacts to less than significant levels. The County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative historic impacts is not considerable.

Fire Hazards

The project site is beyond the standard 5 minute response time for emergency personnel. While this standard applies to urban and not rural areas, it is nevertheless indicative of adequate fire protection service for future residential development. The Santa Barbara County Fire Department uses a countywide level of service ratio of one fire fighter per 4,000 people to identify the maximum population that can be adequately served (Goleta Community Plan, p. 115). A ratio of one fire fighter to 2,000 people is considered "ideal." The population served by the three fire stations serving the project site presently meets or exceeds the 1:4,000 ratio. Thus, to maintain this level of service standard, any increase in population would require the County to hire additional fire fighters within the vicinity of the project site. Currently, the Fire Department budget is inadequate to maintain desired service level standards. In summary, the project is located beyond the five minute response time for the three nearest fire stations and any increase in the area population, even minor, would further exceed the service ratio limit necessary to maintain the minimum level of fire protection service. The proposed project would result in a small increase in population requiring fire protection services, resulting in a significant but mitigable impact. This impact would be mitigated by the payment of development impact mitigation fees at the time of new development, which is considered a sufficient fair-share contribution towards construction of a new fire station in western Goleta. The County Planning Commission finds that this mitigation measure is adequate to reduce this impact to a less than significant level. The County Planning Commission further finds that implementation of the mitigation measure discussed above would ensure that the project's contribution to cumulative impacts is not considerable.

Geologic Hazards

Similar to other projects involving grading on sloping topography, the recommended hybrid project alternative has the potential to result in erosion and sedimentation during and after grading and construction, which is considered a significant but mitigable impact. The implementation of standard best management practices during construction to control erosion and revegetate disturbed areas would reduce short-term erosion and sedimentation impacts to less than significant levels. The incorporation of best management practices and drainage features to reduce runoff in the long-term would effectively reduce long-term erosion and sedimentation impacts to less than significant levels. The County's coastal zoning ordinance requires that development be sited a minimum of a 75-year setback from the top of coastal bluffs in order to protect it from bluff retreat and protect the bluffs from development-induced erosion. For the project site, this equates to a setback of approximately 70 feet from the top of bluff. The development envelope on Parcel 1 is sited approximately 150 feet from the top of bluff at its closest point, more than double the minimum required setback. With relocation of the development envelope on Parcel 2 to the coastal bluff consistent with Alternative 3C, the envelope would be approximately 400 feet from the top of the bluff at its closest point. Nonetheless, if not sited and designed properly, future development could generate runoff that could contribute to bluff erosion. This is considered a potentially significant but mitigable impact. Mitigation to reduce this impact includes a requirement that structures and improvements on Parcels 1 and 2 be designed such that surface and subsurface drainage is conducted away from coastal bluffs and does not contribute to bluff erosion. Other potential geologic hazards affecting future development include landslides and slope stability within parcels 6 and 7 north of the highway, expansive soils and liquefaction potentially affecting development within the coastal plain, and the potential for radon gas exposure due to the presence of the Rincon formation underlying much of the project site. Mitigation to reduce these impacts includes requiring further site-specific geologic studies to provide recommendations for proper grading, foundation design, and other structural components of future development, and radon testing in all areas of proposed structural development. The County Planning Commission finds that these mitigation measures are adequate to reduce these impacts to less than significant levels. The County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative geologic impacts is not considerable.

Hazardous Materials

There are 17 recorded oil and gas wells that have been abandoned within the project site. There is evidence that at least two of these wells were leaking prior to being abandoned. Given the timing of many of the abandonments, there is the possibility that many of the wells were not abandoned in conformance with current safety standards. There is the possibility for oil, methane, or toxic gases to migrate through the wells and be released into the environment, which poses a potential health hazard to construction workers and the general public. This is considered a significant but mitigable impact. Mitigation to reduce this impact includes requiring monitoring during construction activities within

500 feet of mapped abandoned wells and following standard protocol in the event that any contamination or unexpected wells or piping are encountered. As a farming operation, the ranch currently stores agricultural chemicals, agricultural machinery lubricants and fuels within the project site. These are stored in and around the agricultural storage buildings within proposed Parcel 5. There are no records of spills or other incidents of release of hazardous materials, however the storage of these fuels and spent lubricants requires that the landowner obtain a permit from the County Fire department for hazardous waste generation. Because the ranch is not currently in compliance with these requirements and given the increase in the on-site resident and visitor population that would result from the recommended hybrid project alternative, the impact to public health and safety related to hazardous materials is considered potentially significant but mitigable. Mitigation to reduce this impact includes a requirement that the applicant obtain all necessary permits and authorizations from the County Fire Department for the storage and handling of hazardous materials and prepare and submit to the County Fire Department a Spill Prevention Control and Countermeasure plan for their review and approval. The County Planning Commission finds that this mitigation measure is adequate to reduce this impact to a less than significant level. The County Planning Commission further finds that implementation of the mitigation measure discussed above would ensure that the project's contribution to cumulative impacts is not considerable.

Land Use

The residential development envelopes included as part of the recommended hybrid project alternative could accommodate large residences that could potentially be out of character with the surrounding rural agricultural setting and existing development which has historically been modest in scale. The potential land use conflict and incompatibility is largely due to the visibility and prominence of future development as viewed by the public. Maintaining the existing agricultural operations and undeveloped areas within the ranch would help to minimize potential incompatibilities of future development by maintaining a rural context of the setting and ensuring that future residential uses remain subordinate to the rural character of the area. Absent any restrictions or guidelines addressing future development of the site and absent specific architectural designs and details to evaluate, the potential land use impact from future development is considered potentially significant but mitigable. Mitigation to reduce this impact includes requiring that future development be compatible with the size, bulk, scale, height, and style of existing historic structures within the project site, imposing building height limits and requiring design review of future development, and requiring that the CC&Rs be recorded which codify the applicant's commitment to remain in agriculture. The County Planning Commission finds that these mitigation measures are adequate to reduce this impact to a less than significant level. The County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative land use impacts is not considerable.

Recreation

New development included as part of the recommended hybrid project alternative is not expected to block scenic views of the mountains or ocean, nor would it intrude into the skyline as seen from El Capitan State Beach or public trails northwest of the project site. However, future residential development has the potential to degrade the experience of the recreating public as experienced from nearby locations if not designed to be compatible with the surrounding landscape (e.g. bright or reflective building materials, excessive mass, bulk and scale, inappropriate landscaping, etc.). This impact is considered potentially significant but mitigable with appropriate design review of future development by the Central Board of Architectural Review.

Development of the two coastal bluff parcels within the project site (proposed Parcels 1 and 2) could degrade the quality of the recreational experience if not sited and designed properly to be compatible with the surrounding land uses and rural character. This is considered a significant but mitigable impact. Relocation of the Parcel 2 development envelope under the recommended project alternative to a location on the coastal bluff and set back further from the bluff edge would reduce the potential for future development to be visually prominent or to degrade the quality of the public's recreational experience. The mitigation measures identified to reduce impacts to historic resources and visual resources would similarly reduce this impact. Additional mitigation to reduce this impact includes requiring that residences be set back far enough from the beach and sized appropriately so as to not intrude into the skyline or break the view plane of the Santa Ynez Mountains as viewed by the public. The County Planning Commission finds that these mitigation measures are adequate to reduce these impacts to less than significant levels. The County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative recreation impacts is not considerable.

Transportation/Circulation

The project site is accessed by an at-grade interchange on U.S. Highway 101. A traffic study conducted as part of the project concluded that the corner and stopping sight distances do not meet minimum Caltrans design criteria. In addition, the length of the existing left-turn deceleration lane for northbound motorists is less than the length required by Caltrans. Since the recommended hybrid project alternative would increase vehicular traffic at this intersection, primarily associated with the public beach parking, future users would be exposed to a potential traffic hazard resulting from sight distances and deceleration lanes below that which are typically required for safe operation. Impacts would be significant but mitigable. Mitigation to reduce this impact includes modifying a small cut slope 600 feet north of the Las Varas Ranch Road access to increase sight distance; extending the existing northbound left turn deceleration lane by approximately 240 feet within the center median to meet the minimum Caltrans distance of 530 feet; and providing full acceleration and deceleration lanes along the southbound shoulder of the highway. The County Planning Commission finds that these mitigation measures are adequate to reduce these impacts to less than significant levels. The

County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative transportation impacts is not considerable.

Water Resources/Flooding

The introduction of new impervious surfaces into the project site would increase the extent of surface runoff and peak flows within the site's watercourses. However, the vast majority of the site would remain undeveloped and there is ample opportunity to achieve infiltration of additional runoff before it reaches nearby watercourses. Thus, the increase in runoff is not expected to significantly alter flooding or stream flows within the project site. Impacts are less than significant and no mitigation is required. Construction-related water quality impacts primarily result from the exposure of soil to erosion and transport by surface water runoff, and the transport of construction materials and waste into area watercourses from the site during rain events. These short-term water quality impacts are considered significant but mitigable with the incorporation of standard best management practices during construction, including incorporation of an erosion and sediment control plan and ensuring that equipment washout areas are located at least 100 feet from any waterbody. The recommended hybrid project alternative would not have substantial impacts on the hydrological regime or substantially alter drainage patterns of the property or result in significant increases in surface runoff at the watershed level. However, future development could have more localized impacts on water quality through increases in pollutant loads typically associated with rural residential land uses. Long-term water quality impacts are considered significant but mitigable with incorporation of biofiltration to allow for infiltration of runoff, minimizing the extent of impervious surfaces, and protecting any outdoor trash container areas to prevent off-site transport. The County Planning Commission finds that these mitigation measures are adequate to reduce these impacts to less than significant levels. The County Planning Commission further finds that implementation of the mitigation measures discussed above would ensure that the project's contribution to cumulative impacts to water resources is not considerable.

1.5 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 approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 AMENDMENT TO THE DEVELOPMENT CODE AND ZONING MAP FINDINGS

The following findings apply to the two rezone applications, 07RZN-00000-00006 and 07RZN-00000-00007.

- A. Findings required for all Amendments to the County Land Use and Development Code, the Local Coastal Program, and the County Zoning Map.** In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map the review authority shall first make all of the following findings:

1. The request is in the interests of the general community welfare.

The project site contains several inland parcels and portions of parcels that are currently zoned Unlimited Agriculture (“U”) under Ordinance Number 661, which is now obsolete and has been replaced by the County Land Use & Development Code. The subject parcels are designated Agriculture II, 100-acre minimum lot area (A-II-100) under the Comprehensive Plan. It is the practice of the County to rezone such parcels to their appropriate zoning under the Land Use and Development Code when the opportunity presents itself in the form of a discretionary application for development, which would be to Agriculture II with a 100-acre minimum lot area (AG-II-100) in this instance. The two rezones would update the zoning of the subject parcels, or inland portions thereof, consistent with current governing ordinances and the designation in the Comprehensive Plan. Such *consistency rezones* are in the interests of the general community welfare because they ensure that the parcels are appropriately zoned and subject to applicable zoning ordinances and regulations in effect. These ordinances and regulations are in place, at least in part, to protect the general welfare of the community.

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

The rezones would update the zoning of the subject parcels consistent with current governing ordinances and the designation in the Comprehensive Plan. The rezones would not change the operation of the ranch or result in the potential for greater development of the ranch than what would otherwise be allowed. As such, the rezones do not alter the scope of the project, which has been found consistent with applicable policies of the Comprehensive Plan and Land Use & Development Code as discussed in Sections 6.2 and 6.3 of the staff report dated July 10, 2014, herein incorporated by reference. Therefore, this finding can be made.

3. The request is consistent with good zoning and planning practices.

The project site contains several inland parcels and portions of parcels that are

currently zoned Unlimited Agriculture (“U”) under Ordinance Number 661, which is now obsolete and has been replaced by the County Land Use and Development Code.

The subject parcels are designated Agriculture II, 100-acre minimum lot area (A-II-100) under the Comprehensive Plan. It is the practice of the County to rezone such parcels to their appropriate zoning under the Land Use and Development Code when the opportunity presents itself in the form of a discretionary application for development, which would be to Agriculture II with a 100-acre minimum lot area (AG-II-100) in this instance. The two rezones would update the zoning of the subject parcels, or inland portions thereof, consistent with current governing ordinances and the designation in the Comprehensive Plan. As such, the rezones are consistent with good zoning and planning practices.

2.2 CUP FINDINGS

The following findings apply to the private shared water system that serves all seven proposed lots, Case No. 07CUP-00000-00057, which is located within the coastal zone boundaries and inland portions of the County. As a result, the findings from both Article II Coastal Zoning Ordinance and the County Land Use & Development Code are provided below.

- A. Findings required for all Conditional Use Permits - Coastal.** In compliance with Section 35-172.8 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Major or Minor Conditional Use Permit the review authority shall first make all of the following findings:

1. That the site for the project is adequate in size, shape, location and physical characteristics to accommodate the type of use and level of development proposed.

The 1,784-acre project site is adequate in size, shape, location and physical characteristics to accommodate the shared water system and the potential future development of up to seven single family residences and residential accessory structures. Future development, including infrastructure improvements, would be limited to approximately 1% of the total project site and would be sited in areas of the ranch that are generally free from physical constraints such as steep slopes or dense vegetation that would be unsuitable for development.

2. That adverse environmental impacts are mitigated to the maximum extent feasible.

As analyzed in the project EIR (10EIR-00000-00005) and discussed in Section 6.1 of the staff report dated July 10, 2014, herein incorporated by reference, significant and adverse environmental impacts related to the shared water system have been mitigated to the maximum extent feasible. This includes incorporating the recommended mitigation measures from the EIR as conditions of project approval to mitigate impacts to the maximum extent feasible.

3. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The shared water system would serve up to 14 connections, assuming a single family residence and either guest house or agricultural employee dwelling on each lot. As discussed in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference, the streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. Mitigation measures have been applied to the project as conditions of approval requiring improvements to the Las Varas Ranch Road interchange with U.S. Highway 101 in order to meet Caltrans standards and reduce potential traffic safety hazards.

4. That there will be adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

The purpose of the shared water system is to provide potable water to serve future residential development on the project site. The shared water system would therefore ensure that adequate water supply is available to serve the project. The water system would be designed to meet County Fire Department standards for water storage to ensure adequate fire protection. Sewage disposal for future residential development would be by private septic systems. Percolation and drywell testing has demonstrated the feasibility of private disposal systems to ensure adequate sewage disposal to serve the project.

5. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

As discussed in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference, the project as conditioned would be consistent with applicable policies of the Comprehensive Plan. The project site consists of approximately 1,784 acres and is located in a low density rural area of the County. As discussed in Section 4.12 of the Revised Final EIR, herein incorporated by reference, the shared water system and water service to up to 14 new residential structures would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. The shared water system would have no significant impact on water supply and availability to other nearby properties. The shared water system is compatible with the rural area. The infrastructure to support the shared water system will largely be underground. The wells, storage tanks, and 960 square-foot treatment facility are small in scale, would not intrude into the skyline, and would be painted with natural earth tone colors to ensure that they would be subordinate to the scenic and rural character of the area.

6. That the project is in conformance with the applicable provisions and policies of Article II and the Coastal Land Use Plan.

As discussed in Section 6.2 and 6.3 of the staff report dated July 10, 2014, herein incorporated by reference, the private shared water system is a permitted use in the AG-II-100 zone district with a Minor Conditional Use Permit and the project is in

conformance with applicable provisions and policies of the Coastal Land Use Plan and the Coastal Zoning Ordinance.

7. That in designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.

The shared water system is compatible with the rural area. The infrastructure to support the shared water system will largely be underground. The wells, storage tanks, and 960 square-foot treatment facility are small in scale, would not intrude into the skyline, and would be painted with natural earth tone colors to ensure that they would be subordinate to the scenic and rural character of the area.

8. That the project will not conflict with any easements required for public access through, or public use of the property.

The private shared water system will not conflict with any easements for public access through the property as the infrastructure to support the shared water system will largely be underground and the wells, storage tanks, and treatment facility are not located within or adjacent to any existing or proposed public access easements.

9. That the proposed use is not inconsistent with the intent of the zone district.

A private shared water system is permitted in the AG-II-100 zone district with a Minor Conditional Use Permit. It is therefore not inconsistent with the intent of the AG-II-100 zone district.

B. Findings required for all Conditional Use Permits - Inland. In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings:

1. The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed.

The 1,784-acre project site is adequate in size, shape, location and physical characteristics to accommodate the shared water system and the potential future development of up to seven single family residences and residential accessory structures. Future development, including infrastructure improvements, would be limited to approximately 1% of the total project site and would be sited in areas of the ranch that are generally free from physical constraints such as steep slopes or dense vegetation that would be unsuitable for development.

2. Environmental impacts.

a. Within the Inland area significant environmental impacts will be mitigated to the maximum extent feasible.

As analyzed in the project EIR (10EIR-00000-00005) and discussed in Section 6.1 of the staff report dated July 10, 2014, herein incorporated by reference, significant environmental impacts associated with the shared water system have been mitigated to the maximum extent feasible. This includes incorporating the recommended

mitigation measures from the EIR as conditions of project approval to mitigate impacts to the maximum extent feasible.

3. Streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The shared water system would serve up to 14 connections, assuming a single family residence and either guest house or agricultural employee dwelling on each lot. As discussed in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference, the streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. Mitigation measures have been applied to the project as conditions of approval requiring improvements to the Las Varas Ranch Road interchange with U.S. Highway 101 in order to meet Caltrans standards and reduce potential traffic safety hazards.

4. There will be adequate public services, including fire protection, police protection, sewage disposal, and water supply to serve the proposed project.

The purpose of the shared water system is to provide potable water to serve future residential development on the project site. The shared water system would therefore ensure that adequate water supply is available to serve the project. The water system would be designed to meet County Fire Department standards for water storage to ensure adequate fire protection. Sewage disposal for future residential development would be by private septic systems. Percolation and drywell testing has demonstrated the feasibility of private disposal systems to ensure adequate sewage disposal to serve the project.

5. The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will be compatible with the surrounding area.

As discussed in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference, the project as conditioned would be consistent with applicable policies of the Comprehensive Plan. The project site consists of approximately 1,784 acres and is located in a low density rural area of the County. As discussed in Section 4.12 of the Revised Final EIR, herein incorporated by reference, the shared water system and water service to up to 14 new residential structures would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. The shared water system would have no significant impact on water supply and availability to other nearby properties. The shared water system is compatible with the rural area. The infrastructure to support the shared water system will largely be underground. The wells, storage tanks, and 960 square-foot treatment facility are small in scale, would not intrude into the skyline, and would be painted with natural earth tone colors to ensure that they would be subordinate to the scenic and rural character of the area.

6. The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.

As discussed in Section 6.2 and 6.3 of the staff report dated July 10, 2014, herein incorporated by reference, the private shared water system is a permitted use in the AG-II-100 zone district with a Minor Conditional Use Permit and the project is in conformance with applicable provisions and policies of the County Comprehensive Plan and the County Land Use and Development Code.

7. Within Rural areas as designated on the Comprehensive Plan maps, the proposed use will be compatible with and subordinate to the rural and scenic character of the area.

The shared water system is compatible with the rural area. The infrastructure to support the shared water system will largely be underground. The wells, storage tanks, and 960 square-foot treatment facility are small in scale, would not intrude into the skyline, and would be painted with natural earth tone colors to ensure that they would be subordinate to the scenic and rural character of the area.

2.3 LOT LINE ADJUSTMENT FINDINGS (COUNTY CODE CHAPTER 21, ARTICLE II, AND COUNTY LUDC)

The following findings apply to the two Lot Line Adjustment applications, Case Nos. 05LLA-00000-00005 and 05LLA-00000-00006.

A. Finding required for all Lot Line Adjustments. In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations), Section 35-134 of Article II, and Section 35.30.110 of the County LUDC, prior to the approval or conditional approval of an application for a Lot Line Adjustment the review authority shall first make all of the following findings:

1. The Lot Line Adjustment is in conformity with the County General Plan and purposes and policies of Chapter 35 of this Code, the Zoning Ordinance of the County of Santa Barbara.

The Lot Line Adjustments are an integral part of the project that has been evaluated for conformity with applicable County policies and ordinance standards. As discussed in Sections 6.2 and 6.3 of the staff report dated July 10, 2014, herein incorporated by reference, the project and its associated Lot Line Adjustments (as modified by the conditions of approval) are in conformity with the County General Plan, Chapter 21, and the Article II Coastal Zoning Ordinance and County Land Use and Development Code. As conditioned, the project includes establishment of an agricultural conservation easement (Condition No. 80) to ensure project compliance with County policies protecting agricultural resources.

2. No parcel involved in the Lot Line Adjustment that conforms to the minimum parcel size of the zone district in which it is located shall become nonconforming as to parcel size as a result of the Lot Line Adjustment.

There is no parcel involved in either of the Lot Line Adjustments that currently

conforms to the minimum parcel size of the AG-II-100 zone district that would become nonconforming as to parcel size as a result of the Lot Line Adjustment.

- 3. Except as provided herein, all parcels resulting from the Lot Line Adjustment shall meet the minimum parcel size requirement of the zone district in which the parcel is located. A Lot Line Adjustment may be approved that results in nonconforming (as to size) parcels provided that it complies with Subsection a. or b. listed below:**

- a. The Lot Line Adjustment satisfies all of the following requirements:**

- (1) Four or fewer existing parcels are involved in the adjustment; and**
- (2) The Lot Line Adjustment shall not result in increased subdivision potential for any affected parcel; and,**
- (3) The Lot Line Adjustment shall not result in a greater number of residential developable parcels than existed prior to the adjustment. For the purposes of this subsection only, a parcel shall not be deemed residentially developable if the documents reflecting its approval and/or creation identify that: 1) the parcel is not a building site, or 2) the parcel is designated for a non-residential purpose including, but not limited to, well sites, reservoirs and roads. A parcel shall be deemed residentially developable for the purposes of this subsection if it has an existing single family dwelling constructed pursuant to a valid County permit.**

Otherwise, to be deemed a residentially developable parcel for the purposes of this subsection only, existing and proposed parcels shall satisfy all of the following criteria as set forth in the County Comprehensive Plan and zoning and building ordinances:

- (a) Water supply. The parcel shall have adequate water resources to serve the estimated interior and exterior needs for residential development as follows: 1) a letter of service from the appropriate district or company shall document that adequate water service is available to the parcel and that such service is in compliance with the Company's Domestic Water Supply Permit; or 2) a County approved onsite or offsite well or shared water system serving the parcel that meets the applicable water well requirements of the County Environmental Health Services.**
- (b) Sewage disposal. The parcel is served by a public sewer system and a letter of available service can be obtained from the appropriate public sewer district. A parcel to be served by a private sewage disposal (septic) system shall meet all applicable County requirements for permitting and installation, including percolation tests, as determined by Environmental Health Services.**
- (c) Access. The parcel is currently served by an existing private**

road meeting applicable fire agency roadway standards that connects to a public road or right-of-way easement, or can establish legal access to a public road or right-of-way easement meeting applicable fire agency roadway standards.

- (d) Slope stability. Development of the parcel including infrastructure avoids slopes of 30 percent and greater.**
- (e) Agriculture viability. Development of the parcel shall not threaten or impair agricultural viability on productive agriculture lands within or adjacent to the property.**
- (f) Environmentally sensitive habitat. Development of the parcel avoids or minimizes impacts where appropriate to environmentally sensitive habitat and buffer areas, and riparian corridor and buffer areas.**
- (g) Hazards. Development of the parcel shall not result in a hazard to life and property. Potential hazards include, but are not limited to flood, geologic and fire.**
- (h) Consistency with Comprehensive Plan and Development Code. Development of the parcel is consistent with the setback, lot coverage and parking requirements of the zoning ordinance and consistent with the Comprehensive Plan and the public health, safety and welfare of the community.**

The Lot Line Adjustment north of U.S. Highway 101 (05LLA-00000-00006) involves parcels that conform to minimum parcel size requirements and therefore this finding can be made. The Lot Line Adjustment involving the three existing parcels in between the railroad and Pacific Ocean (05LLA-00000-00005) results in two parcels that are nonconforming as to minimum parcel size. However, two of the existing parcels are residentially developable pursuant to the above criteria and therefore this finding can be made since the Lot Line Adjustment results in no increase in the number of developable parcels. The third parcel is a long, narrow parcel encompassing the bluff edge and cliff face sandwiched in between the railroad and sandy beach and could not support residential development. The two existing developable parcels are approximately 8 acres and 94 acres, respectively. Percolation tests conducted on the site demonstrate that private disposal systems are feasible on each of these existing parcels. These parcels are located within the Goleta Water District's service boundary, so water service would also be feasibly obtained. These two parcels are currently accessed by existing unpaved ranch roads and do not involve steep grades or other constraints that would not meet County Fire Department standards for access. Improvement of these roads would ensure that adequate access is available to serve these parcels. Aside from the coastal bluffs, the two parcels are generally level and free of steep slopes. Development could be sited consistent with the minimum setbacks required to accommodate the estimated 75-year bluff retreat. The two parcels are currently used as part of the ranch's cattle grazing operation and residential development on each lot would not threaten or impair the ongoing

ranching operation as a whole, as development of these two parcels would only remove a small amount of useable pastureland (up to approximately four acres) relative to the total of 630 acres of suitable grazing across the ranch as a whole. There is no cultivated agriculture that would be impacted by development of these two lots. There is sufficient area within each lot to site development outside of existing environmentally sensitive habitat and buffer areas, as a large portion of each lot consists of non-native annual grassland which is not considered environmentally sensitive habitat. There are no known hazards on either parcel that would result in a hazard to life or property that could not be avoided or minimized through fuel management (for fire defensibility) and bluff setbacks (to accommodate bluff retreat). Development within the 8-acre parcel would be sited to avoid impacts to archaeological resources if possible, or any archaeological resources would be capped to allow for reasonable development and use of the site. As discussed in Section 6.2 and Section 6.3 of the staff report dated July 10, 2014, herein incorporated by reference, the parcels are consistent with the applicable requirements of Article II and the Coastal Land Use Plan. Further, the parcels are large enough such that they could be developed consistent with the setback, lot coverage and parking requirements of the Coastal Zoning Ordinance.

4. The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.

There are no existing violations in terms of parcel width, setbacks, lot coverage, parking, or other similar requirements of the AG-II-100 zone district. Therefore, the two Lot Line Adjustments will not increase any violations associated with the AG-II-100 zone district.

5. The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective County Ordinances: Article II (Sections 35-161 and 35-162) and Land Use and Development Code (Section 35.101.20 and 25.101.30).

The properties subject to the Lot Line Adjustments are in compliance with all laws, rules, and regulations of Article II and the County Land Use and Development Code.

There are currently no violations identified for the subject parcels, as they comply with the applicable provisions of Article II and the County Land Use and Development Code.

6. Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.

There are no existing utilities, infrastructure or easements that would need to be relocated as part of the two Lot Line Adjustments.

2.4 TENTATIVE MAP FINDINGS (COUNTY CODE CHAPTER 21)

The following findings apply to Case No. 05TPM-00000-00002.

A. The following, among others, shall be cause for disapproval of a tentative map including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:

- 1. Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the Office of the County Recorder, provided, however, that the Director of Public Works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final subdivision map by the County Recorder, unless the Director of Public Works shall approve such grants. If the Director of Public Works does not grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the Director of Public Works to grant such approvals may be made in writing to the Board of Supervisors, which may overrule the Director of Public Works and grant such requested approvals in whole or in part.**

There are no County streets affected by the Tentative Parcel Map. Therefore, this finding can be made.

- 2. Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street;**

The parcels created through the Tentative Parcel Map would be improved with access roads meeting County Fire Department standards. The TPM would not create any landlocked parcels and each of the three parcels would be accessible through private roads and driveways from U.S. Highway 101.

- 3. Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view;**

The proposed parcels are generally level or gently sloping and the subdivision and associated infrastructure improvements would not create steep or unsafe cut or fill slopes. The development envelopes are located in level or gently sloping areas of the parcels.

- 4. Grading or construction work on any proposed street or lot. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors;**

No grading or construction work would be permitted prior to recordation of the parcel map.

5. Potential creation of hazard to life or property from floods, fire, or other catastrophe;

The TPM would not create any hazards to life or property from floods, fire, or other catastrophes. Future development would be required to meet County Fire Department standards for defensible space and water storage for fire suppression purposes. Additionally, the residential development envelopes are not located within any identified flood zones and setbacks from adjacent creeks and drainages would ensure that life and property is protected from flood hazards.

6. Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation;

The TPM is an integral part of the project evaluated for consistency with applicable County policies in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference. As discussed in this section the TPM, along with the other elements of the project (as conditioned), would comply with applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan. The TPM would not affect the alignment of the state highway.

7. Creation of a lot or lots which have a ratio of depth to width in excess of 3 to 1;

The lots created through the TPM would not have a ratio of depth to width in excess of 3 to 1.

8. Subdivision designs with lots backing up to watercourses.

The proposed subdivision would not result in lots backing up to watercourses, though the lot lines would follow the alignments of existing drainages separating each lot.

B. A tentative map including tentative parcel map shall not be approved if the decision-maker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 *et seq.*, the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.

The TPM is an integral part of the project evaluated for consistency with applicable County policies and ordinance requirements in Sections 6.2 and 6.3 of the staff report dated July 10, 2014, herein incorporated by reference. As discussed in these sections, the subdivision and associated infrastructure improvements (as modified by the conditions of approval) are consistent with the County's Comprehensive Plan, Zoning Ordinance, and Chapter 21 of the

County Code, as well as the requirements of the State Subdivision Map Act. The TPM creates three parcels that meet minimum parcel size requirements and conform to other applicable requirements for the AG-II-100 zone district. Finding 2.5.A below, herein incorporated by reference, discusses the TPM's consistency with applicable provisions of the State Subdivision Map Act. Finding 2.4.A above, herein incorporated by reference, discusses the TPM's consistency with Chapter 21.

2.5 SUBDIVISION MAP ACT FINDINGS

A. Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall make the following findings for the Las Varas Ranch Tentative Parcel Map (Case No. 05TPM-00000-00002):

- 1. State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

The proposed subdivision identifies residential development envelopes that would accommodate future development, however no development is currently proposed. The envelopes would provide for future passive or natural heating or cooling opportunities given their size and open location.

- 2. State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.**

As discussed in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference, the subdivision (as modified by the conditions of approval) is consistent with the County General Plan, including the Coastal Land Use Plan. The agricultural conservation easement included as part of the recommended hybrid alternative (Condition No. 80) would enhance consistency of the project with the applicable County and State policies protecting agricultural resources. Incorporating the alignment of the proposed Coastal Trail as described in Alternative 4A of the EIR (Condition No. 81) would similarly enhance the project's consistency with County policies related to public access by providing a connection between the Coastal Trail and vertical beach access trail and bringing the trail closer to the shoreline.

- 3. State Government Code §66474. The following findings shall be cause for disapproval of a Tentative Parcel Map/Tract Map:**
 - a. The proposed map is not consistent with applicable general and specific plans as specified in §66451.**

As discussed in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference, the subdivision (as modified by the conditions of approval)

is consistent with the County General Plan, including the Coastal Land Use Plan. The agricultural conservation easement included as part of the project as conditioned would enhance consistency of the project with the applicable County policies protecting agricultural resources. Incorporating the alignment of the proposed Coastal Trail as described in Alternative 4A of the EIR would similarly enhance the project's consistency with County policies related to public access by providing a connection between the Coastal Trail and the vertical beach access trail and bringing the trail closer to the shoreline.

b. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

As discussed in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference, the subdivision (as modified by the conditions of approval) is consistent with the County General Plan, including the Coastal Land Use Plan. The agricultural conservation easement included as part of the project as conditioned would enhance consistency of the project with the applicable County policies protecting agricultural resources. Incorporating the alignment of the proposed Coastal Trail as described in Alternative 4A would similarly enhance the project's consistency with County policies related to public access by providing a connection between the Coastal Trail and vertical beach access trail and bringing the trail closer to the shoreline.

c. The site is not physically suitable for the type of development proposed.

The land to be subdivided totals approximately 400 acres and is proposed to be divided into three lots totaling 100 acres, 147 acres, and 157 acres, respectively, with the lot lines following existing north-south trending drainages. The land is generally level and there is ample open area to accommodate future development of a single family residence and associated accessory structures on each lot. No land would be removed from active agricultural production and the proposed 2-acre envelopes would not interfere with the ongoing cattle ranching operation, which would continue to operate as a cooperative over the three lots. Therefore, the site is physically suitable for the type of development proposed.

d. The site is not physically suited for the proposed density of development.

The proposed lots created through the Tentative Parcel Map would comply with the minimum parcel size (100 acres) for the zone district and land use designation in effect. Single family dwellings and associated accessory structures are permitted uses in the AG-II-100 zone district. The site is suited to accommodate future development of a single family residence and associated accessory structures on each of the lots.

e. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

As discussed in Section 6.1 of the staff report dated July 10, 2014, herein incorporated by reference, the proposed project would potentially result in substantial environmental damage and injure fish or wildlife or their habitat. The EIR prepared

for the project identified both project alternatives (e.g. Alternative 3C) as well as mitigation measures to reduce these impacts to less than significant levels.

Applicable mitigation measures have been incorporated into the project as conditions of project approval. With implementation of the recommended hybrid alternative and these mitigation measures, the subdivision and proposed improvements would not cause substantial environmental damage or substantially injure fish or wildlife or their habitat.

f. The design of the subdivision or type of improvements is likely to cause serious public health problems.

The subdivision and proposed improvements are not likely to cause serious public health problems. As discussed in Section 6.1 of the staff report dated July 10, 2014, herein incorporated by reference, potential traffic hazards resulting from the project would be mitigated to less than significant levels with various improvements to the Las Varas Ranch Road interchange with U.S. Highway 101 as part of project approval. In addition, the EIR identifies mitigation measures to reduce impacts to public health associated with the potential to encounter contaminated soil from improperly abandoned oil and/or gas wells as well as a requirement that the applicant obtain all necessary permits and authorizations from the County Fire Department for the storage and handling of hazardous materials. Implementation of the Alternative 4A coastal trail alignment would provide a connection between the vertical and lateral trail easements, avoiding the potential public health and safety problems associated with disconnected trails that could encourage trail users to cross the highway. With implementation of these mitigation measures included as conditions of project approval, along with the recommended hybrid alternative, the subdivision and proposed improvements would not be likely to cause serious public health problems.

g. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no existing public access easements through the project site. Therefore, the project would not conflict with any public access easements through the project site.

4. State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:

(a) A contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5), including an easement entered into pursuant to Section 51256.

(b) An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5).

(c) An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.

(d) A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.

The project site is not subject to a Williamson Act contract. Therefore, the subdivision would not conflict with the California Land Conservation Act of 1965. The project site is not subject to an open-space easement, agricultural conservation easement, or conservation easement and would therefore not conflict with the Open-Space Easement Act of 1974 or applicable provisions of Chapter 4 of the Public Resources Code or Chapter 4 of the Civil Code.

- 5. State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.**

The proposed project would be served by private septic systems. Therefore, the project would not contribute to any violation of existing requirements prescribed by the California Regional Water Quality Control Board regarding community sewer systems.

2.6 COASTAL DEVELOPMENT PERMIT FINDINGS

The following findings apply to the portion of the private shared water system located in the coastal zone under Case No. 11CDP-00000-00078.

- 2.6.1 Finding required for all Coastal Development Permits. In compliance with Section 35-60.5 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.**

As discussed in Section 6.2 of the staff report dated July 10, 2014, herein incorporated by reference, adequate services are available to serve the proposed project. The purpose of the shared water system is to provide potable water to serve future residential development on the project site. The shared water system would therefore ensure that adequate water supply is available to serve the project. The water system would be designed to meet County Fire Department standards for water storage to ensure adequate fire protection.

2.6.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission. In compliance with Section 35-169.5.3 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission the review authority shall first make all of the following findings:

1. The proposed development conforms:

- a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;**
- b. The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).**

As discussed in Sections 6.2 and 6.3 of the staff report dated July 10, 2014, herein incorporated by reference, the shared water system as modified with the recommended hybrid alternative and mitigated with the incorporation of conditions of approval conforms to applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan as well as applicable provisions of the Article II Coastal Zoning Ordinance.

2. The proposed development is located on a legally created lot.

The project includes two lot line adjustments and one parcel map, along with a combination of voluntary mergers and a Conditional Certificate of Compliance for the existing 94-acre parcel south of the railroad tracks. With approval of all components of the project and recordation of the lot line adjustments and Tentative Parcel Map, the proposed shared water system would be located on legally created lots.

3. The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

The subject property and development on the property are in compliance with all laws, rules and regulations of the Article II Coastal Zoning Ordinance. There are no outstanding violations on the subject property and the proposed shared water system conforms to provisions of Article II, as discussed in Section 6.3 of the staff report dated July 10, 2014.

4. The proposed development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.

The infrastructure to support the shared water system will largely be underground.

The wells, storage tanks, and 960 square-foot treatment facility are small in scale and would not obstruct public views to and along the coast.

5. The proposed development will be compatible with the established physical scale of the area.

The infrastructure to support the shared water system will largely be underground. The wells, storage tanks, and 960 square-foot treatment facility are small in scale, would not intrude into the skyline, and would be painted with natural earth tone colors to ensure that they would be compatible with the established physical scale of the area.

6. The proposed development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

The shared water system would not be in conflict with any public access through or recreational use of the site. The shared water system would comply with the public access and recreation policies of Article II and the Comprehensive Plan, including the Coastal Land Use Plan.

2.6.3 Additional finding required for sites zoned Environmentally Sensitive Habitat (ESH) Overlay. In compliance with Section 35-97.6 of the Article II Zoning Ordinance, prior to the issuance of a Coastal Development Permit for sites designated with the ESH Overlay zone, the review authority shall first find that the proposed development meets all applicable development standards in Section 35-97.8 through Section 97.19.

The only area of the site that is impacted by the shared water system and is designated with the ESH Overlay zone is Gato Creek. The shared water system within the coastal zone would comply with all applicable development standards for creeks associated with the ESH Overlay zone. The shared water system would cross Gato Creek immediately south of U.S. Highway 101. Section 35-97.19(2) allows pipelines within stream corridors when no alternative route is feasible, as is the case on Las Varas Ranch. In compliance with Sections 35-97.19(4) and (5), any impacts associated with its construction would be reduced through the implementation of required mitigation measures incorporated as conditions of approval, including Condition Nos. 17 and 31, and any temporary removal of riparian vegetation during construction would be restored with native vegetation consistent with Condition No. 22.

ATTACHMENT B: CONDITIONS OF APPROVAL

PROJECT DESCRIPTION

1. This project is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibit #1, dated July 30, 2014, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows³:

LOT RECONFIGURATION

The proposed project is composed of three distinct applications, broken down by geographic area: 1) in between the Union Pacific Railroad (UPRR) and Pacific Ocean; 2) in between U.S. Highway 101 and UPRR; and 3) north of U.S. Highway 101.

In between the Union Pacific Railroad (UPRR) and Pacific Ocean, the project includes a lot line adjustment between Lots A and B after receipt of a Conditional Certificate of Compliance for Lot B, followed by a voluntary merger by the applicant between Lots B and C. This has the effect of reconfiguring three existing parcels of 11.08 acres (Lot A), 94.25 acres (Lot B), and 8.35 acres (Lot C) into two lots of 55 acres (Parcel 1) and 58.68 acres (Parcel 2), respectively.

The resultant 55-acre parcel (Parcel 1) would have a 5-acre designated residential development envelope and the resultant 58.68-acre parcel (Parcel 2) would have a 2.55-acre designated residential development envelope. Total estimated grading quantities are approximately 350 cubic yards of cut and 250 cubic yards of fill associated with access road improvements.

In between the UPRR and U.S. Highway 101, the project includes a lot merger combining two existing lots of 239.53 acres (Lot D) and 165.21 acres (Lot E) and a subdivision (Vesting Tentative Parcel Map) resulting in three proposed parcels of 100.00 acres (Parcel 3), 147.53 acres (Parcel 4), and 157.21 acres (Parcel 5), respectively. Parcel 3 would have a 3.5-acre residential development envelope, while Parcels 4 and 5 would each include a 5-acre designated residential development envelope encompassing existing development on the site. Total estimated grading quantities are approximately 2,000 cubic yards of cut and 1,500 cubic yards of fill associated with access road improvements.

North of U.S. Highway 101, the project includes a lot line adjustment of two lots following a voluntary lot merger by the applicant combining four existing lots of 740.09 acres (Lot F), 281.35 acres (Lot G), 242.3 acres (Lot H), and 1.27 acres (Lot I) into two lots. The lot line adjustment and lot merger would result in two parcels of 1,115 acres (Parcel 6) and 150.01 acres (Parcel 7), respectively. The resultant 1,115-acre parcel (Parcel 6) would not include a

³ The project description contained in Condition No. 1 is modified by the conditions of approval, including those related to development envelope sizes and locations and trail easement alignments. Where there is a conflict, the conditions of approval apply and supersede the project description.

specific development envelope given its size, though residential development would be limited to up to a five-acre development envelope within one of three potential development areas identified on the site plan.

The resultant 150.01-acre parcel (Parcel 7) would include a 2.5-acre residential development envelope. Total estimated grading quantities are approximately 5,500 cubic yards of cut and 5,000 cubic yards of fill associated with roadway development and improvements.

FUTURE RESIDENTIAL DEVELOPMENT

Future residential (non-agricultural) structures, improvements and development within each lot would be restricted to two contiguous acres within each designated development envelope or potential development area. No non-agricultural structures, improvements, development, grading or ground disturbance is to occur outside of the residential development envelopes within each of the proposed parcels except for proposed access roads, utility lines, any wastewater disposal areas and connection laterals to serve future residences as needed, and underground water storage tanks or cisterns for fire protection or other purposes serving the individual development envelope, and any above ground storage tanks, pump facilities or distribution lines pertaining to the shared water system. Agricultural structures and uses, including associated ground disturbance, may be located inside or outside of the development envelopes. Non-agricultural structures may include, but are not limited to, primary residences, garages, guest houses, and other accessory structures as may be permitted under zoning including storage structures, hobby rooms, artist studios, pool houses, and cabanas. Non-agricultural improvements include, but are not limited to, driveways and utility corridors serving non-agricultural structures, swimming pools, hot tubs, non-agricultural fences and walls, patios, decks, tennis and ball courts, wastewater disposal areas (septic tanks and leach fields), landscape irrigation systems, hard surfaced areas, walks, arbors, trellises, turf, and landscaping.

Access roads would range from 16 feet to 20 feet in width and would be improved with all-weather surfaces. All resulting parcels would be served by private septic systems and a private water system as discussed below. Additional grading would be expected as part of future building pad preparation on each residential building site, though the majority of the development envelopes are located on relatively flat terrain, thereby minimizing the amount of cut and/or fill that would be necessary. Drainage from proposed development areas and roadways would be collected and conducted to appropriate adjacent natural drainages. Undeveloped areas of the Ranch would continue to sheet flow consistent with historical drainage patterns.

PUBLIC TRAIL EASEMENTS

The project includes the dedication of an easement to the County of Santa Barbara for a public parking lot and public riding and hiking trail leading to the beach along the eastern boundary of proposed Parcel 5. The easement includes an 84-foot x 170-foot area in the northeast corner of proposed Parcel 5 for the parking lot and an approximately 4,000-foot long, 15-foot wide corridor for the trail. It would pass through an existing 8-foot wide, 12 to 15-foot high culvert under the Union Pacific Railroad tracks and out to the beach once a public access easement is obtained from the railroad company. The trail would largely follow the western bank of Las Varas Creek as it meanders south to the Pacific Ocean. The first half of the trail would pass through clearings along the edge of an existing avocado orchard, though there would be a few instances in which orchard trees would remain in between the trail corridor and the creek. The second (lower) half of the trail follows an existing dirt ranch road along the eastern side of the avocado orchard, in between the orchard and Las Varas Creek, before reaching the aforementioned culvert. The trail is primarily flat with one or two short drops in elevation along the way.

The project also includes the dedication of a lateral 25-foot wide easement to the County of Santa Barbara for a public riding and hiking trail along the southern property line of proposed Parcel 6 and continuing along Calle Real immediately south of Parcel 7 adjacent to U.S. Highway 101. Per the applicant's proposed easement, construction of the trail would be require the placement of a pedestrian span bridge over the existing underpass used by cattle to cross under U.S. Highway 101 at Gato Creek. From east to west, this trail corridor would follow the existing ranch road until reaching the existing farm employee residence/orchard facility area. At that point the trail would continue on the southern (highway) side of these structures (in order to avoid the residence and agricultural packing/storage facility) before rejoining the ranch road near the border between parcels 6 and 7. The trail would then continue to follow the existing ranch road, crossing Gato Creek on the pedestrian bridge referenced above, at which point the trail would follow an old segment of Calle Real through the remainder of the site.

The project also includes granting of a lateral easement across the coastal properties (Parcels 1 and 2) to allow for public access along the shoreline, to include the sandy beach area located seaward of the base of the coastal bluffs.

In addition to dedicating these easements to the County, the project also includes construction of the parking lot (which would have a gravel surface and include a bicycle rack), which would occur concurrent with construction of the first residential development south of the highway. The County or other appropriate agency would design, construct, and operate the trails and any other necessary improvements, though most of the trail segments follow existing ranch roads or are located alongside orchards such that only minor improvements would be necessary. In order to protect the existing agricultural areas from public trespass along the future public trails, fencing is proposed by the applicant along the orchard or grazing side of both the vertical and lateral trail easements. The fence is proposed to be approximately six feet high of a chain link material. The height and construction is subject to change if trespassers, poachers, or others gain entry though the fencing. Wildlife accessible passageways or culverts would be incorporated into the fence design to avoid impacting movement of wildlife along the corridors. The applicant has proposed to restrict use of the public easements from dawn to dusk in order to protect the existing agricultural operation and security of existing and future residents.

ACCESS ROADS

Internal circulation within the project site would be improved in order to provide access to each of the development envelopes or potential development areas in compliance with County Fire Department access requirements. This would occur through a combination of widening, paving, and extending existing ranch roads through the site, with widths ranging from 16 feet for individual lot driveways and roadways serving two lots, to 20 feet for roadways serving multiple lots. Specifically, the access road improvements include a total of up to approximately 4,145 linear feet of new roads, approximately 4,750 linear feet of widening of existing ranch roads, and approximately 7,490 linear feet of paving of existing ranch roads. The project includes replacement of the existing Arizona crossing on Gato Creek in between proposed Parcels 3 and 4 with a span bridge, which would be raised above the 100-year flood elevation of the creek and include abutments located outside of the creek banks.

WATER AND SEWER SERVICE

The project includes a Minor Conditional Use Permit for a State Small Water System for future residences on the seven proposed parcels that would result from the proposed project. The water system would be designed to support up to two residential water connections (assuming an agricultural employee residence or guest house on each parcel) for each parcel for a total of 14 water connections. It would be designed to meet domestic and landscape

irrigation water demands. Each new residential development served by the shared water system would include a water storage tank for fire protection purposes of a minimum of 2,500 gallons, consistent with Development Standard #3 of the County Fire Department.

Water would be supplied by surface water from existing water diversion and storage facilities within the Ranch and groundwater from a recently drilled well. The water system would include a water well, two booster pumps, treatment facility, and two above-ground water tanks to serve two different pressure zones (one located above the northern end of building area 6c and the other located adjacent to an existing ranch road approximately 150 feet east of Gato Creek and west of the middle of building area 6c). The treatment facility would be located on Parcel 6 adjacent to an existing ranch road near Gato Creek and would include a building of approximately 960 square feet (24 feet x 40 feet) for treatment equipment and supplies. It would require electrical power and an all-weather access road. The water tanks would have storage capacities of 30,000 and 60,000 gallons. The water lines would range between 2 and 4 inches in diameter.

The water treatment system is a "packaged" type plant consisting of a filtration unit, chemical feeds, waste decant tank, finished water storage tank, and booster pump. The support chemicals for the system include 12.5% Sodium Hypochlorite for oxidation, a coagulant (either aluminum sulfate or ferric chloride), and a cationic polymer to aid the coagulation process. The chemicals will be in bulk dry format and mixed in separate 50 to 100 gallon tanks and liquid fed into the raw water supply line prior to entering the packaged system. The system produces a waste stream that is typically 3-5% of the total flow pulled, which is composed of backwash water and waste from the clarifiers. The waste stream would be diverted to a decant tank (approximately 2,500 gallons) located next to the treatment building and the system would recover 95% of the waste stream which would be recirculated for potable use. The decant tank would need periodic removal of the solids, and it is anticipated that removal of the solids would be performed by a service company and disposed of at a sanitation receiving station on a semi-annual or annual basis. There would be no effluent released from the system.

Irrigation for the continued agricultural operation would be supplied by the existing Edwards Reservoir. Back up wells are in place to supplement the primary sources of irrigation during dry years, though these are rarely used.

Domestic water service for the existing residential development on the project site is provided by the Goleta Water District through two agricultural water meters. However, this water is non-potable, so potable water is provided by bottled water deliveries from the District. This service would remain in place for existing development within the project site.

Sewer service would be provided by individual septic systems and associated leach fields within each proposed parcel. Existing septic systems are in place to serve existing development within proposed Parcels 4 and 5, as well as the existing residential units on Parcel 6. New systems would be installed for the remaining proposed parcels. With the exception of Parcel 2, septic systems would be installed within the designated residential development envelopes. The system for Parcel 2 would be installed on the coastal terrace just west of the residential development envelope.

AGRICULTURAL OPERATIONS

Existing grazing lands on the ranch are proposed to continue as common grazing lands to be collectively managed through a cooperative grazing agreement and the development of CC&Rs to ensure such collective management. At a minimum, the CC&Rs would limit perimeter fencing outside of development envelopes and would provide a cooperative management

structure through identification of an HOA or other cooperative entity. Fences for agricultural purposes would be coordinated with Ranch Management so as not to impact existing and future agricultural operations. Each parcel resulting from the projects will be subject to CC&Rs that will include a requirement that all land outside the designated owners' development envelopes will be devoted to agricultural usage. The CC&Rs would include the following type of language and would not be able to be terminated or substantially altered for a minimum of 50 years, after which time they would be automatically extended each year unless two-thirds of the landowners vote otherwise. Amendments not affecting the continued agricultural operation could occur at anytime during the life of the CC&Rs and require only a majority vote given the broad range of issues they would cover:

Prior to Declarant's⁴ conveyance of the first Lot, Declarant shall record an easement for the benefit of [insert here either the name of the homeowners association or of the agricultural co-op], over all areas of the Ranch excluding (i) the designated Owner development envelopes, and, the common access roadway system; and, (iii) the areas devoted to water storage; and, (iv) the areas presently devoted to orchard usage (which excluded areas are depicted on Exhibit "____" attached to this Declaration and made a part hereof), which easement shall entitle and obligate [insert here either the name of the homeowners association or of the agricultural co-op] to manage, operate, maintain, and control the easement area for agricultural production, including but not limited to irrigated and dry land livestock grazing, using sound ranching practices and sound rangeland maintenance measures to ensure that the easement area is operated to its full agricultural potential without jeopardy to the land and its water supply, and for marketing the livestock and other agricultural products from the easement area. The easement area, or any portion thereof, may be leased to responsible third parties, but [insert here either the name of the homeowners association or of the agricultural co-op] shall reserve ultimate management control, responsibility, and supervision over the easement. Every Lot within the Ranch shall be subject to said easement and no Owner shall obstruct or interfere with [insert here either the name of the homeowners association or of the agricultural co-op]'s rights thereunder. Said easement also shall include a grant of access rights as shall be reasonably necessary for [insert here either the name of the homeowners association or of the agricultural co-op]'s management, operation, maintenance, and control over the easement area and livestock grazed thereon for agricultural production.

Existing orchards on the ranch are proposed to remain but would be individually managed by individual lot owners. However, minimum standards for production of commercial agriculture and best management practices in the orchard areas would be governed by the ranch CC&Rs.

REZONES

The applicant has requested a consistency rezone of the Inland parcels that are currently zoned Unlimited Agriculture ("U") under Ordinance Number 661 (now obsolete) to Agriculture II with a 100-acre minimum lot area (AG-II-100) under the County Land Use and Development Code. These include two entire parcels (Existing Lots G and F) and portions of three other parcels (Existing Lots H, E, and D). The subject parcels are designated Agriculture II, 100-acre minimum lot area (A-II-100) under the Comprehensive Plan. The proposed rezone would update the zoning of the subject parcels consistent with current governing ordinances and the designation in the Comprehensive Plan. Parcels, and portions thereof, within the Coastal Zone are currently zoned AG-II-100 and therefore do not require rezoning.

⁴ "Declarant" is the property owner who signs and records the CC&R's, the full name of which is "Declaration of Covenants, Conditions and Restrictions."

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

MITIGATION MEASURES FROM 10EIR-00000-00005

2. **AES 1.** In the event future residential development is sited within building area #1 (6a) on Parcel 6, it shall be restricted in height to 16 feet above existing grade (consistent with the Ridgeline/Hillside guidelines) and shall be sited and designed so as to avoid intrusion into the skyline as viewed from U.S. Highway 101. Excessive grading, interpreted for this project to mean a cut or fill slope of five feet or greater, shall not be permitted as a means to avoid skyline intrusion. Development of this site shall be subject to review and approval by the Central Board of Architectural Review (CBAR). Landscape plans shall be prepared with the objective of integrating the structures with the surrounding landscape and softening views.
Plan Requirements and Timing: The applicant shall submit architectural drawings of the project for review by the CBAR prior to approval of Land Use Permits for future residential development. Grading plans, if required, shall be submitted to P&D concurrent with or prior to CBAR plan filing. Story poles shall be erected as part of the CBAR review process.
MONITORING: P&D shall ensure residence is built in compliance with plans approved by the CBAR.
3. **AES 2.** Future residential structures shall not exceed a maximum height of 15 feet above existing grade (excluding architectural projections) within the View Corridor Overlay District and the area designated as a Rural Historic Landscape (Parcels 1 through 5).
Plan requirement: This measure shall be included on building plans for future residential development. Story poles shall be erected for each future residence as part of the CBAR review process. **Timing:** Plans shall be submitted for review by the CBAR prior to Coastal Development Permit approval for future residential development.
MONITORING: Height of building(s) shall be checked by Building and Safety during frame/inspection approval.
4. **AES 3.** All elements of the project (e.g., design, scale, character, colors, materials and landscaping) shall be compatible with the rural character of the area and vicinity development, including existing development within the site, and shall be subject to review and approval by the CBAR.
Plan Requirement and Timing: The applicant shall submit architectural drawings of the project for review by the Central Board of Architectural Review prior to approval of Coastal Development Permits or Land Use Permits for future residential development. Grading plans, if required, shall be submitted to P&D concurrent with or prior to CBAR plan filing.
MONITORING: P&D shall confirm buildings have been constructed consistent with approved plans prior to granting occupancy clearance.
5. **AES 4.** Natural building materials and colors compatible with surrounding terrain (earthtones and non-reflective paints) shall be used on exterior surfaces of all structures, including water tanks and non-agricultural fences. White-board fencing shall not be permitted. **Plan Requirement:** Materials shall be denoted on building plans. **Timing:** Structures shall be painted prior to occupancy clearance.

MONITORING: P&D shall inspect prior to occupancy clearance to ensure compliance.

6. **AES 5 Fencing.** To minimize the impacts of the trail fencing to the visual character of the site, a more subtle design than standard chain link shall be incorporated that is more visually permeable (e.g. thinner gauge wire, larger openings, hog wire, etc.), while still providing the necessary security for the adjacent agricultural operation consistent with other agricultural fencing within the ranch.

PLAN REQUIREMENTS AND TIMING: The final fence design shall be submitted to P&D for review and approval prior to issuance of the Coastal Development Permit for initial infrastructure development. The approved fencing shall be installed prior to opening of the public trails by the Community Services Department, Parks Division. In the event that the installed fencing is deemed ineffective in excluding the public and their dogs from the orchards and/or grazing land, the applicant may install an alternative form of fencing that provides the necessary security upon review and approval by P&D and Community Services Department, Parks Division.

MONITORING: The County Parks Department shall confirm that the fencing is in place prior to opening the trails for public use.

7. **AES 6.** To minimize nighttime lighting effects, future residential development on the site shall incorporate a lighting plan with the following elements:
- Conserve energy and follow night sky lighting practices, generally conforming to the standards and recommendations of the International Dark-Sky Association (IDA)⁵ and the Illuminating Engineering Society of North America (IESNA)⁶ for rural settings;
 - Any exterior night lighting installed on the project site within the residential development envelopes shall be of low intensity, low glare design, minimum height, and shall be fully hooded and shielded to direct light downward, such that lamp usage is not directly visible beyond the area of illumination;
 - Exterior lighting shall only be permitted within the development envelopes, unless associated with the agricultural operation;
 - Motion, light, and time sensors shall be used that minimize duration of use and 24-hour security lighting shall be avoided;
 - Uplighting of landscaping or structures shall be prohibited;
 - Locations of exterior lighting shall be minimized to that necessary for safety along driveways and parking areas. The driveway lighting shall be low intensity and indirect with on-demand switching to minimize night light visibility from public viewing places.

Plan Requirements: The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on a Lighting Plan to be reviewed and approved by P&D and the BAR prior to approval of each applicable Coastal Development Permit or Land Use Permit for future residential development.

MONITORING: P&D and BAR shall review a Lighting Plan for compliance with this measure prior to approval of a Coastal Development Permit or Land Use Permit for residential structures. Permit Compliance shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

⁵ Outdoor Lighting Code Handbook, Version 1.14 (<http://www.darkskysociety.org/handouts/ida-code-handbook.pdf>)

⁶ IESNA Lighting Handbook 9th Edition (<http://www.ies.org/store/departments/lighting-handbooks-10001.cfm>)

8. **AG 1-1: Construction Timing.** All construction-related activities associated with future residential development on Parcels 4 and 5, including associated infrastructure improvements, shall be timed so as not to commence during the calving and weaning season (approximately July through December). Residential construction on these lots shall commence outside of this season (January through June) so as not to significantly disturb or distress first-calf heifer calving and weaning. 10-foot high visual screening construction fencing shall be installed around the edge of the construction area to provide visual screening between the construction activities and cattle. In addition, construction workers shall adhere to the following restrictions:

- 1) No dogs shall be allowed on the construction site, including dogs within vehicles;
- 2) Construction traffic shall use existing roads where feasible;
- 3) All staging and storage of construction vehicles, materials, and equipment shall occur within the development envelope;
- 4) Construction vehicle speeds shall be limited to 5 mph; and
- 5) Construction crews shall be trained by the ranch manager to avoid cow disturbances.

Plan Requirements and Timing: This requirement shall be included on all grading and building plans associated with development on Parcels 4 and 5 and submitted for review and approval by P&D. The location of the temporary construction fencing shall be depicted on the plans submitted for review and approval by P&D.

MONITORING: P&D staff shall confirm that this requirement is printed on all grading and building plans submitted to P&D for review and approval prior to Coastal Development Permit issuance for residential development on Parcels 4 and 5. P&D compliance monitoring staff shall site inspect to ensure compliance in the field and respond to complaints.

9. **AG 2-1: Controlled Access.** To protect the liability of the ranch's agricultural operations, public access within the trails shall be restricted on days when a pesticide application (aerial or ground-based) is being conducted until the treated area is safe to re-enter, when orchards or trees are being pruned adjacent to the trails, or when other activities that may endanger the public or pose a potential conflict are being conducted adjacent to or in close proximity to the trails (estimated to be approximately six days per year). The applicant/landowner shall notify the County Parks Department and post a notice at the trails' public control points within the ranch at least 48 hours in advance of closures. In addition, permanent signs shall be placed at the trails' public control points within the ranch identifying the agricultural practices and the issues associated with being present adjacent to an active agricultural area, as well as educating trail users on proper trail etiquette and directing them to the right locations. **Plan Requirements and Timing:** A copy of the sign shall be reviewed and approved by P&D and Parks Department prior to zoning clearance for site improvements. The signs shall be installed prior to opening of the trails for public access.

MONITORING: P&D shall site inspect and document installation prior to opening the trails for public access.

10. **AG 2-2: Buyer Notification Program.** The following buyer notification shall be recorded on a separate information sheet with the final map and lot line adjustment or deed accompanying the sale of each lot:

Important: Buyer Notification

This property is zoned agriculture and is located in an area that is in active agriculture. The County of Santa Barbara has determined that it is in the public interest to preserve agricultural land and operations within the County and to specifically protect these lands for continued agricultural use. Through

enactment of an ordinance adding Section 3-23, Article V to Chapter 3 of the County Code, any inconvenience or discomfort from properly conducted agricultural operations, including but not limited to noise, odors, dust, and chemicals, will not be deemed a nuisance. Landowners within or adjacent to agricultural operations shall be prepared to accept such problems as the natural result of living in or near agricultural areas.

Plan Requirements and Timing: The notification shall be recorded with the final map and lot line adjustments and incorporated into the CC&Rs recorded for each lot. This shall occur prior to final map clearance and issuance of any CDP or LUP for any new residence within the Ranch. The CC&Rs shall be recorded prior to or concurrent with the sale of the first new lot within the Ranch. In the event that the CC&Rs are terminated, this provision shall remain in full force and effect.

MONITORING: P&D shall ensure the notification is included in the recorded map or line lot adjustment, prior to final map clearance. P&D shall review the CC&R document prior to issuance of any CDP or LUP for any new residence within the Ranch.

11. **AG 2-3: CC&Rs.** Future residential buildout shall not adversely impact continued agricultural use of the Ranch. The project CC&Rs shall address continued agricultural use of the ranch. The CC&Rs shall, at a minimum, address the following agricultural issues:

- Establishment of residential development envelopes, with the requirement that all residential buildings and non-agricultural structures be located within the development envelopes (except provisions for water storage tanks for fire protection purposes and other permitted infrastructure improvements);
- No conversion of existing orchards to a non-agricultural use and conversion of existing orchards to grazing land shall be minimized, though crop types may be changed; any necessary buffers between orchards and residential and non-agricultural development must be contained within the residential development envelopes;
- No impingement of existing cattle grazing operation by non-agricultural uses; fencing outside of the 2-acre areas selected by each owner for residential development within each development envelope shall not interfere with the ongoing agricultural operation and shall ensure continued use of common grazing lands;
- Off-road vehicle and equestrian use within the first-calf heifer calving pastures shall be limited to ranch personnel during the calving season;
- Provide cooperative management structure through identification of an HOA;
- Establishment of standards for production of commercial agriculture and best management practices in the orchard areas.

Plan Requirements and Timing: The CC&Rs shall be prepared by the applicant and approved by P&D and County Counsel prior to Final Map Clearances. CC&Rs shall be recorded concurrent with the recordation of the final maps/lot line adjustments. These provisions of the CC&Rs shall remain in place for a minimum of 50 years or so long as the CC&Rs remain in effect, whichever is longer. In the event that the CC&Rs are terminated, this provision shall remain in full force and effect.

MONITORING: P&D shall review the CC&R document prior to Final Map Clearance.

12. AQ 1: Construction-Generated Airborne Dust (PM₁₀). The applicant shall prepare a Construction Management Plan to control PM₁₀ emissions during grading and construction. At a minimum the Plan shall include the following dust control measures:

- During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency shall be required whenever the wind speed exceeds 15 mph. Minimize the amount of disturbed area and reduce onsite vehicle speeds to 15 mph per hour or less.
- All access points shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc.
- If importation, exportation, and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be covered with a tarp from the point of origin.
- After clearing, grading, earthmoving, or excavation is completed, the disturbed area shall be treated by watering, revegetating, or spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SBCAPCD prior to approval of permits for map recordation and for finish grading for any structures.

Plan Requirements/Timing: These measures shall be noted on all grading and building plans and approved by the County Planning and Development department prior to approval of follow on permits. These dust control requirements shall be noted on a separate informational sheet to be recorded with the maps.

MONITORING: The County building/grading inspector shall perform periodic site inspections throughout the grading and construction period.

13. AQ 2: Construction-Related Emissions. The applicant shall prepare a Construction Management Plan to control diesel emissions during construction. At a minimum the Plan shall incorporate the following mitigation measures:

- All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
- Diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emissions standards should be used to the maximum extent feasible.
- Diesel catalytic converters, diesel oxidation catalysts, and diesel particulate filters, as certified and/or verified by EPA or California, shall be installed on equipment operating on-site, if available.
- Diesel-powered equipment should be replaced by electric equipment whenever feasible.
- Idling of heavy-duty diesel trucks during loading and unloading should be limited to five

minutes; auxiliary power units should be used whenever possible.

- Construction worker's trips should be minimized by requiring carpooling where feasible.
- The engine size of construction equipment shall be the minimum practical size.
- The amount of construction equipment operating simultaneously shall be minimized through efficient construction management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment shall be maintained per the manufacturer's specifications.
- Construction equipment operating on site shall be equipped with two or four degree engine timing retard or pre-combustion chamber engines.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

Plan Requirements/Timing: These measures shall be noted on all construction plans and approved by the County Planning and Development department prior to approval of Coastal Development Permits and/or Land Use Permits.

MONITORING: The County building/grading inspector shall perform periodic site inspections throughout the construction period.

14. **AQ 3: Energy Conservation Measures.** The applicant shall incorporate the following energy conservation measures into future residential building plans unless the applicant or future landowner proves to the satisfaction of P&D that incorporation of a specific measure is infeasible:

1. Exceed the California Title 24 Energy Code requirements by 20% or greater for all relevant applications, including energy efficient appliances and lighting.
2. Apply water-based paint on all structures.
3. Low NOx residential and commercial water heaters and space heaters per specifications in the 1991 Air Quality Attainment Plan;
4. Solar panels for residential water heating systems and other facilities or use of on-demand water heater(s); Include design elements that maximize the use of natural lighting and passive solar cooling/heating.
5. Construct parking areas with concrete or other non-polluting materials instead of asphalt.
6. Develop landscape plans that use landscaping to shade buildings and parking areas where feasible.

Plan Requirements and Timing: The applicant shall incorporate the listed provisions into building and improvement plans or shall submit proof of infeasibility (with concurrence from P&D) prior to approval of Coastal Development Permits and/or Land Use Permits for individual residences.

MONITORING: Building and Safety shall site inspect to ensure development is in accordance with approved plans prior to Final Building Inspection Clearance. Planning staff shall verify landscape installation in accordance with approved landscape plans.

15. **BIO 2: Schedule Ground disturbance to Avoid Bird and Bat Breeding Season or Conduct Pre-construction surveys and Establish Buffers for Raptors and Special-Status Avian and Bat species.** All construction-related activities, including, but not limited to,

vegetation removal and initial ground disturbance for all project elements, shall be scheduled to avoid the breeding bird season, which is generally February 1 to August 15. If construction must begin within this period, a qualified biologist shall be retained to conduct a pre-construction survey for active nests in areas within 500 ft. of development. The biologist shall also survey structures and habitats within 500 feet for bat roosts and nests and bat foraging activity. **Plan Requirements and Timing:** The preconstruction survey shall be undertaken within 10 days prior to construction, to determine whether raptors or other special status species are nesting or roosting on site. A biological report shall be prepared and reviewed by Planning & Development before any project construction activities are initiated.

If raptors are found to be nesting, applicant shall avoid work in the area by providing a 500 ft. buffer between the nest and ground-disturbing activities until birds have fledged. If other active avian nests are found, no ground-disturbing activity shall occur within a buffer zone of 300 ft. around the nest, or as determined by the qualified biologist, based on the type and location of the nest and the specific work activity being conducted. If any day, night or maternity roosts of bat species are found, the site shall be monitored, and a 500 ft. buffer shall be applied.

MONITORING: P&D shall be given the name and contact information for the qualified biologist prior to initiation of the pre-construction survey. The biologist shall contact P&D prior to and at the conclusion of the field survey to inform P&D in writing of the survey plan and the results of the surveys. If no sensitive species are found, P&D will allow grading activities to commence. All required mitigation shall be implemented prior to the start of proposed grading activities. P&D or a qualified local biologist approved by the County shall monitor for compliance.

16. **BIO 4-1: Additional Provisions for SWPPP and Erosion Control Plans.** Condition #55 (MM WAT 2-1) and #58 (MM WAT 2-4) require the preparation of Stormwater and Erosion Control Plans. These plans shall also show the locations of coastal scrub, oak woodland, riparian woodland, delineated seasonal wetlands and undefined water bodies, and seeps within 100 feet of any work areas in the project area. Habitats occurring within 100 feet of proposed work areas shall be delineated in the field for avoidance during construction. **Plan Requirements and Timing:** See Condition #55 and #58.

MONITORING: P&D shall review the documentation prior to issuance of Coastal Development Permits or Land Use Permits for future development. P&D shall site inspect during construction for compliance with the SWPPP.

17. **BIO 4-2: Erosion Control BMPs and Seasonal Restrictions on Construction.** The applicant shall incorporate all applicable Best Management Practices (BMPs), including seasonal restrictions on construction, as appropriate, into the grading/drainage plan and implemented in the field to contain, control, and prevent soil erosion and sedimentation occurring outside of the development envelopes or areas of disturbance. Seasonal restrictions on construction shall be subject to: a) raptor and other bird nesting season (March-July), and b) monarch autumnal and/or overwintering sites (November-February). In all cases, seasonal restrictions on construction for species protection shall be determined on a site-specific basis by a qualified local biologist, depending on field conditions revealed during field surveys. **Plan Requirements and Timing:** The BMPs shall be maintained for the duration of construction. Installation and maintenance of appropriate sediment control measures shall be photo-documented and submitted by the applicant to County P&D prior to and during grading. These measures shall be identified on all grading and building plans and submitted to P&D for review and approval prior to issuance of Coastal Development Permits or Land Use Permits for future development.

MONITORING: P&D shall review the documentation prior to issuance of Coastal Development Permits or Land Use Permits for future development. P&D shall site inspect during construction for compliance with this condition.

18. **BIO 5: Buffer from Sensitive Habitat.** Future residences and habitable structures within each development envelope, as well as the water treatment facility and storage tanks, shall be sited a minimum of 100 feet from the edge of sensitive habitat as depicted in Exhibit #1 attached to these conditions (30 ft. for native grasslands) and as determined in the field by a County-qualified biologist at the time of future development. Based on the field survey, building envelopes shall not encroach into the sensitive habitat areas. **Plan Requirements and Timing:** Prior to recordation of the Final Map, this requirement shall be included on an Informational Sheet attached to the Final Map and shall be reviewed and approved by P&D. This requirement shall be shown on all building plans and a written report prepared by a County-qualified biologist containing detailed mapping of the development envelope habitats shall be submitted to P&D for review and approval prior to Coastal Development Permit approval for future residential development or approval of the Land Use Permit for the water treatment facility, as applicable.

MONITORING: P&D shall review and approve prior to recordation. P&D shall review the plans prior to approval of Coastal Development Permits or Land Use Permits for future structures to ensure compliance with this measure.

19. **BIO 6-1: Buffer from Sensitive Habitat.** All future residences, guest houses and other habitable structures (including the water treatment facility) must be positioned so that the 100-ft. fuel modification zones (30 feet for native grasslands) will not encroach within sensitive native habitat as depicted in Exhibit #1 attached to these conditions, and as determined in the field by a County-qualified biologist at the time of future development, including oak forest and woodland, Eucalyptus (for Monarch habitat and drainage features) California sycamore riparian woodlands, native grasslands (foothill and purple needlegrass, and meadow barley), specific types of coastal sage scrub (i.e., goldenbush scrub and lemonadeberry scrub) and wetlands. Based on the field survey, fuel management shall not encroach into the sensitive habitat areas. **Plan Requirements and Timing:** Prior to recordation of the Final Map, this requirement shall be included on an Informational Sheet attached to the Final Map and shall be reviewed and approved by P&D. This requirement shall be included on all building and grading plans submitted for future residential development.

MONITORING: P&D shall review and approve prior to recordation. P&D shall ensure plans for future development comply with the minimum buffer requirements. Permit Compliance shall site inspect during construction of future structures to ensure compliance.

20. **BIO 6-2 Fuel Management Plan Required.** The applicant shall prepare a Fuel Management Plan to ensure that avoidance of native vegetation is accomplished and to ensure that fuel management is balanced with sensitive resource protection. **Plan Requirements:** The Fuel Management Plan shall include the following:
- The goal of the plan would be to meet the dual goals of public safety and protection of significant vegetation.
 - The plan shall depict fuel management zones (i.e., Zone 1, 2, and 3) wherever required and shall include specific habitat and rare species protection and fuel management measures to be used in each management zone and for each habitat type. Onsite vegetation management shall be limited to the zones and clearance requirements/percentages conceptually described.
 - Impacts to native grasslands and special status plant and animal species shall be minimized. Zone 2 clearance of shrub cover shall not exceed 50% of shrub cover and

shall be created in a mosaic pattern. Mowing of native bunchgrass shall occur in such a manner that at least 4 inches of height of each plant remains after mowing. Pre-mowing surveys within the fuel management zones to ensure no ground-dwelling birds are nesting shall be conducted if mowing occurs during the nesting season (February 1 to August 15).

Timing: The Fuel Management Plan shall be reviewed and approved by P&D prior to approval of Coastal Development Permits or Land Use Permits for future residential development. Site plans shall show any proposed fuel management zones and measures to protect any sensitive habitat occurring within the zones. Vegetation clearance within the fuel management zones shall be conducted in compliance with the Fuel Management Plan.

MONITORING: P&D permit compliance staff shall monitor implementation of the Fuel Management Plan and respond to complaints.

21. **BIO 7-1: Biologist review of Landscape Plans.** Landscape Plans for future development shall be reviewed and approved by the P&D Staff Biologist. The applicant shall use primarily native, locally collected plant species (coastal Santa Barbara and Ventura County species or other non-invasive plant material) for landscaping purposes. The use of non-native invasive species shall be prohibited. **Plan Requirements and Timing:** The plans shall be approved by the staff biologist prior to approval of Coastal Development Permits or Land Use Permits for future residential development.

MONITORING: P&D permit compliance shall monitor implementation in the field.

22. **BIO 7-2: Revegetation of Disturbed Soils and Weed Eradication.** All soil surfaces exposed during any construction activity and which are not proposed to be developed or landscaped shall be revegetated with native plants typical of the adjacent habitat immediately after construction. All disturbed areas shall be monitored for the presence of invasive species. If weedy invasive species are found to be present, a weed-eradication program for the affected area shall be developed and implemented. **Plan Requirements:** Prior to issuance of Land Use or Coastal Development permits and grading permits for future dwellings and the road system, a Revegetation Plan prepared by a county-approved biologist shall be submitted for P&D review and approval. The Plan shall be implemented and deemed at least partially successful prior to occupancy clearance for the first residence.

MONITORING: P&D shall site inspect to ensure compliance.

23. **BIO 8: Prepare Resident Education Program.** The applicant shall retain a qualified local biologist to prepare a Resident Education Program. **Plan Requirements:** At a minimum, the Program shall contain literature discussing proactive measures that landowners shall implement regarding the following:

- Minimizing the attractiveness of the project area, specifically livestock areas, to non-native wildlife and avoiding or minimizing native wildlife mortality;
- Reducing or avoiding negative human/wildlife interactions;
- Keeping cats and dogs in at night in order to reduce predation by them on native wildlife and to prevent them from being preyed upon by coyotes and mountain lions;
- Requiring leashing of dogs on hiking trails;
- Developing measures to prevent domestic cats and dogs from roaming in habitats outside the development envelopes, such as barrier fencing around the development envelopes;
- Preventing domestic cats and dogs from reproducing and becoming feral;
- Eliminating food sources and other attractive nuisances to wildlife in and around development envelopes;

- Limiting impacts of non-native aquatic and terrestrial plants and animals on native wildlife and habitats (See BIO-6 and BIO 7-1 above);
- Prohibiting release of non-native animals into open spaces and collecting of native wildlife, such as turtles, frogs, and snakes;
- Educating residents concerning snakes and the benefits of these predators for rodent control, identification of harmless species, and the alternative of capturing and moving snakes to open space areas rather than killing them;
- The value of swallows, black phoebes, and other eave-nesting birds for insect control,
- Simple, proactive, non-invasive measures that can be implemented by landowners to prevent nesting by these species on residences and other structures; and
- Other relevant topics.

Timing: Prior to Map Recordation or final documentation of the Lot Line Adjustments, the Resident Education Program shall be submitted to County P&D for review and approval. The approved Program shall be included in the CC&Rs recorded for the project. In the event that the CC&Rs are terminated, this condition shall remain in full force and effect.

MONITORING: P&D and County Counsel shall review the CC&Rs to ensure compliance with this condition prior to final map clearance and final documentation of the Lot Line Adjustments and shall confirm recordation of the Program as part of the site's CC&Rs prior to Coastal Development Permit or Land Use Permit approval for the first residence.

24. **BIO 9:** The applicant shall prepare a **Gato Creek Bridge Crossing Protection and Restoration Plan** for avoiding impacts to sensitive species and native vegetation in Gato Creek during construction of the bridge. The Plan shall include:

- **Pre-Construction Surveys.** Pre-construction surveys for California red-legged frogs, South Coast newts, and other special-status amphibian species shall be conducted prior to construction activities no more than one week before construction begins. If any individuals of CARLF are found, the agencies shall be contacted. If other sensitive species are identified, appropriate measures shall be taken to ensure their protection as recommended by the consulting biologist and approved by P&D. The biologist, at his/her discretion, shall perform capture and relocation of non-listed fish, tadpoles, aquatic insects, and other animals found in the scour pool below the existing crossing to further downstream.
- **Biological Monitoring.** Removal of the existing crossing and installation of the proposed span crossing shall be monitored by a qualified wildlife biologist with a handling permit for potentially-affected wildlife. A County-qualified wildlife biologist shall monitor all aspects of removing the existing crossing and installation of the new span crossing and installation of grade control structures.
- **Installation of boulder weirs.** Prior to construction, plans for installing one or more boulder weirs (grade control structures) shall be prepared in consultation with a County-qualified wildlife biologist. The grade control structures shall consist of large boulders placed across the streambed upstream and downstream of the existing crossing in order to reduce the magnitude of streambed gradient re-adjustment following removal of the existing crossing. The boulder weir plans shall be included on all grading plans.
- **Dry season construction.** All work shall be conducted in the dry season after CRLF and newt larvae have metamorphosed (August 1 - October 15). Removing and replacing the existing crossing shall be done in as short a period of time as possible.
- **Staging outside Gato Creek corridor.** All staging and laydown areas shall be located outside of the Gato Creek riparian corridor on previously-disturbed ground.

- **Restoration of Vegetation.** Any native riparian vegetation removed or damaged shall be restored at a 3:1 (restored acres: disturbed acres) ratio. A separate plan shall be prepared by a County-qualified botanist that would be reviewed and approved by P&D. The goal of the restoration would be to restore any riparian habitat or functions disturbed by construction with a similar assemblage of species that occur in the area such that the restoration area is suitably integrated into the larger ecological matrix. Specific measures for restoration and monitoring success shall be included in the plan, including: an explicit species list, installation methods and activities, performance standards, monitoring methods, and schedules and budgets.
- **Fencing during construction.** Any additional protection procedures proposed to be used, including marking the extent of ground disturbance and fencing areas for avoidance.

Plan Requirements: The Gato Creek Bridge Crossing Protection and Restoration Plan shall be prepared by a qualified biologist approved by the County and shall be submitted to P&D and approved prior to Land Use Permit issuance for construction of the bridge. No alteration to the stream channel or banks shall be permitted (no Land Use Permit shall be issued) until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers and/or any other applicable federal or state agencies for any planned alteration to the stream channel or banks.

MONITORING: P&D or a qualified local biologist approved by the County shall monitor compliance with the Plan in the field. A report prepared by the biological monitor shall be submitted to P&D documenting the construction activities and any impacts to sensitive species or vegetation.

25. BIO 12-1: CC&R Provisions for Protection of Grassland Habitat and Wildlife. In order to protect remaining grassland habitat within the project site and use of the habitat by wildlife, the following measures shall be incorporated into CC&R's for the project:

- a. **Open Space provisions and Regulation of Agricultural Use.** Areas outside of development envelopes on Parcel 1 and 2 that contain native vegetation shall remain as open space and shall not be converted to row-crop agriculture, including, but not limited, to: alfalfa production, vineyards, orchards, or dry-farmed fields. Grazing shall be allowed.
- b. **Fencing.** New fences outside of development envelopes, along access roads and elsewhere in open space areas, shall be constructed to allow for wildlife passage while still providing the necessary functions for the livestock operations. The use of deer fencing or other tall mesh-type fencing shall be restricted to agricultural areas and within development envelopes. Construction of non-agricultural stone, stucco, or other solid walls outside of development envelopes shall be prohibited.
- c. **Rodenticides prohibited.** Rodent traps for non-agricultural purposes within the residential development envelopes shall be restricted to snap-traps and not rodenticides, which may kill rodents over a broad area outside the development envelopes.

Plan Requirements and Timing: These requirements shall be incorporated into the CC&Rs and included on an Informational Sheet attached to the Final Map and final documentation for the Lot Line Adjustments and shall be reviewed by P&D prior to final map clearance. The CC&Rs shall be reviewed by P&D and County Counsel prior to recordation. Notwithstanding their inclusion in the CC&Rs, these measures shall be adhered to throughout the life of the project. In the event that the CC&Rs are terminated, this condition shall remain in full force and effect.

MONITORING: P&D shall review the CC&Rs to ensure compliance with this condition prior to final map clearance and shall respond to complaints.

26. **BIO 12-2: Habitat Avoidance, Protection, and Restoration Plan.** To minimize impacts to sensitive resources from future development on Parcels 1 and 2, an onsite Habitat Avoidance, Protection, and Restoration Plan shall be prepared by a qualified biologist prior to development occurring on proposed Parcels 1 and 2. The Plan shall be prepared based on siting surveys conducted according to Mitigation Measure BIO-5. The Plan shall meet the following minimum parameters:

- a. The building site on Parcel 1 shall be limited to 2 acres and the building site on Parcel 2 shall be limited to 1 acre;
- b. Building sites within each development envelope shall avoid impacting native grasslands;
- c. Any native habitats temporarily or permanently disturbed shall be restored at a 2:1 ratio based on acreage.
- d. Roadways. Roadways shall not contain curbs, ditches, or other barriers to small, ground-dwelling wildlife. The width of access roads shall be the minimum necessary for vehicular and emergency vehicle safety in order to avoid or minimize habitat fragmentation and barriers to wildlife movement. Maximum speed limits on all access roads shall not exceed 20 mph in order to avoid or minimize wildlife mortality.
- e. Lighting. All outdoor lighting (including around residences, barns, corrals, and other facilities), access roads, and trails shall be of the minimum number and wattage necessary for safety and shall be shielded and directed downward to minimize light "pollution" to adjacent open spaces. Lighting within development envelopes shall not be directed outside of the envelopes.
- f. Landscaping shall avoid disturbance of native habitats.

Plan Requirements and Timing: The Plan shall include a map depicting all plant community types within the development area plus 300 ft., required buffers from each plant community per the coastal zone standards, all proposed grading, access, and residential development areas, exclusion areas, protective fencing locations, and fuel management areas. The Plan shall include measures to protect sensitive habitats during construction. The Plan shall be submitted to P&D for review and approval prior to approval of Coastal Development Permits for residential and accessory residential development on Parcels 1 and 2. P&D shall review plans for future residential development to ensure compliance with these requirements prior to permit issuance for future development.

MONITORING: P&D shall review the Habitat Avoidance, Protection, and Restoration Plan for each lot, in addition to grading and building plans, to ensure consistency with approved plans. Any necessary Restoration Plans for disturbed habitats shall include long-term monitoring for 5 years. P&D shall ensure compliance with approved plans during construction of infrastructure and future dwellings prior to Final Building Inspection Clearance.

27. **BIO 13: Envelope Reduction.** The development envelope on Parcel 2 shall be reduced and limited to the rear half of the envelope where there is further setback available from Gato Creek, consistent with the depiction in Alternative 2A. **Plan Requirements and Timing.** The development envelope shall be reconfigured and included on the map prior to recordation of the Lot Line Adjustment. P&D shall confirm reconfiguration of the development envelope prior to final map clearance.

MONITORING: P&D shall confirm appropriate configuration of the development envelope on plans submitted for future development of Parcel 2. P&D shall site inspect during construction to confirm compliance.

28. **BIO 15-1:** Trees in the monarch groves shall not be trimmed or removed during construction or occupation unless approved and monitored by County P&D and a qualified monarch butterfly biologist. **Plan Requirements and Timing:** Monarch Butterfly Environmentally Sensitive Habitat areas, adjacent woodland trees, and windrows shall be shown on all grading and building plans for work within 100 feet of these areas and submitted to P&D for review prior to approval of Coastal Development Permits or Land Use Permits for future residential development.

MONITORING: P&D shall review plans and site inspect during construction to ensure compliance with this measure.

29. **BIO 15-2: Monarch Protection Plan.** The landowner and future applicants for Lots 1, 2, 4 and 5 shall prepare and implement a Monarch Butterfly Protection Plan. The Plan shall include:
- Timing restrictions on grading and construction of access roads and future residential development that require use of heavy equipment, including backhoes, to avoid noise, dust, and increased human activity impacts to overwintering monarch butterflies (i.e., construction activities should occur between March and October);
 - If grading or other heavy equipment work must occur between October and March, a qualified biologist shall survey all eucalyptus trees within 50 feet of the development area prior to the start of work to determine use by monarchs. If butterfly aggregations are found within 50 feet of the work area, work activities shall be delayed until monarchs have left the site.

Plan Requirements and Timing: The Plan shall be reviewed and approved prior to issuance of Grading Permits for access roads, and prior to approval of Coastal Development Permits or Land Use Permits for future dwellings. The results of any pre-construction surveys shall be reviewed and approved by P&D prior to construction.

MONITORING: P&D permit compliance staff shall monitor implementation of the Protection Plan in association with each future permit and shall confirm results of any pre-construction surveys prior to construction.

30. **BIO 16: Wetlands.** All site improvements and project development shall maintain a minimum 100-ft. buffer from all coastal wetlands. The potential wetlands in the vicinity of Parcels 4 and 5 shall be properly delineated (i.e., using U.S. Army Corps of Engineers methods and coastal zone definitions) and identified on all grading or building plans for future residential development. No new structures, including irrigation and non-native landscaping, shall be placed, and no disturbance shall occur, within the wetlands or the 100 ft. buffers. **Plan Requirements and Timing:** Plans for future residential development shall be submitted to P&D for review prior to Coastal Development Permit approval. All wetlands and buffers shall be shown on grading and building plans, and the edge of the buffer shall be fenced in the field during construction.

MONITORING: P&D shall confirm compliance with this measure prior to permit issuance for future residential development on Parcels 4 and 5. P&D permit compliance staff shall monitor to ensure that the required 100-ft. buffers are maintained around all delineated wetlands during construction.

31. **BIO 18: Water line Location.** The water line locations shall utilize existing roads and disturbed areas to the maximum extent feasible. Trenching shall be avoided under oak tree canopies and near sensitive plants. Prior to construction, the applicant shall survey and flag

the alignment of the water lines along Gato Creek. A County-qualified biologist shall be retained to participate in the survey and realign the water line where necessary to avoid impacts to sensitive plant species or riparian vegetation. Any field revisions shall be plotted on a revised site plan submitted to P&D for review and approval. **Plan Requirements and Timing:** The revised plans showing relocated water lines shall be submitted to P&D for review and approval prior to Land Use Permit or Coastal Development Permit issuance. Individual oaks trees and all sensitive habitats and species shall be shown on the site plan and on grading plans.

MONITORING: P&D shall review and approve the final water line alignments prior to Land Use Permit and/or Coastal Development Permit issuance, and shall ensure that the required sensitive areas are avoided during construction.

32. **CULT 1-1.** All earth disturbances associated with infrastructure improvements and future residential development shall be monitored by a P&D-qualified archaeologist unless subsurface testing within the area of disturbance determines that no resources are present. **Plan Requirements and Timing:** Prior to approval of Coastal Development Permits and/or land use clearances, a contract or Letter of Commitment between the applicant and the archaeologist, consisting of a project description and scope of work, shall be prepared. The contract must be executed and submitted to P&D for review and approval. If after initial monitoring of the proposed area of disturbance or testing for presence/absence, the archaeologist determines that additional monitoring is unnecessary based on the absence of cultural resources, the requirement for further monitoring can be terminated with approval by P&D. Prior to occupancy clearance or Building & Safety sign-off, a cultural resources monitoring report must be submitted to P&D and the CCIC.

MONITORING: P&D shall confirm monitoring by archaeologist as required and spot check in the field.

33. **CULT 1-2.** In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** These measures shall be noted on all grading and building plans and approved by the County Planning and Development department prior to land use clearances.

MONITORING: P&D planners shall confirm monitoring by archaeologist and P&D grading inspectors shall spot check in the field.

34. **CULT 2-1.** The development envelope on Parcel 3 shall be reduced in size in order to avoid the high-density area of CA-SBA-80 that contributes to the site's significance, as recommended in the Phase 2 Archaeological Investigation of Parcel 3 conducted by Applied Earthworks in 2010. **Plan Requirements and Timing:** The development envelope shall be reconfigured prior to final map recordation. The applicant shall include a note on a separate informational sheet to be recorded with the final map designating the known significant portions of the archaeological site as an unbuildable area. The area shall not be identified as an archaeological site on the informational sheet.

MONITORING: P&D shall confirm reconfiguration of the development envelope and review the informational sheet prior to final map clearance. P&D shall site inspect during construction to confirm compliance.

35. **CULT 2-2** No ground disturbance of any kind, including landscaping and vegetation removal involving disturbance of root balls, shall be permitted outside of the reconfigured Parcel 3 development envelope. Utility infrastructure shall be sited so as to avoid the significant portions of CA-SBA-80, as recommended in the Phase 2 Archaeological Investigation of Parcel 3 conducted by Applied Earthworks in 2010. No additional orchard planting shall be permitted within the boundaries of CA-SBA-80. Grazing shall be exempt from this requirement. **Plan Requirements and Timing:** These requirements shall be shown on all approved grading and building plans. Plans shall be reviewed for conformance with this measure prior to approval of Coastal Development Permits or Land Use Permits for future development on Parcel 3.

MONITORING: P&D shall site inspect during construction to confirm compliance.

36. **CULT 2-3.** The high-density area of CA-SBA-80 (as determined by a County-qualified archaeologist) shall be temporarily fenced with chain link flagged with color or other material authorized by P&D where ground disturbance is proposed within 100 feet. **Plan Requirements:** The fencing requirement shall be shown on approved grading and building plans. The fence shall be designated as “exclusionary fencing” and shall not mention an archaeological site. **Timing:** Plans to be approved and fencing to be in place prior to start of construction.

MONITORING: P&D shall verify installation of fencing by reviewing photo documentation or by site inspection prior to grading or construction, and ensure fencing is in place throughout grading and construction through site inspections.

37. **CULT 2-4.** All earth disturbances within the development envelope for proposed Parcel 3 shall be monitored by a P&D-qualified archaeologist and a Native American Observer in accordance with the County Cultural Resource Guidelines. **Plan Requirements and Timing:** Prior to approval of land use clearances, a contract or Letter of Commitment between the applicant and the archaeologist, including identification of a Native American observer, consisting of a project description and scope of work, shall be prepared. The contract must be executed and submitted to P&D for review and approval. Prior to occupancy clearance or Building & Safety sign-off, a cultural resources monitoring report must be submitted to P&D and the CCIC.

MONITORING: P&D shall confirm monitoring by archaeologist and Native American observer and spot check in the field.

38. **CULT 2-5.** In the event significant archaeological remains such as features or diagnostic artifacts are encountered during grading in the low-density portion of CA-SBA-80, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** These measures shall be noted on all grading and building plans and approved by the County Planning and Development department prior to land use clearances.

MONITORING: P&D planners shall confirm monitoring by archaeologist and P&D grading inspectors shall spot check fieldwork.

39. **CULT 3-1.** Archaeological site CA-SBA-2409 and a buffer area (to be determined by a County-qualified archaeologist) shall be temporarily fenced with chain link flagged with color or other material authorized by P&D where ground disturbance is proposed within 100 feet of the site. **Plan Requirements:** The fencing requirement shall be shown on approved grading and building plans. The fence shall be designated as “exclusionary fencing” and shall not mention an archaeological site. **Timing:** Plans to be approved and fencing to be in place prior to start of construction.

MONITORING: P&D shall verify installation of fencing by reviewing photo documentation or by site inspection prior to grading or construction, and ensure fencing is in place throughout grading and construction through site inspections.

40. **CULT 3-2.** No ground disturbance of any kind, including landscaping and vegetation removal involving disturbance of root balls, shall be permitted within 100 feet of the boundaries of CA-SBA-2409. No orchard planting shall be permitted within the boundaries of CA-SBA-2409. Grazing shall be exempt from this requirement. **Plan Requirements and Timing:** These requirements shall be shown on all approved grading and building plans. Plans shall be reviewed for conformance with this measure prior to approval of Land Use Permits for future development on Parcel 7.

MONITORING: P&D shall site inspect during construction to confirm compliance.

41. **CULT 5:** Proposed residential and accessory buildings in Envelope Nos. 1, 2, 3, 4 and 5 shall be compatible in size, bulk, scale, height and style with the Las Varas Ranch’s existing historic buildings. Plans for proposed future residential development within these envelopes shall be reviewed by a County-qualified architectural historian contracted by the owner/applicant to ensure that future development does not compromise the integrity of the rural setting and adheres to the Secretary of the Interior’s *Standards for the Treatment of Historic Properties*. **Plan Requirements and Timing:** Final plans shall be reviewed and a report prepared for review and approval by Planning & Development and subject to third-party peer review prior to final approval of future residences by the Central Board of Architectural Review.

MONITORING: Permit compliance staff shall confirm buildings are constructed in conformance with final approved plans.

42. **CULT 6-1.** The significant historic buildings in Area 1 and Area 2 shall be retained *in situ*. Any rehabilitation of these buildings shall be undertaken using the Secretary of the Interior’s Standards for Rehabilitation. **Plan Requirements and Timing:** Any plans for rehabilitation or alteration of these buildings shall be prepared in conjunction with a County-approved architectural historian contracted by the owner/applicant to ensure adherence with the Secretary of the Interior’s Standards. Final plans shall be reviewed and a report prepared for review and approval by Planning & Development prior to approval by the Central Board of Architectural Review.

MONITORING: Permit compliance staff shall confirm buildings are constructed in conformance with final approved plans.

43. **CULT 6-2:** Prior to the project’s implementation the applicant shall provide for photographic documentation of the significant buildings in Areas 1 and 2 within their setting by a County-approved historian. Such photographic documentation includes large-format black and white archival photographs of the elevations of each building and their relationship to each other within their setting. A color Xerox copy of these photographs, with a copy of

this report, shall be provided to Planning and Development in hard copy and digital format and the original photographs and negatives shall be compiled in a binder, with a site map with arrows indicating the direction of each photograph, and provided to the Goleta Valley Historical Society. **Plan Requirements and Timing:** A letter from the Goleta Valley Historical Society to Planning and Development accepting receipt of this documentation shall be provided prior to CDP issuance for infrastructure improvements or the first new residential construction south of U.S. Highway 101.

MONITORING: P&D shall confirm receipt of photographic documentation prior to CDP issuance.

44. **FIRE-1: Impact Fees.** All applicable Development Impact Mitigation Fees in effect at the time of permit issuance for future residential development of the site shall be paid.

Plan Requirements and Timing. Payment of Development Impact Mitigation Fees to the County shall be made in the time, manner, and amount as prescribed by applicable fee schedules in effect at the time of Coastal Development Permit or Land Use Permit issuance.

MONITORING: P&D shall ensure payment of applicable fees is made at the appropriate times prior to permit issuance.

45. **GEO 1: Bluff Retreat.** All structures and improvements adjacent to the coastal bluffs shall be setback from the bluff tops consistent with the approved development envelopes. All structures and improvements within Parcels 1 and 2 shall be designed such that surface and subsurface drainage from development is conducted away from coastal bluffs and does not contribute to bluff erosion. **Plan Requirements and Timing:** Final development and building plans shall incorporate drainage designs prepared by a licensed engineer. The drainage designs and any supporting documentation shall be submitted to Planning and Development for review and approval prior to approval of Coastal Development Permits for development on Parcels 1 and 2.

MONITORING: Planning and Development shall review and approve plans for Coastal Development Permits for Parcels 1 and 2. Permit Compliance shall site inspect to ensure that construction is in accordance with the approved plans.

46. **GEO 2: Geologic Hazards.** Site-specific engineering geology/geotechnical report(s) and soils engineering studies addressing structure sites, shared water system, and access roads shall be performed. These reports shall provide recommendations for proper grading, foundation design, and other structural components of future development. **Plan Requirements and Timing:** These studies/reports shall be prepared by a licensed geologist and/or geotechnical engineer and shall be submitted to P&D for review and approval prior to approval of Coastal Development Permits or Land Use Permits for any site development. All recommendations shall be incorporated into grading and building designs and included on all grading and building plans.

MONITORING: Planning and Development shall review and approve applicable studies prior to approval of Coastal Development Permits or Land Use Permits. Permit Compliance shall site inspect to ensure that construction is in accordance with the approved plans.

47. **GEO 3:** Prior to issuance of building permits, radon testing shall be conducted in all areas of proposed structural development. If radon gas is present, habitable structures shall be designed and constructed in accordance with Environmental Protection Agency (EPA) guidelines for minimizing impacts associated with radon gas exposure. **Plan Requirements**

and Timing: A radon report, including recommendations, if applicable, shall be submitted to Building and Safety prior to issuance of building permits. As necessary, construction elements necessary to minimize radon gas exposure shall be incorporated in building design and depicted on building plans. P&D shall review and approve plans prior to Building Permit issuance.

MONITORING: Building and Safety shall site inspect to ensure construction is consistent with approved plans.

48. **HAZ 1-1: Hazardous Materials Discovery – Field Observation.** A registered environmental assessor shall conduct a pre-grading/construction training with appropriate construction crews regarding the identification of contaminated soil and shall be on-site during grading and site excavation activities in areas that are within 500 feet of mapped abandoned oil wells. In the event that visual contamination or chemical odors are detected while implementing the approved work on the project site, all work shall cease immediately. The property owner or appointed agent shall contact the County Fire Department's Hazardous Materials Unit (HMU); the resumption of work requires the approval of the HMU. **Plan Requirements/Timing:** This requirement shall be noted on all grading and building plans.

MONITORING: Permit Compliance staff shall site inspect to ensure compliance.

49. **HAZ 1-2: Encountering Oil Production Infrastructure.** In the event that any unexpected wells or piping are encountered during normal grading operations, all grading operations shall cease until the Division of Oil and Gas has been notified and appropriate actions have been taken. Previously abandoned wells showing evidence of continued leaking shall require re-abandonment to current standards under the direction of DOGGR and the County Fire Department in compliance with California Code of Regulations Title 14, Chapter 4 and the Public Resources Code, Section 3106. **Plan Requirements and Timing:** This requirement shall be noted on all grading and building plans.

MONITORING: Permit Compliance staff shall site inspect to ensure compliance. The County Fire Department and DOGGR shall monitor abandonment activities and documentation, as necessary.

50. **HAZ 2: Hazardous Materials Permits.** The landowner/applicant shall obtain all necessary permits and authorizations from the County Fire Department for the storage and handling of hazardous materials, including agricultural chemicals, fuels, and spent lubricants. The landowner/applicant shall prepare and submit to the County Fire Department a Spill Prevention Control and Countermeasure (SPCC) plan for their review and approval. **Plan Requirements and Timing:** The landowner/applicant shall submit all necessary material to the County Fire Department prior to the issuance of Coastal Development Permits for site infrastructure. The landowner/applicant shall obtain written confirmation from the County Fire Department that all applicable requirements have been met and shall submit this documentation to Planning and Development for review and approval prior to Coastal Development Permit issuance for site infrastructure.

MONITORING: P&D shall confirm compliance with this condition prior to Coastal Development Permit issuance.

51. **REC 2:** The design for any future residences on proposed Parcels 1 and 2, including massing, building materials, colors, and landscaping, shall be compatible with the rural character of the area. Residences shall be set back far enough from the beach and sized

appropriately so as to not intrude into the skyline or break the view plane of the Santa Ynez Mountains as viewed by the public. Excessive grading, interpreted for this project to mean a cut or fill slope of five feet or greater, shall not be permitted as a means to avoid skyline intrusion. The minimum distance for residential structures from the bluff top or beach edge shall be 200 feet. **Plan Requirements and Timing:** Final architectural plans shall be reviewed and approved by the Central Board of Architectural Review prior to issuance of Coastal Development Permits. Story poles shall be required as part of BAR approval. The story poles shall identify the peak height of each structure and include a line or tape in between poles identifying the peak roof pitch. Upon final design, visual simulations of each residence tied to proposed building pad elevation taken from two locations at Edwards Point (i.e. on either side of the point knoll) shall be prepared to demonstrate visibility of each residence from the beach.

MONITORING: P&D shall site inspect to ensure construction is in compliance with approved plans.

52. **TRANS 1:** To improve the corner and stopping sight distance, the Owner/Applicant shall modify the small cut slope approximately 600 feet north of the Las Varas Ranch Road access on the beach side to increase the sight distance. **Plan Requirements and Timing:** The owner/applicant shall submit grading plans to P&D for review and approval prior to approval of the first Coastal Development Permit for future residential development south of the highway or the beach parking lot, whichever comes first. The owner/applicant shall obtain an encroachment permit from Caltrans prior to Grading Permit issuance.

MONITORING: Grading inspector shall site inspect to ensure compliance with approved plans prior to occupancy clearance.

53. **TRANS 2:** The Owner/Applicant shall extend the existing northbound left turn lane approximately 240 feet within the center median to meet the minimum Caltrans distance of 530 feet. **Plan Requirements and Timing:** The owner/applicant shall submit plans to P&D and Public Works for review and approval prior to approval of the first Coastal Development Permit for future residential development south of the highway or the beach parking lot, whichever comes first. The owner/applicant shall obtain an encroachment permit from Caltrans prior to construction.

MONITORING: P&D shall site inspect to ensure compliance with approved plans prior to occupancy clearance.

54. **TRANS 3:** The Owner/Applicant shall construct full deceleration and acceleration lanes at Las Varas Ranch Road along the southbound shoulder of U.S. Highway 101 to meet minimum Caltrans requirements. **Plan Requirements and Timing:** The owner/applicant shall submit plans to P&D and Public Works for review and approval prior to approval of the first Coastal Development Permit for future residential development south of the highway or the beach parking lot, whichever comes first. The owner/applicant shall obtain an encroachment permit from Caltrans prior to construction.

MONITORING: P&D shall site inspect to ensure compliance with approved plans prior to occupancy clearance.

55. **WAT 2-1 SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National

Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.

PLAN REQUIREMENTS AND TIMING: Prior to issuance of Coastal Development Permits or Land Use Permits for future development, including infrastructure improvements and future residential development, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to approval of Coastal Development Permits and/or Land Use Permits. P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

56. WAT 2-2 Sediment and Contamination Containment. The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

1. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
2. Apply concrete, asphalt, and seal coat only during dry weather.
3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
4. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.
5. Re-vegetate graded areas upon within 30 days of completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading.

PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans. Bulk storage locations for construction materials and any measures proposed to contain the materials shall be shown on the grading plans submitted to P&D for review prior to approval of Coastal Development Permits or Land Use Permits for all future development.

TIMING: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.

MONITORING: The Owner/Applicant shall demonstrate compliance with these measures to P&D compliance monitoring staff as requested during construction.

57. WAT 2-3 Equipment Washout-Construction. The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site as necessary to avoid spillage. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Land Use Permits, Coastal Development Permits, Grading Permits, and Building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

58. **WAT 2-4 Erosion and Sediment Control Plan.** Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until regraded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit an Erosion and Sediment Control Plan (ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The Erosion and Sediment control plan shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (www.countysb.org/government/county_ordinance_code_Chapter_14_14-9_and_14-29 – refer to Erosion and Sediment Control Plan Requirements.)

PLAN REQUIREMENTS: The grading and erosion and sediment control plan(s) shall be submitted for review and approved by P&D prior to issuance of Coastal Development Permits and Land Use Permits. The plan shall be designed to address erosion and sediment control during all phases of development of the site until all disturbed areas are permanently stabilized.

TIMING: The plan shall be implemented prior to the commencement of and throughout grading/construction.

MONITORING: P&D staff shall perform site inspections throughout the construction phase.

59. **WAT 2-5 Grading Limits.** All future plans for development within individual development envelopes shall designate grading limit lines within the envelope to apply during construction.

PLAN REQUIREMENTS AND TIMING: The grading limit lines shall be depicted on all applicable site, grading, and building plans submitted to P&D for Coastal Development Permit or Land Use Permit approval. The areas shall be reinforced with temporary construction fencing or an equivalent barrier during construction.

MONITORING: The plans shall be submitted to P&D for review prior to approval of applicable Coastal Development Permit or Land Use Permit approval and Permit Compliance staff shall confirm installation of the temporary construction fencing in the field prior to construction.

60. **WAT 3-1 Storm Water Retention-Biofiltration Systems.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces, the Owner/Applicant shall construct a permanent biofiltration system to treat storm water runoff from the site. Biofiltration includes vegetated swales, channels, buffer strips, retention, and rain gardens, and shall be designed in accordance with the California Stormwater BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method. The biofiltration systems shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the filtration properties and the plants selected are adequate to reduce concentrations of the target pollutants including nutrients, heavy metals, pathogens, and oil and grease. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofiltration system. Invasive plants shall not be used. Biofilters shall not replace existing riparian vegetation or native vegetation

unless otherwise approved by P&D. **Plan Requirements and Timing:** The Owner/Applicant shall include the biofilter/bioretention design, including the plant palette and the source of plant material, on grading, drainage, and landscape plans for initial infrastructure improvements (i.e. access roads, water treatment facility, and public parking area), and depict it graphically. Applicants for future individual lot development within the project site shall include site-specific biofilter/bioretention designs, including the plant palette and the source of plant material, on grading, drainage, and landscape plans for future residential development, and depict it graphically. Maintenance plans for the biofilter systems shall be submitted to P&D for review and approval. Performance securities will be required to ensure installation and long-term maintenance, including maintenance inspections at least once/year. Long-term maintenance and proof of inspections shall be the responsibility of the HOA for common roadway areas and individual landowners for each future residence. Maintenance requirements shall be specified in the CC&Rs and recorded with the Clerk of the Board. The plans and copies of the applicable long-term maintenance programs shall be submitted to P&D, and Public Works, Project Clean Water staff, for review prior to issuance of Land Use Permits or Coastal Development Permits for all future development. Performance securities shall be submitted to P&D prior to Coastal Development Permit or Land Use Permit issuance for applicable development. In the event that the CC&R's are terminated, this condition shall remain in full force and effect.

MONITORING: P&D compliance monitoring staff shall site inspect for installation and periodically inspect for maintenance throughout a five-year performance period. Performance security release requires P&D compliance monitoring staff approval. The HOA or landowner, as applicable, is responsible for annual maintenance inspections of the biofiltration system. The HOA or landowner, as applicable, shall keep records of such inspections and provide them as requested to the County. The HOA or landowner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

61. **WAT 3-2** To reduce runoff from impervious areas and allow for infiltration, the applicant shall incorporate pervious materials or surfaces (e.g., porous pavement or unit pavers on sand) into the project design where feasible, including parking areas, courtyards, etc. **Plan Requirements and Timing:** Pervious surfaces shall be described and depicted graphically on the site, building, grading and landscape plans for future infrastructure and residential development. The applicable plans shall be submitted to P&D for review prior to approval of Coastal Development Permits or Land Use Permits for individual residences and prior to issuance of the Coastal Development Permit for infrastructure improvements.

MONITORING: P&D shall site inspect for installation.

62. **WAT 3-3** All outdoor trash container areas must meet the following requirements:
- Trash container areas must divert drainage from adjoining paved areas.
 - Trash container areas must be protected and regularly maintained to prevent off-site transport of trash.

MONITORING: P&D shall site inspect prior to occupancy clearance to ensure measures are constructed in accordance with the approved plan and periodically thereafter to ensure proper maintenance.

63. **WAT 4-1** Outdoor water use shall be limited through the measures listed below.
- Landscaping shall be primarily with native and/or drought tolerant species.

- b. Drip irrigation or other water-conserving irrigation shall be installed.
- c. Plant material shall be grouped by water needs.
- d. Turf shall constitute less than 20% of the total landscaped area.
- e. No turf shall be allowed on slopes of over 4%.
- f. Soil moisture sensing devices shall be installed to prevent unnecessary irrigation.
- g. If a successor ordinance is adopted regulating outdoor water use, it shall be complied with and shall supersede the above requirements.

Plan Requirements: Prior to Coastal Development Permit or Land Use Permit approval for future residential development, a landscape and irrigation plan shall be submitted to P&D for review and approval. The applicant/owner shall enter into an agreement with the County to install required landscaping/irrigation and maintain required landscaping for the life of the project. **Timing:** The applicant shall implement all aspects of the landscape and irrigation plan prior to occupancy clearance.

MONITORING: Permit Compliance shall conduct site visits to ensure installation and maintenance of landscape and irrigation. Any part of irrigation plan requiring a plumbing permit shown on building plans shall be inspected by Building Inspectors.

64. **WAT 4-2** Indoor water use shall be limited through the following measures:

- a. All hot water lines shall be insulated.
- b. Recirculating, point-of-use, or on-demand water heaters shall be installed.
- c. Self regenerating water softening shall be prohibited in all structures.
- d. Pool(s) shall have pool cover(s).

Plan Requirements: Prior to approval of Coastal Development Permits or Land Use Permits for future residential development, indoor water-conserving measures shall be graphically depicted on building plans, subject to P&D review and approval. **Timing:** Indoor water-conserving measures shall be implemented prior to occupancy clearance.

MONITORING: P&D shall inspect for all requirements prior to occupancy clearance.

TENTATIVE PARCEL MAP CONDITIONS

65. **Map-01 Maps-Info.** Prior to recordation of the tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Parcel Map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.

66. **Map-01a Maps-Future Lots.** Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.

67. **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the Parcel Map, the Owner/Applicant shall submit a Parcel Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter

21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.

68. **Map-10 Public Utility Easements.** Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the Parcel Map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.
69. **Rules-19 Maps/LLA Revisions.** If the unrecorded Tentative Map is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Tentative Map.

LOT LINE ADJUSTMENT CONDITIONS

70. **Map-01 Maps-Info.** Prior to recordation of the deed for the Lot Line Adjustment and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the deed. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
71. **Map-15 LLA-Deed Recordation.** The following language shall be included on the deeds used to finalize the lot line adjustment: "This deed arises from the lot line adjustment [Case Nos. 05LLA-00000-00005 or 05LLA-00000-00006] and defines a single parcel within the meaning of California Civil Code Section 1093 among two legal parcels created by 05LLA-00000-00005 [or 05LLA-00000-00006]." The County Surveyor shall determine the appropriate documents necessary to record with the deeds.
72. **Rules-19 Maps/LLA Revisions.** If the unrecorded Lot Line Adjustment is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Lot Line Adjustment.
73. **Rules-36 Map/LLA Expiration.** This Lot Line Adjustment shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.

CONDITIONAL USE PERMIT CONDITIONS

74. **Rules-02 Effective Date-Appealable to CCC.** The Conditional Use Permit for the private shared water system shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission.
75. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by the Conditional Use Permit shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has

satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

- 76. Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Land Use Permit (coastal)/Zoning Clearance (inland) within five years following the effective date of this Conditional Use Permit. If the required permits are not issued within five years following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 35-172.9 of Article II (coastal) and Section 35.82.060.G.2 of the County LUDC (inland), and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.
- 77. Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35-172.9 of Article II (coastal) and Section 35.82.060 of the County LUDC (inland). Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any CDP/LUP/ZCI approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit.
- 78. Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 79. Rules-06 Recorded Map Required.** The Tentative Map (05TPM-00000-00002) and Lot Line Adjustments (05LLA-00000-00005 and 05LLA-00000-00006) shall be recorded prior to issuance of any permits for development, including grading.

PROJECT SPECIFIC CONDITIONS

- 80. Agricultural Conservation Easement.** Prior to Final Map Clearances for the Tentative Parcel Map and two Lot Line Adjustments, the applicant shall grant a 1,784 acre Agricultural Conservation Easement (hereafter referred to as "Easement") in perpetuity, as shown on Attachment G to the Planning Commission staff report, dated July 10, 2014, to the County or a qualified nonprofit organization as defined by California Civil Code Section 815.3(a) or California Government Code Section 51075(f), which shall accept and record the Easement. The Easement shall be recorded free of prior liens and encumbrances (other than existing and approved easements for roads, trails, and utilities) which the County determines may affect the interest being conveyed, and shall run with the land in favor of the County or conservation organization, binding all successors and assigns. The recorded grant of easement shall include a formal legal description of the entire property and a metes and bounds legal description and graphic description, prepared by a licensed surveyor, of the Easement. The easement language shall indicate that no non-agricultural development shall occur within the Easement except the following activities as approved for the Project, or pursuant to a future permit:
1. Construction of residential structures, improvements, and development within each designated development envelope on each lot;
 2. Habitat restoration, enhancement and maintenance, including associated grading and drainage improvements for such purposes;

3. Installation, repair or upgrading of approved roads, utilities, including storm drains, water lines and associated water supply facilities, irrigation lines, underground water storage tanks or cisterns serving residential development, wastewater disposal areas, and similar facilities;
4. Construction of water quality management structures, erosion control and flood control management activities;
5. Fuel modification required by the County of Santa Barbara Fire Department undertaken in accordance with the final fuel modification plans approved for each parcel in association with future residential development, or other fuel modification plans required and approved by the County;
6. Improvements for and maintenance of public access, recreation, and/or environmental education and research including, but not limited to, trails, fencing along designated pathways, and associated appurtenances and necessary signage;
7. Reconstruction of existing drains or maintenance and repair activities consistent with permit conditions;
8. Activities for the remediation of hazardous materials as approved by the County; and,
9. Minor earth disturbance for archaeological study.

Management: Management and maintenance of the Easement, consistent with adopted mitigation measures and conditions for the proposed project shall be the responsibility of the owner/applicant through the established Homeowners Association and CC&Rs. However, nothing shall preclude the owner/applicant from entering into an agreement with the grantee of the Easement for management and maintenance of the Easement. **Plan Requirements and Timing:** Prior to Final Map Clearances for the Tentative Parcel Map and two Lot Line Adjustments, the owner/applicant shall 1) submit the easement language to the County for review and approval by the Planning and Development Department and County Counsel and 2) grant the proposed 1,784-acre Agricultural Conservation Easement in perpetuity to the County or a qualified nonprofit organization as defined by California Civil Code Section 815.3(a) or California Government Code Section 51075(f), which shall accept and record the Easement.

MONITORING: P&D staff shall confirm that the Easement has been granted in accordance with this condition prior to Final Map Clearances for the Tentative Parcel Map and two Lot Line Adjustments.

81. **Lateral Trail Easement.** In place of the lateral trail easement proposed by the applicant/owner, the applicant/owner shall dedicate a 15-foot wide easement to the County in perpetuity for a lateral public access trail that follows the alignment depicted in Alternative 4A of the Revised Final EIR.

PLAN REQUIREMENTS/TIMING: The easement document and the specific alignment for the trail shall be reviewed and approved by P&D, County Counsel and the Community Services Department (Parks Division) prior to Final Map Clearance for the Tentative Parcel Map and Lot Line Adjustment. The easement shall be accepted by the Board of Supervisors and recorded prior to Final Map Clearance for the Tentative Parcel Map and Lot Line Adjustment.

MONITORING: P&D staff shall confirm that the easement has been recorded prior to Final Map Clearance.

82. **Shoreline Trail Easement.** The alignment of the proposed shoreline trail easement being dedicated to the County by the owner/applicant along the sandy beach above the mean high tide shall be modified to ensure access around Edwards Point during periods of high tide.

PLAN REQUIREMENTS/TIMING: The easement document and the specific alignment for the shoreline access shall be reviewed and approved by P&D, County Counsel and the Community Services Department (Parks Division) prior to Final Map Clearance for the Lot Line Adjustment. The easement shall be accepted by the Board of Supervisors and recorded prior to Final Map Clearance for the Lot Line Adjustment.

MONITORING: P&D staff shall confirm that the easement has been recorded prior to Final Map Clearance for the Lot Line Adjustment.

83. **Parcel 2 Residential Development Envelope.** The residential development envelope for Parcel 2 shall be relocated consistent with its depiction in Alternative 3C of the Revised Final EIR, covering a total of 2.5 acres.

PLAN REQUIREMENTS AND TIMING: The envelope location shall be redrawn on the Lot Line Adjustment exhibit and submitted to P&D for review and approval prior to Final Map Clearance.

MONITORING: P&D staff shall ensure that the Lot Line Adjustment exhibit depicts the proper location and configuration of the residential development envelope prior to Final Map Clearance.

84. **Parcel 6 Residential Development Envelope.** Building Area #1 (6a on Figure 2-3 of the Revised Final EIR) shall be removed from the Lot Line Adjustment exhibit as a potential building site for future residential development on Parcel 6.

PLAN REQUIREMENTS AND TIMING: The Lot Line Adjustment exhibit shall be revised to eliminate Building Area #1 (6a) as a potential residential development envelope. The revised exhibit shall be submitted to P&D for review and approval prior to Final Map Clearance.

MONITORING: P&D staff shall ensure that the Lot Line Adjustment exhibit depicts the proper location and configuration of the residential development envelope areas prior to Final Map Clearance.

85. **Parcel 4 Residential Development Envelope.** The residential development envelope for Parcel 4 shall be relocated consistent with its depiction in Alternative 2A of the Revised Final EIR, covering a total of 2 acres.

PLAN REQUIREMENTS AND TIMING: The envelope location shall be redrawn on the Final Map and submitted to P&D for review and approval prior to Final Map Clearance.

MONITORING: P&D staff shall ensure that the Final Map depicts the proper location and configuration of the residential development envelope prior to Final Map Clearance.

86. **Parcel 5 Residential Development Envelope.** The residential development envelope for Parcel 5 shall be relocated consistent with its depiction in Alternative 3C of the Revised Final EIR, covering a total of 2 acres.

PLAN REQUIREMENTS AND TIMING: The envelope location shall be redrawn on the Final Map and submitted to P&D for review and approval prior to Final Map Clearance.

MONITORING: P&D staff shall ensure that the Final Map depicts the proper location and configuration of the residential development envelope prior to Final Map Clearance.

87. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:

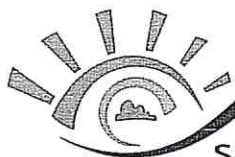
1. Air Pollution Control District dated December 12, 2011;
2. County Surveyor dated March 18, 2005;
3. Environmental Health Services Division dated February 16, 2011;
4. Fire Department dated December 22, 2011 and January 20, 2012;

5. County Flood Control dated July 21, 2014;
6. Parks Department dated December 21, 2011;
7. Transportation Division dated December 21, 2011.

88. Rules-31 Mitigation Monitoring Required. The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:

1. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
2. Pay fees prior to approval of Land Use Permit or Coastal Development Permit as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
3. Note the following on each page of grading and building plans "This project is subject to Mitigation and Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from 10EIR-00000-00005;
4. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

89. Rules-33 Indemnity and Separation. The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.



**Santa Barbara County
Air Pollution Control District**

Our Vision  Clean Air

December 12, 2011

Alex Tuttle
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

**Re: APCD Conditions for Las Varas Ranch
10EIR-00000-00005, 05LLA-00000-00005, 05LLA-00000-00006, 05TPM-00000-00002**

Dear Mr. Tuttle:

The Air Pollution Control District (APCD) has reviewed the Draft Environmental Impact Report (DEIR) for the subject project. The project consists of reconfiguring nine existing parcels into seven new parcels ranging in size from 55 acres to 1,115 acres. A residential development envelope or potential development area would be defined for each new parcel. Also proposed is construction of infrastructure, including access roads and shared water system to serve future development. Grading for the project consists of approximately 7,850 cubic yards of cut and 6,750 cubic yards of fill. The subject 1,802-acre property is zoned Unlimited Agriculture under Ordinance #661 in the inland area and AG-II-100 in the coastal area. The property is generally located in the unincorporated Gaviota area. The project site trends north-south and stretches from the Los Padres National Forest boundary to the north to the Pacific Ocean to the south.

Air Pollution Control District staff offers the following suggested permit conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities*, became effective on July 21, 2010 and establishes new limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcpd.org/rules/download/rule345.pdf.
3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
4. Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.

Louis D. Van Mullem, Jr. • Air Pollution Control Officer

260 North San Antonio Road, Suite A • Santa Barbara, CA • 93110 • www.sbcpd.org • 805.961.8800 • 805.961.8801 (fax)

5. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
6. At a minimum, prior to occupancy any feasible greenhouse gas mitigation from the following sector-based list should be applied to the project:
 - Energy use (energy efficiency, low carbon fuels, renewable energy)
 - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
 - Water conservation (improved practices and equipment, landscaping)
 - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
 - Architectural features (green building practices, cool roofs)
7. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,



Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT

123 East Anapamu Street
Santa Barbara, California 93101
805\568-3000 FAX 805\568-3019



PHILLIP M. DEMERY
Director

March 18, 2005

County Subdivision Committee
123 East Anapamu Street
Santa Barbara, CA 93101

RE: Tentative Parcel Map No. PM 14,664 (05TPM-00000-00002)

Owner : Timothy Doheny
Address: c/o Paul Van Leer
Rt. 1, Box 234-A
Goleta, CA 93117

Requirements of the County Surveyor's Office

Pursuant to Section 66448 of the State Subdivision Map Act and County Subdivision Regulations Chapter 21, Section 21-9, the Parcel Map **shall be based upon a field survey** made in conformity with the Professional Land Surveyors Act. Furthermore, property lines **shall be monumented** in accordance with Section 21-16 of said County Code.

Very truly yours,

Edmund R. Villa

for : Michael B. Emmons
County Surveyor

p14664subreview.doc

AA/EEO Employer

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: Alex Tuttle, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: February 16, 2011

SUBJECT: Case Numbers: 05TPM-00000-00002/05LLA-00000-00005/05LLA-00000-00006/07CUP-00000-00057 in the Goleta Area.

Applicant: Timothy Doheny
c/o Paul Van Leer
Rt. 1, Box 234-A
Goleta, CA. 93117

Assessor's Parcel No. 079-080-009, 022, zoned AG-II-100, located at
10045 Calle Real.

05TPM-00000-00002/05LLA-00000-00005, 6 represents a request to reconfigure the existing parcels within Las Varas and Edwards Ranches; identify residential development envelopes within each proposed lot; and construction of state-small water system to serve future development. Nine existing parcels would be reconfigured through a combination of lot mergers, lot line adjustments, and subdivisions into seven new legal parcels ranging in size from 55 acres to 1,115 acres. Each newly configured parcel would include a designated area for future residential development.

Domestic water supply is proposed to be provided by a private state-small water system. The applicant has proposed the use of a private water system to serve the proposed project. Because of the number of current and future connections a Domestic Water Supply Permit will be required. Seven lots are proposed and with future secondary dwellings there are a potential total of fourteen domestic connections.

Sewage disposal is proposed to be provided by onsite wastewater treatment systems. The applicant has provided to Environmental Health Services and engineering report completed by Earth Systems and dated March 17, 2004 that indicates that an onsite wastewater treatment systems could be constructed to serve the undeveloped lots. No further information is required by Environmental Health Services until prior to issuance of a building permit.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

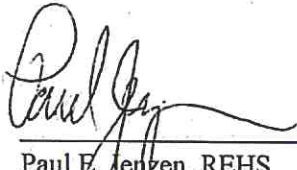
Planning and Development Department

Case Numbers 05TPM-00000-00002/05LLA-00000-00005/05LLA-00000-00006/07CUP-00000-00057

February 16, 2011

Page 2 of 2

1. Prior to Recordation, a completed application for a **Domestic Water Supply Permit** shall be reviewed and approved by Environmental Health Services. The application shall include final detailed engineering plans and specifications for the proposed water supply system to serve the project.
2. Prior to Recordation, the final map shall indicate all the necessary easements for the placement, installation, operation and maintenance of water system facilities to each and every parcel.
3. Prior to Issuance of a Building Permit, the owner of the proposed water system shall be in possession of a valid Domestic Water Supply Permit pursuant to Health and Safety Code Section 4010 et seq.
4. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.



Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Susan Petrovich, Hatch & Parent, 21 East Carrillo Street, Santa Barbara, CA. 93101
Office of the County Surveyor
Norman Fujimoto, Environmental Health Services

LU-5062

Memorandum

DATE: January 20, 2012

TO: Alex Tuttle
Planning and Development
Santa Barbara

FROM: Dwight Pepin, Captain
Fire Department

SUBJECT: APN: 079-080-012/-013/-014; Permit 05LLA-00005
Site: 10455 Calle Real, Goleta
Project: Lot Line Adjustment

RECEIVED

JAN 23 2012

S.B. COUNTY
PLANNING & DEVELOPMENT



The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

PRIOR TO MAP RECORDATION, THERE ARE NO FIRE DEPARTMENT CONDITIONS

GENERAL NOTICE

1. Create a defensible space as required by the fire department.
2. All access ways (public and private, road and driveways) shall be installed as required by the fire department.
3. If a bridge(s) is required for this project, the bridge shall be installed as required by the fire department.
4. If a cattle guard(s) is required for this project, the cattle guard shall be installed as required by the fire department.
5. Fire hydrant(s) shall be installed (number to be determined). Fire hydrant(s) shall be located per fire department specifications. Fire department will determine fire hydrant flow requirements.
6. Road naming requirements shall be met.
7. Interior automatic fire sprinkler system requirements shall be met as required by the fire department.
8. Propane tanks shall be installed per Chapter 38 of the California Fire Code.

Memorandum

DATE: December 22, 2011

TO: Alex Tuttle
Planning and Development
Santa Barbara

FROM: Dwight Pepin, Captain
Fire Department

RECEIVED

DEC 22 2011

S.B. COUNTY
PLANNING & DEVELOPMENT



SUBJECT: APN: 079-080-009 and 079-080-022; Permit 05TPM-00002
Site: 10045 Calle Real and 10095 Calle Real, Goleta
Project: Lot Split Creating Three Parcels

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

**PRIOR TO MAP RECORDATION
THE FOLLOWING CONDITION MUST BE MET**

1. The fire department shall determine and assign addresses for these parcels.

**PRIOR TO CONSTRUCTION OF STRUCTURES
THE FOLLOWING CONDITIONS MUST BE MET**

2. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
3. All access ways (public and private, road and driveways) shall be installed and made serviceable.
 - Access plans shall be approved by the fire department prior to any work being undertaken.
 - Private road shall have a minimum width of 24 feet and shall terminate in a fire department approved bulb cul de sac.

Driveways serving one residential parcel are required to have a minimum width of 12 feet. Driveways serving two residential parcels are required to have a minimum width of 16 feet. Driveways serving three to four residential parcels are required to have a minimum width of 20 feet. If any future development is planned for this parcel or will be served by this driveway, the applicant is encouraged to coordinate these standards into their plans and with other interested parties.

Access to this project shall conform to Santa Barbara County Fire Department Development Standard #1.

- Access ways shall be unobstructed and extended to within 150 feet of all portions of the exterior walls of the first story of any building.
 - Dead-end access exceeding 150 feet shall terminate with a fire department approved turnaround.
 - A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
 - Any portion of the access exceeding 10 percent in slope shall be paved.
4. If a bridge(s) is required for this project. The bridge(s) shall conform to the following standards:
- Bridge shall have a minimum H-20 rated load-bearing capacity
 - Bridge width shall be equal to approved road width
 - All other aspects of bridge construction, including certification, shall conform to standards set forth by the Santa Barbara County Public Works Department, Road Division
 - Plans shall be certified and stamped by a licensed structural engineer as meeting all applicable standards for load bearing capacity and construction. Plans to be approved by the fire department prior to installation.
5. If a cattle guard(s) is required for this project, the cattle guard shall conform to the following standards:
- Cattle guard shall have a minimum H-20 rated load-bearing capacity
 - Cattle guard width shall be equal to approved road width
 - All other aspects of cattle guard construction, including certification, shall conform to standards set forth by the Santa Barbara County Public Works Department, Road Division
 - Plans shall be certified and stamped by a licensed structural engineer as meeting all applicable standards for load bearing capacity and construction. Plans to be approved by the fire department prior to installation.
6. New fire hydrant(s) shall be installed. Fire hydrant(s) shall be located per fire department specifications and shall flow 750 gallons per minute at a 20 psi residual pressure. Plans shall be approved by the fire department prior to installation.
7. Fire department road naming requirements shall be met for the project.

**PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET**

8. Interior automatic fire sprinkler system requirements shall be met.
9. Propane tanks shall be installed per Chapter 38 of the California Fire Code.
10. Building address numbers shall be posted as required by fire department.

11. Access way entrance gates shall conform to fire department standards. Plans shall be approved by the fire department prior to installation.

12. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

- Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems
- Goleta Fees

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please call 805-681-5523 or 805-681-5500.

BH:mkb

Memorandum

DATE: December 22, 2011

TO: Alex Tuttle
Planning and Development
Santa Barbara

FROM: Dwight Pepin, Captain
Fire Department

SUBJECT: APN: 079-080-001, 079-080-002 and 081-240-049; Permit 05LLA-00006
Site: Calle Real, Goleta
Project: Lot Line Adjustment

RECEIVED

DEC 22 2011

S.B. COUNTY
PLANNING & DEVELOPMENT



The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

PRIOR TO MAP RECORDATION THE FOLLOWING CONDITION MUST BE MET

1. A corrected recorded address is required. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants.

PRIOR TO CONSTRUCTION OF STRUCTURES THE FOLLOWING CONDITIONS MUST BE MET

2. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
3. All access ways (public and private, road and driveways) shall be installed and made serviceable.
 - Access plans shall be approved by the fire department prior to any work being undertaken.
 - Private road shall have a minimum width of 24 feet and shall terminate in a fire department approved bulb cul de sac.

Driveways serving one residential parcel are required to have a minimum width of 12 feet. Driveways serving two residential parcels are required to have a minimum width of 16 feet. Driveways serving three to four residential parcels are required to have a minimum width of 20 feet. If any future development is planned for this parcel or will be served by this driveway, the applicant is encouraged to coordinate these standards into their plans and with other interested parties.

Access to this project shall conform to Santa Barbara County Fire Department Development Standard #1.

- Access ways shall be unobstructed and extended to within 150 feet of all portions of the exterior walls of the first story of any building.
 - Dead-end access exceeding 150 feet shall terminate with a fire department approved turnaround.
 - A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
 - Any portion of the access exceeding 10 percent in slope shall be paved.
4. If a bridge(s) is required for this project. The bridge(s) shall conform to the following standards:
- Bridge shall have a minimum H-20 rated load-bearing capacity
 - Bridge width shall be equal to approved road width
 - All other aspects of bridge construction, including certification, shall conform to standards set forth by the Santa Barbara County Public Works Department, Road Division
 - Plans shall be certified and stamped by a licensed structural engineer as meeting all applicable standards for load bearing capacity and construction. Plans to be approved by the fire department prior to installation.
5. If a cattle guard(s) is required for this project, the cattle guard shall conform to the following standards:
- Cattle guard shall have a minimum H-20 rated load-bearing capacity
 - Cattle guard width shall be equal to approved road width
 - All other aspects of cattle guard construction, including certification, shall conform to standards set forth by the Santa Barbara County Public Works Department, Road Division
 - Plans shall be certified and stamped by a licensed structural engineer as meeting all applicable standards for load bearing capacity and construction. Plans to be approved by the fire department prior to installation.
6. New fire hydrant(s) shall be installed. Fire hydrant(s) shall be located per fire department specifications and shall flow 750 gallons per minute at a 20 psi residual pressure. Plans shall be approved by the fire department prior to installation.
7. Fire department road naming requirements shall be met for the project.

**PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET**

8. Interior automatic fire sprinkler system requirements shall be met.
9. Propane tanks shall be installed per Chapter 38 of the California Fire Code.
10. Building address numbers shall be posted as required by fire department.

11. Access way entrance gates shall conform to fire department standards. Plans shall be approved by the fire department prior to installation.
12. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

- Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems
- Goleta Fees

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please call 805-681-5523 or 805-681-5500.

BH:mkb



Santa Barbara County Public Works Department
Flood Control & Water Agency

July 21, 2014

Alex Tuttle, Planner
County of Santa Barbara
Planning & Development Department
123 E. Anapamu St.
Santa Barbara, CA 93101

**Re: 05TPM-00000-00002, 05LLA-00000-00005, 05LLA-00000-00006,
07CUP-00000-00057; Las Varas/Edwards Ranch Lot Split
APN: 079-080-001, -002, -009, -012, -013, -014, -022, and 081-240-003 and -014;
Goleta**

This letter supersedes the previously issued condition letter for case number 05TPM-00000-00002 dated October 3, 2007.

Dear Mr. Tuttle:

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General

- a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated January 2011
(<http://www.countyofsb.org/uploadedFiles/pwd/Water/Development/StdConditionsJan2011.pdf>)
- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.

2. Design

- a. Projects near a watercourse shall be designed in compliance with the setback requirements described in Chapter 15B of the Santa Barbara County Code.
- b. The applicant shall submit all improvement plans, grading plans, drainage plans, drainage studies, landscape plans and Parcel Map to the District for review and approval.
- c. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.

G:\WaterResources\Flood Control\Engineering\Development\DREV\CND\05TPM0000000002cndrev2.doc

- d. Bridges shall be designed to pass the 100-year flow with two (2) feet of freeboard between the soffit and the 100-year water surface elevation. A hydraulic analysis of pre-project and post-project conditions shall be submitted to the District for review and approval.
 - e. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies.
3. Prior to Final Map Recordation/Zoning Clearance
- a. The applicant shall submit to the District electronic drawings in PDF format of the approved Final Map, grading plans, improvement plans, drainage plans, drainage studies and landscape plans on a compact disc along with one hard copy of each.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: 
Mark Luehrs, CFM
Development Review Engineer

Cc: Allan Bell, Planning & Development
Timothy Doheny c/o Paul Van Leer, Route 1, Box 234-A, Goleta, CA 93117
Hatch & Parent, Alicia Harrison, 21 East Carrillo Street, Santa Barbara, CA 93101
L&P Consultants, Mark Lloyd, 3 West Carrillo Street, Suite 205, Santa Barbara, CA 93101



December 21, 2011

Brian Roney
Deputy Director
(805) 568-2461

Nicole Koon
Fiscal Officer, Business Manager
(805) 568-2477

Juan Beltranena, AIA, AICP
Capital Projects Manager
(805) 568-2470

☐ **Park Administration**
610 Mission Canyon Road
Santa Barbara, CA 93105
Tel: (805) 568-2461
Fax: (805) 568-2459

☐ **North County
Park Operations**
300 Goodwin Road
Santa Maria, CA 93455
Tel: (805) 934-6123
Fax: (805) 934-6213

☐ **South County
Park Operations**
4568 Calle Real, Building E
Santa Barbara, CA 93110
Tel: (805) 681-5650
Fax: (805) 681-5657

☐ **Cachuma Lake
Recreation Area**
2225 Hwy 154
Santa Barbara, CA 93105
Tel: (805) 686-5055
Fax: (805) 686-5075

Reservations
South County: (805) 568-2465
North County: (805) 934-6211
Cachuma: (805) 686-5050
Jalama: (805) 934-6211

www.sbparks.org
sbparks@co.santa-barbara.ca.us

Equal Opportunity Employer

TO: Alex Tuttle, Planner

Planning & Development

FROM: Claude Garciacelay, Park Planner

RE: **05TPM-002 / 05LLA-005 / 05-LLA-006 / 07CUP-057**
TPM 14, 664 Las Varas Ranch
APN 079-080-001, -002, -009,-012,-013,-014,-022,
081-240-003, -014

County Parks recommends the following condition(s) to the approval of the above referenced project:

1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot or dwelling unit. The purpose of the fee is to provide park and recreational facilities within the recreational demand area. A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Based on the current fee schedule, the total fee for the proposed project would be **\$10,750.00** (\$10,750 x 1 new lot(s)/dwelling unit(s)). Fees are due prior to final map recordation. The actual fee shall be based on the fee schedule in effect when payment is made and, fee schedules are subject to adjustment on an annual basis. Please phone this office prior to payment to verify the final fee required. This office will not accept or process a payment prior to project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, Rocky Nook Park, 610 Mission Canyon Road, Santa Barbara, CA 93105; or in the North County at Waller Park, 300 Goodwin Road, Santa Maria, CA 93455.

2) In conformity with the Parks, Recreation and Trails Map (PRT- 3) for the regional area, the applicant is offering a section of the Coastal Trail. In addition, an offer for vertical access down to the beach along the west side of Las Varas

05TPM-002 / 05LLA-005 / 05-LLA-006 / 07CUP-057

TPM 14, 664 Las Varas Ranch

December 21, 2011

Page 2

Creek and a beach day-use parking lot is being offered for public use. All facilities dedicated by the applicant and constructed by the applicant shall conform to County standards. The final location of all easements and facilities to be approved by Parks, in coordination with the applicant. Easements shall be dedicated with the recordation of the final map, or prior to final map recordation as a grant of easement to the County. All developer proposed public improvements shall be constructed prior to or concurrent with the issuance of permits for development on the property.

Note: Parks continues to be concerned with the proposed location of the Coastal Trail as shown in submitted maps as the Coastal Trail and the beach vertical access way are disconnected. Parks recommends continued consideration of a Coastal Trail location that provides a direct connection to the vertical access way to the beach.

C: County Surveyor
Owner/Applicant:
Timothy Doheny
c/o Paul Van Leer, Route 1, Box 234-A, Goleta CA 93117
Agent:
Susan Petrovich, Brownstein Hyatt Farber Schreck, LLP
21 E. Carrillo St., Santa Barbara CA 93101

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



December 21, 2011

TO: Alex Tuttle, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval (1 page)**
Las Varas Ranch Tentative Parcel Map
05TPM-00000-00002
APN: 081-240-003, -014/ Goleta

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Planning Areas of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is **\$536 (1 new developable residential lots x \$536/lot)**. The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. **Fees are due prior to map recordation and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

If you have any questions, please contact me at 739-8785.

Sincerely,

 12/21/2011

William T. Robertson

Date

cc: 05TPM-00000-00002

Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department

F:\Group\Transportation\Traffic\Transportation Planning\Development Review\Goleta\Las Varas Ranch Tentative Parcel Map 05TPM-Cond.doc

EXECUTIVE SUMMARY

E.1 INTRODUCTION

This Environmental Impact Report (EIR) has been prepared by the County of Santa Barbara to evaluate potential environmental impacts resulting from the proposed Las Varas Ranch Lot Split and Lot Line Adjustment projects (hereafter “project”).

This EIR was prepared in accordance with the California Environmental Quality Act (CEQA) of 1970¹, the State CEQA Guidelines², and the County’s adopted *Guidelines for the Implementation of CEQA*, published June 2010. The County of Santa Barbara is the lead agency for this EIR as per Section 15367 of the CEQA Guidelines. The County will use this EIR in its consideration of the requested approvals that would allow implementation of the proposed project.

This Executive Summary summarizes the project description and conclusions of the impact analyses provided in the EIR. Section 2.0, Project Description, provides a detailed description of the proposed project evaluated in the EIR. Section 3.0, Related Projects, identifies other planned, pending, and recently approved projects along the Gaviota Coast considered in the cumulative impact analyses. Section 4.0 addresses each of the issues that were identified in the EIR Scoping Document as requiring further analysis in the EIR, including an existing setting, impact analysis, and identification of mitigation measures where applicable. Section 5.0 provides a preliminary policy consistency analysis. Section 6.0 describes and evaluates alternatives to the project and the extent to which each alternative would reduce or avoid the environmental effects associated with the project. Section 7.0 includes a discussion of effects not found to be significant and significant irreversible environmental changes.

E.2 PROJECT OVERVIEW

The proposed project includes the validation of an illegally created lot; reconfiguration of existing parcels within 1,784 acres of the 1,802-acre Las Varas and Edwards Ranches under three separate applications; identification of residential development envelopes within each proposed lot; and construction of infrastructure including access roads and a shared water system to serve future development. Specifically, nine existing parcels would be reconfigured through a combination of lot mergers, lot line adjustments, and subdivisions into seven new legal parcels ranging in size from 55 acres to 1,115 acres. Each newly configured parcel would include restriction of future non-agricultural development to a designated area for future residential development.

E.3 PROJECT LOCATION

The project site, encompassing the historic Las Varas and Edwards ranches, is located approximately four miles northwest of the western extent of the City of Goleta, on either both sides

¹ State of California, Public Resources Code, Sections 21000 et seq.

² Title 14, California Code of Regulations, Sections 15000 et seq.

of U.S. Highway 101 (**Figure 2-1**). A total of 10 existing lots³ (9 APNs) comprise the two historic ranches, which encompass approximately 1,802 acres. See **Figure 2-2**. The project site trends north-south and stretches from the Los Padres National Forest boundary to the north to the Pacific Ocean to the south. The project site is bordered by the Dos Pueblos Ranch to the east and the El Capitan properties to the west. Project APNs on Las Varas Ranch include 079-080-002, -009, and -012; project APNs on Edwards Ranch include 079-080-001, -013, -014, -022, and 081-240-003 and -014. For simplicity purposes, the project site is referred to as Las Varas Ranch (or ranch) hereafter.

E.4 PROJECT OBJECTIVES

The proposed project includes the following primary objectives:

- Reduce the total number of existing lots from nine to seven and designate a residential development envelope or potential non-agricultural development area for each lot;
- Reconfigure ~~the lot boundaries of the lots to achieve~~ provide a suitable balance between residential, agricultural, open space and natural resource values by providing greater uniformity of lot size, adequate agricultural land on each parcel, and a suitable residential development envelope for each parcel to avoid intrusion of residential development in the agricultural land;
- Allow for coastal recreational opportunities in locations that maintain the balance between public access, on the one hand, and the continued viability of agricultural operations on the property and the privacy and security of the property owner and residents, on the other;
- Maintain long-term continued agricultural ~~use~~ productivity of the ranch property;
- Incorporate a site design that reflects and is compatible with the scenic and rural character of the historic Las Varas Ranch and the Gaviota Coast while providing for reasonable residential development on the resulting lots;
- Minimize potential visibility of residential development areas from ~~public transportation corridors~~ U.S. Highway 101;
- For all development on the property, including private residences and public trails, minimize environmental impacts and preserve and/or restore wildlife habitats, wildlands, and other coastal resources, including viable agriculture; and
- ~~Allow~~ Preserve the upper canyon wildland areas to remain ~~intact and largely undisturbed so they may continue to provide a water supply, grazing opportunities, and habitat.~~

E.5 PROJECT DESCRIPTION

LOT RECONFIGURATION

³ Two of the lots are currently unrecognized. The applicant is proposing to merge one of the lots and validate the other concurrently with preparation of the EIR.

The proposed project is composed of three distinct applications, broken down by geographic area: 1) in between the Union Pacific Railroad (UPRR) and Pacific Ocean; 2) in between U.S. Highway 101 and UPRR; and 3) north of U.S. Highway 101. **Figures 2-3** and **2-4** depicts the existing and proposed lot lines along with the proposed development envelopes and infrastructure as described below.

In between the Union Pacific Railroad (UPRR) and Pacific Ocean, the project includes a lot line adjustment between Lots A and B after receipt of a Certificate of Compliance for Lot B, followed by a voluntary merger by the applicant between Lots B and C. This has the effect of reconfiguring three existing lots of 11.08 acres (Lot A), 94.25 acres (Lot B), and 8.35 acres (Lot C) into two lots of 55 acres (Parcel 1) and 58.68 acres (Parcel 2), respectively.

In between the UPRR and U.S. Highway 101, the project includes a lot merger combining two existing lots of 239.53 acres (Lot D) and 165.21 acres (Lot E) and a simultaneous subdivision (Vesting Tentative Parcel Map) resulting in three proposed parcels of 100.00 acres (Parcel 3), 147.53 acres (Parcel 4), and 157.21 acres (Parcel 5), respectively.

North of U.S. Highway 101, the project includes a lot line adjustment of two lots following a voluntary lot merger by the applicant combining four existing lots of 740.09 acres (Lot F), 281.35 acres (Lot G), 242.30 acres (Lot H), and 1.27 acres (Lot I) into two lots. The lot line adjustment and lot merger would result in two parcels of 1,115 acres (Parcel 6) and 150.01 acres (Parcel 7), respectively.

FUTURE RESIDENTIAL DEVELOPMENT

Each proposed parcel would include a designated development envelope ranging in size from 2.5 to 5 acres, except for Parcel 6 which only identifies potential development areas rather than a single development envelope given its size. Future residential development within each lot would be restricted to two contiguous acres within each designated development envelope or building area; the two contiguous acres may be fenced. No non-agricultural structures, improvements, development, grading or ground disturbance is to occur outside of the two-acre envelope selected for residential development within each of the proposed parcels except for proposed access roads, utility lines, any wastewater disposal areas and connection laterals to serve future residences as needed, and underground water storage tanks for fire protection and other purposes.

Shared Access roads would generally follow existing ranch roads and would range from 16 feet to 20 feet in width and would be improved with all-weather surfaces (and widened where necessary). All resulting parcels would be served by private septic systems and a private water system as discussed below. Additional grading would be expected as part of future building pad preparation on each residential building site, though the majority of the development envelopes are located on relatively flat terrain, thereby minimizing the amount of cut and/or fill that would be necessary. Drainage from proposed development areas and roadways would be collected and conducted to relevant adjacent natural drainages. Undeveloped areas of the Ranch would continue to sheet flow consistent with historical drainage patterns.

PUBLIC TRAIL EASEMENTS

The project includes the dedication of an easement to the County of Santa Barbara for a public parking lot and public riding and hiking trail leading to the beach along the eastern boundary of proposed Parcel 5. Construction of the parking lot would occur concurrent with the first new residence south of the highway. The easement includes an 84-foot x 170-foot area in the northeast corner of proposed Parcel 5 for the parking lot and an approximately 4,000-foot long, 15-foot wide corridor for the trail. The trail would pass through an existing 8-foot wide, 12 to 15-foot high culvert under the Union Pacific Railroad tracks and out to the beach upon obtaining a public access easement through the culvert from the Union Pacific Railroad company. See **Figure 2-4**.

The project also includes the dedication of a lateral 25-foot wide easement to the County of Santa Barbara for a public riding and hiking trail along the southern property line of proposed Parcel 6 and continuing along Calle Real immediately south of Parcel 7 adjacent to U.S. Highway 101. Per the applicant, construction of the trail would be contingent upon the placement of a pedestrian bridge over the existing underpass used by cattle to cross under U.S. Highway 101 at Gato Creek.

The project also includes granting of a lateral easement across the coastal properties (Parcels 1 and 2) to allow for public access along the shoreline, to include the sandy beach area located seaward of the base of the coastal bluffs.

WATER AND SEWER SERVICE

The project includes a Minor Conditional Use Permit for a State Small Water System for ~~existing and future~~ residences on the seven proposed parcels that would result from the proposed project. The water system would be designed to support up to two residential water connections (assuming an agricultural employee residence or guest house on each parcel in addition to the primary residence) for each parcel for a total of up to 14 water connections. It would be designed to meet domestic and landscape irrigation water demands.

Water would be supplied by surface water from existing water diversion and storage facilities within the Ranch and groundwater from a recently drilled well. The water system would include a water well, two booster pumps, treatment facility, and two above-ground water tanks to serve two different pressure zones. The treatment facility would be located on Parcel 6 adjacent to an existing ranch road near Gato Creek and would include a building of approximately 960 square feet (24 feet x 40 feet) for treatment equipment and supplies. It would require electrical power and an all-weather access road. The water tanks would have storage capacities of 30,000 and 60,000 gallons. The water lines would range between 2 and 4 inches in diameter.

Domestic water service for the existing residential development on the project site is provided by the Goleta Water District. However, this water is non-potable, so potable water is provided by bottled water deliveries from the District. This service would remain in place for existing development within the project site.

Sewer service would be provided by individual septic systems and associated leach fields within each proposed parcel. Existing septic systems are in place to serve existing development within proposed Parcels 4, 5, and 6. New systems would be installed for the remaining

proposed parcels. With the exception of Parcel 2, septic systems would be installed within the designated residential development envelopes. The system for Parcel 2 would be installed on the coastal terrace just west of the residential development envelope.

AGRICULTURAL OPERATIONS

Existing grazing lands on the ranch are proposed to continue as common grazing lands to be collectively managed through a cooperative grazing agreement and the development of CC&Rs to ensure such collective management. At a minimum, the CC&Rs would limit residential perimeter fencing to surround or be installed within the two-acre area selected for residential development within each lot and would provide a cooperative management structure through identification of an HOA or other cooperative entity. Fences for agricultural purposes would be coordinated with Ranch Management so as not to impact existing and future agricultural operations. Each parcel resulting from the project will be subject to CC&Rs that will include a requirement that all land outside the designated owners' development envelopes will be devoted to agricultural usage. The CC&Rs would not be able to be terminated or substantially altered for a minimum of 50 years.

Existing orchards on the ranch are proposed to remain but would be individually managed by individual lot owners. However, minimum standards for production of commercial agriculture and best management practices in the orchard areas would be governed by the ranch CC&Rs.

REZONES

The applicant has requested a consistency rezone of the Inland parcels that are currently zoned Unlimited Agriculture ("U") under Ordinance Number 661 (now obsolete) to Agriculture II with a 100-acre minimum lot area (AG-II-100) under the County Land Use and Development Code. These include three entire parcels (Existing Lots F, G, and I) and portions of three other parcels (Existing Lots H, E, and D). The subject parcels are designated Agriculture II, 100-acre minimum lot area (A-II-100) under the Comprehensive Plan. The proposed rezone would update the zoning of the subject parcels consistent with current governing ordinances and the designation in the Comprehensive Plan. Parcels, and portions thereof, within the Coastal Zone are currently zoned AG-II-100 and therefore do not require rezoning.

PARCEL VALIDATION

The applicant has identified three parcels within the 1,802-acre ranch that, at the time of release of the original Draft EIR, have not been validated with Certificates of Compliance or by other means. One parcel of 1.27 acres (Lot I) is proposed to be merged with its surrounding lot and become part of proposed Parcel 6. A second parcel, an 18.26-acre parcel located adjacent to the highway on the west side of the property, is proposed to be removed from the project such that the total project area comprises only 1,784 acres of the 1,802-acre ranch. The applicant recently received a Certificate of Compliance for the 18.26-acre parcel from the County Surveyor Office (recorded on July 13, 2011), thus validating this parcel as a legal lot. In the case of the 1.27-acre parcel, since it is proposed to be merged and become part of Parcel 6 under the proposed project, its legal status is irrelevant. The third parcel is the 94-acre middle parcel (Parcel B) located in between the railroad and Pacific Ocean. An application for a Conditional Certificate of Compliance is being processed concurrently with the rest of the project in order to validate this parcel.

E.6 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table E-1 summarizes the proposed project's environmental impacts and the measures identified to mitigate these impacts. The table also notes the significance of impacts after mitigation measures are implemented. Residual impacts are classified as follows:

- **Class I:** Significant adverse impacts that cannot be feasibly mitigated or avoided. If the project is approved, decision makers are required to adopt a statement of overriding considerations pursuant to CEQA Section 15093, explaining why project benefits outweigh the damage caused by these significant and unavoidable environmental impacts.
- **Class II:** Significant adverse impacts that can be feasibly mitigated or avoided to a less than significant level. If the project is approved, decision makers are required to make findings pursuant to CEQA Section 15091 that significant impacts have been avoided or substantially lessened by implementation of mitigation measures.
- **Class III:** Adverse impacts that are less than significant and therefore no mitigation are required. These impacts do not require findings to be made.
- **Class IV:** Beneficial impacts.

E.7 PROJECT ALTERNATIVES

Five alternatives, in addition to the No Project Alternative, were selected for evaluation in the EIR. The alternatives were selected based on their ability to substantially lessen or avoid the project's significant environmental impacts while still meeting at least most of the basic project objectives. The EIR includes the following alternatives:

- **No Project Alternative:** Assumes future development of parcels in their current configuration. Where existing parcels already include residential development, no further development was assumed. Trail easements were eliminated under this alternative.
- **Reduced Project, Option A:** Reduces the size of development envelopes on Parcels 1 through 5 to 2.5 acres or smaller in order to avoid sensitive resources and reduce impacts associated with future development. Restricts the height of future residential development to 15 feet in the coastal zone and 16 feet in the inland area of the site.
- **Reduced Project, Option B:** Similar to Option A except for the location of the development envelopes on Parcels 1 and 2.
- **Project Redesign, Option A:** Relocates the development envelopes on Parcels 2 and 4 in order to reduce impacts associated with future residential development in these areas.

- **Project Redesign, Option B:** Similar to Option A, except the Parcel 4 envelope is relocated to another area of the parcel and the development envelope on Parcel 3 is relocated as well in order to reduce impacts to archaeological resources.
- **Project Redesign, Option C:** Relocates or reduces the development envelopes on Parcels 2, 3, 4, and 5; the Parcel 4 development envelope is relocated to another area of the parcel and the Parcel 5 development envelope is reduced and oriented away from the adjacent riparian corridor.
- **Ranch Road Trail Alternative:** Relocates the eastern half of the lateral trail easement to the south side of the highway, following an existing ranch road, before connecting with the western half of the lateral trail easement north of the highway through the existing undercrossing at Gato Creek. All other elements of the project remain the same.
- **Bluff-top Trail Alternative:** Relocates the lateral trail easement to generally follow the coastal bluff instead of following along the highway. All other elements of the project remain the same.

Among these alternatives, the Project Redesign Option C Alternative was considered to be the environmentally superior alternative because, on balance, it would be the most effective in reducing significant impacts of the proposed project.

E.8 AREAS OF KNOWN CONTROVERSY

Based on comments received at the EIR Scoping Meeting and responses to the EIR Scoping Document and Notice of Preparation, the following issues are known to be of concern and may be controversial, and are discussed and evaluated in the EIR:

- Visual incompatibility of future residential development as seen from public viewing places and potential to obstruct or impair scenic views;
- Disruption of the existing agricultural operation on the ranch from the lot reconfigurations and future residential development, and conversion of agricultural land to non-agricultural uses;
- Effects of future development on existing unauthorized recreational access to the beach, primarily by surfers at Edwards Point;
- Disturbance to cultural resources, including archaeological sites and the rural historic landscape;
- Disturbance to sensitive biological resources;
- Cumulative impacts from additional estate-style development on land use and visual character of the rural Gaviota Coast;

- Impacts to the agricultural operation from existing and future public access through the Ranch, including ~~the existing unauthorized access to Edward's Point~~ by individuals not permitted by the owner; and
- Location of the lateral trail easement north of U.S. Highway 101, separated from the vertical beach access and shoreline.

Table E-1: Summary of Impacts and Mitigation Measures

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
CLASS I IMPACTS		
Biological Resources		
<p>Impact BIO-13: The Parcel 2 Development Envelope would potentially interfere with wildlife movements and adversely affect aquatic amphibians and reptiles such as California red-legged frog, Southwestern pond turtle, Coast Range Newt, and Two-Striped Garter Snake.</p> <p>The Parcel 2 development envelope is situated on a stream terrace immediately west of Gato Creek and almost completely covers the ground between UPRR tracks and the coastal bluff. The envelope introduces a barrier to upland migration for CRLF and other aquatic amphibians, especially in an east-west direction and could interfere with dispersal and aestivation of amphibian species and increase the potential for “take” of listed species.</p>	<p>Mitigation Measures BIO 5, 6-1, 12-1, 12-2, and 13, <u>which</u> limit the size of the Parcel 2 development envelope, and which contain provisions for CCR’s and future development, and ensuring adequate setbacks from sensitive habitats, would partially mitigate impacts.</p>	<p>Impact BIO-13 would remain significant and unavoidable absent relocation and reconfiguration of the Parcel 2 development envelope – Class I.</p>
CLASS II IMPACTS		
Aesthetics/Visual Resources		
<p>Impact AES-1: Impacts on Views and Impairment of Viewsheds, Views from U.S. Highway 101.</p>	<p>AES 1 In the event future residential development is sited within building area #1 (6a) on Parcel 6, it shall be restricted in height to 16 feet above existing grade (consistent with the Ridgeline/Hillside guidelines) and shall be sited and designed so as to avoid intrusion into the skyline as viewed from U.S. Highway 101. Excessive grading, interpreted for this project to mean a cut or fill slope of five feet or greater, shall not be permitted as a means to avoid skyline intrusion. Development of this site shall be subject to review and approval by the Central Board of Architectural Review (CBAR). Landscape plans</p>	<p>Less than significant with mitigation.</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>shall be prepared with the objective of integrating the structures with the surrounding landscape and softening views.</p> <p>AES 2 Future residential structures shall not exceed a maximum height of 15 feet above existing grade (excluding architectural projections) within the View Corridor Overlay District and the area designated as a Rural Historic Landscape.</p> <p>AES 3 All elements of the project (e.g., design, scale, character, colors, materials and landscaping) shall be compatible with the rural character of the area and vicinity development, including existing development within the site, and shall be subject to review and approval by the CBAR.</p> <p>AES 4 Natural building materials and colors compatible with surrounding terrain (earthtones and non-reflective paints) shall be used on exterior surfaces of all structures, including water tanks and non-agricultural fences. White-board fencing shall not be permitted.</p> <p>Mitigation Measure CULT 5 would also apply.</p>	
Impact AES-2: Impacts on Views and Impairment of Viewsheds, Views from Union Pacific Railroad.	Same mitigation measures as for Impact AES-1.	Less than significant with mitigation.
Impact AES-3: Impacts on Views and Impairment of Viewsheds, Views from the Beach and Pacific Ocean.	Same mitigation measures as for Impact AES-1. Mitigation Measure REC 2 would also apply.	Less than significant with mitigation.
Impact AES-4: Impacts on Visual Character.	Same mitigation measures as for Impact AES-3 would apply.	Less than significant with mitigation.
Impact AES-5: Light and Glare Impacts	AES 6: To minimize nighttime lighting effects, future residential development on the site shall incorporate a lighting plan with the following elements:	Less than significant with mitigation.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> • Conserve energy and follow night sky lighting practices, generally conforming to the standards and recommendations of the International Dark-Sky Association (IDA) and the Illuminating Engineering Society of North America (IESNA) for rural settings; • Any exterior night lighting installed on the project site within the residential development envelopes shall be of low intensity, low glare design, minimum height, and shall be fully hooded and shielded to direct light downward, such that lamp usage is not directly visible beyond the area of illumination; • Exterior lighting shall only be permitted within the development envelopes, unless associated with the agricultural operation; • Motion, light, and time sensors shall be used that minimize duration of use and 24-hour security lighting shall be avoided; • Uplighting of landscaping or structures shall be prohibited; • Locations of exterior lighting shall be minimized to that necessary for safety along driveways and parking areas. The driveway lighting shall be low intensity and indirect with on-demand switching to minimize night light visibility from public viewing places. 	
Agricultural Resources		
Impact AG-1: Direct Effects on Agricultural Operations and Productivity.	AG 1-1: Construction Timing. All construction-related activities associated with future residential development on Parcels 4 and 5, including associated infrastructure improvements, shall be timed so as not to commence during the calving and weaning season (approximately July through December). Residential construction on these lots shall commence outside of this season (January through June) so as not to significantly disturb or distress first-calf heifer calving and weaning. <u>10-foot high visual</u>	Less than significant with mitigation.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p><u>screening construction fencing shall be installed around the edge of the construction area to provide visual screening between the construction activities and cattle. In addition, construction workers shall adhere to the following restrictions:</u></p> <ol style="list-style-type: none"> <u>1) No dogs shall be allowed on the construction site, including dogs within vehicles;</u> <u>2) Construction traffic shall use existing roads where feasible;</u> <u>3) All staging and storage of construction vehicles, materials, and equipment shall occur within the development envelope;</u> <u>4) Construction vehicle speeds shall be limited to 5 mph; and</u> <u>5) Construction crews shall be trained by the ranch manager to avoid cow disturbances.</u> 	
Impact AG-2: Indirect Impairment of Agricultural Operations and Productivity.	<p><i>Recommended Mitigation</i></p> <p>AG 2-1: Controlled Access. To protect the liability of the ranch's agricultural operations, public access within the trails shall be restricted on days when a pesticide application (aerial or ground based) is being conducted until the treated area is safe to re-enter, when orchards or trees are being pruned adjacent to the trails, or when other activities that may endanger the public or pose a potential conflict are being conducted adjacent to or in close proximity to the trails <u>(estimated to be approximately six days per year)</u>. The applicant/landowner shall notify the County Parks Department and post a notice at the trails' public control points within the ranch at least 48 hours in advance of closures. In addition, permanent signs shall be placed at the trails' public control points within the ranch identifying the agricultural practices and the issues associated with being present adjacent to an active agricultural area, as well as educating trail users on proper</p>	Less than significant with mitigation.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>trail etiquette and directing them to the right locations.</p> <p>Required Mitigation</p> <p>AG 2-2: Buyer Notification Program. The following buyer notification shall be recorded on a separate information sheet with the final map and lot line adjustment or deed accompanying the sale of each lot:</p> <p>Important: Buyer Notification</p> <p><i>This property is zoned agriculture and is located in an area that is in active agriculture. The County of Santa Barbara has determined that it is in the public interest to preserve agricultural land and operations within the County and to specifically protect these lands for continued agricultural use. Through enactment of an ordinance adding Section 3-23, Article V to Chapter 3 of the County Code, any inconvenience or discomfort from properly conducted agricultural operations, including but not limited to noise, odors, dust, and chemicals, will not be deemed a nuisance. Landowners within or adjacent to agricultural operations shall be prepared to accept such problems as the natural result of living in or near agricultural areas.</i></p> <p>AG 2-3: CC&Rs. Future residential buildout shall not adversely impact continued agricultural use of the Ranch. The applicant shall prepare and record CC&Rs for each lot, which address continued agricultural use of the ranch. The CC&Rs shall, at a minimum, address the following agricultural issues:</p> <ul style="list-style-type: none"> • Establishment of residential development envelopes, with the requirement that all residential buildings and non-agricultural structures be located within the development envelopes (except provisions for water storage tanks for fire protection purposes and other permitted infrastructure improvements); 	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> • No conversion of existing orchards to a non-agricultural use and conversion of existing orchards to grazing land shall be minimized, though crop types may be changed; any necessary buffers between orchards and residential and non-agricultural development must be contained within the residential development envelopes; • No impingement of existing cattle grazing operation by non-agricultural uses; fencing outside of the 2-acre areas selected by each owner for residential development within each development envelope shall not interfere with the ongoing agricultural operation and shall ensure continued use of common grazing lands; • <u>Off-road vehicle and equestrian use within the first-calf heifer calving pastures shall be limited to ranch personnel during the calving season;</u> • Provide cooperative management structure through identification of an HOA; • Establishment of standards for production of commercial agriculture and best management practices in the orchard areas. 	
Biological Resources		
Impact BIO-2: Impacts to nesting and foraging habitat for raptors	BIO 2: Schedule Ground disturbance to Avoid Nesting Season or Conduct Pre-construction surveys and Establish Buffers for Avian and Special-Status Bat species. All construction-related activities, including, but not limited to, vegetation removal and initial ground disturbance, shall be scheduled to avoid the breeding bird season, which is generally February 1 to August 15. If construction must begin within this period, a qualified biologist shall be retained to conduct a pre-construction survey for active nests in areas within 500 ft. of development. The biologist shall also survey structures and	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	habitats within 500 feet for bat roosts and nests and bat foraging activity.	
Impact BIO-3: Impacts to nesting and foraging habitat for bats	See Mitigation Measures BIO 2 and BIO 8.	Less than significant with mitigation
Impact BIO-4: Increased sedimentation during construction and polluted runoff from development	<p>BIO 4-1: Additional Provisions for SWPPP and Erosion Control Plans. MM WAT 2-1 and 2-4 require the preparation of Stormwater and Erosion Control Plans. These plans shall also show the locations of coastal scrub, oak woodland, riparian woodland, delineated seasonal wetlands and undefined water bodies, and seeps within 100 feet of any work areas in the project area. Habitats occurring within 100 feet of proposed work areas shall be delineated in the field for avoidance during construction.</p> <p>BIO 4-2: Erosion Control BMPs and Seasonal Restrictions on Construction. The applicant shall incorporate all applicable Best Management Practices (BMPs), including seasonal restrictions on construction, as appropriate, into the grading/drainage plan and implemented in the field to contain, control, and prevent soil erosion and sedimentation occurring outside of the development envelopes or areas of disturbance. Seasonal restrictions on construction shall be subject to: a) raptor and other bird nesting season (March-July), and b) monarch autumnal and/or overwintering sites (November-February). In all cases, seasonal restrictions on construction for species protection shall be determined on a site-specific basis by a qualified local biologist, depending on field conditions revealed during field surveys.</p> <p>See also Mitigations WAT 2-1 through 2-4, which require a Storm Water Pollution Prevention and Control Program</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	and an Erosion Control Plan for construction, and Mitigations WAT 3-1 and 3-2 which provide long-term erosion control protection through the minimization of surface runoff from development.	
Impact BIO-5: Building within Development Envelopes could result in potential degradation and loss of native grasslands, oak woodlands, and potential wetlands.	BIO 5: Buffer from Sensitive Habitat. Future residences and habitable structures within each development envelope, as well as the water treatment facility and storage tanks, shall be sited a minimum of 100 feet from the edge of sensitive habitat as depicted on Figure 4.4-6 of the EIR (30 ft. for native grasslands) and as determined in the field by a County-qualified biologist at the time of future development. Based on the field survey, building envelopes shall not encroach into the sensitive habitat areas.	Less than significant with mitigation
Impact BIO-6: Removal and degradation of environmentally sensitive vegetation for fuel management purposes	<p>BIO 6-1: Buffer from Sensitive Habitat. All future residences, guest houses and other habitable structures (including the water treatment facility) must be positioned so that the 100-ft. fuel modification zones (30 feet for native grasslands) will not encroach within sensitive native habitat as depicted on Figure 4.4-6 of the EIR and as determined in the field by a County-qualified biologist at the time of future development, including oak forest and woodland, Eucalyptus (for Monarch habitat and drainage features) California sycamore riparian woodlands, native grasslands (foothill and purple needlegrass, and meadow barley), specific types of coastal sage scrub (i.e., goldenbush scrub and lemonadeberry scrub) and wetlands. Based on the field survey, fuel management shall not encroach into the sensitive habitat areas.</p> <p>BIO 6-2 Fuel Management Plan Required. The applicant shall prepare a Fuel Management Plan to ensure that avoidance is accomplished and to ensure that fuel management is balanced with sensitive resource protection. Plan Requirements: The Fuel Management</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>Plan shall include the following:</p> <ul style="list-style-type: none"> • The goal of the plan would be to meet the dual goals of public safety and protection of significant vegetation. • The plan shall depict fuel management zones (i.e., Zone 1, 2, and 3) wherever required and shall include specific habitat and rare species protection and fuel management measures to be used in each management zone and for each habitat type. Onsite vegetation management shall be limited to the zones and clearance requirements/percentages conceptually described. • Impacts to native grasslands and special status plant and animal species shall be minimized. Zone 2 clearance of shrub cover shall not exceed 50% of shrub cover and shall be created in a mosaic pattern. Mowing of native bunchgrass shall occur in such a manner that at least 4 inches of height of each plant remains after mowing. Pre-mowing surveys within the fuel management zones to ensure no ground-dwelling birds are nesting shall be conducted if mowing occurs during the nesting season (February 1 to August 15). 	
Impact BIO-7: Potential Introduction or Increase of Invasive Non-native Plants	<p>BIO 7-1: Biologist review of Landscape Plans. Landscape Plans for future development shall be reviewed and approved by the P&D Staff Biologist. The applicant shall use primarily native, locally collected plant species (coastal Santa Barbara and Ventura County species or other non-invasive plant material) for landscaping purposes. The use of non-native invasive species shall be prohibited.</p> <p>BIO 7-2: Revegetation of Disturbed Soils and Weed Eradication. All soil surfaces exposed during any construction activity and which are not proposed to be developed or landscaped shall be revegetated with native</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>plants typical of the adjacent habitat immediately after construction. All disturbed areas shall be monitored for the presence of invasive species. If weedy invasive species are found to be present, a weed-eradication program for the affected area shall be developed and implemented.</p> <p>See also Mitigation Measures BIO 6-1 and 6-2.</p>	
<p>Impact BIO-9: Gato Crossing: Temporary Construction Impacts of removal and construction of Gato Creek span crossing on Aquatic (mostly amphibian) wildlife</p>	<p>BIO 9: The applicant shall prepare a Gato Creek Bridge Crossing Protection and Restoration Plan for avoiding impact to sensitive species and native vegetation in Gato Creek during construction of the bridge. The Plan shall include:</p> <ul style="list-style-type: none"> • Pre-Construction Surveys. Pre-construction surveys for California red-legged frogs, South Coast newts, and other special-status amphibian species shall be conducted prior to construction activities no more than one week before construction begins. If any individuals of CARLF are found, the agencies shall be contacted. If other sensitive species are identified, appropriate measures shall be taken to ensure their protection as recommended by the consulting biologist and approved by P&D. The biologist, <u>at his/her discretion</u>, shall perform capture and relocation of non-listed fish, tadpoles, aquatic insects, and other animals found in the scour pool located below the existing crossing to further downstream. • Biological Monitoring. Removal of the existing crossing and installation of the proposed span crossing shall be monitored by a qualified wildlife biologist with a handling permit for potentially-affected wildlife. A County-qualified wildlife biologist shall monitor all aspects of removing the existing crossing and 	<p>Less than significant with mitigation</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>installation of the new span crossing and installation of grade control structures.</p> <ul style="list-style-type: none"> • Installation of boulder weirs. Prior to construction, plans for installing one or more boulder weirs (grade control structures) shall be prepared in consultation with a County-qualified wildlife biologist. The grade control structures shall consist of large boulders placed across the streambed upstream and downstream of the existing crossing in order to reduce the magnitude of streambed gradient re-adjustment following removal of the existing crossing. The boulder weir plans shall be included on all grading plans. • Dry season construction. All work shall be conducted in the dry season after CRLF and newt larvae have metamorphosed (August 1 - October 15). Removing and replacing the existing crossing shall be done in as short a period of time as possible. • Staging outside Gato Creek corridor. All staging and laydown areas shall be located outside of the Gato Creek riparian corridor on previously-disturbed ground. • Restoration of Vegetation. Any native riparian vegetation removed or damaged shall be restored at a 3:1 (restored acres: disturbed acres) ratio. A separate plan shall be prepared by a County-qualified botanist that would be reviewed and approved by P&D. The goal of the restoration would be to restore any riparian habitat or functions disturbed by construction with a similar assemblage of species that occur in the area such that the restoration area is suitably integrated into the larger ecological matrix. Specific measures for restoration and monitoring success shall be included in the plan, including: an explicit species list, installation methods and activities, performance standards, monitoring methods, and schedules and budgets. 	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> • Fencing during construction. Any additional protection procedures proposed to be used, including marking the extent of ground disturbance and fencing areas for avoidance. 	
Impact BIO-11: Temporary loss of riparian vegetation in Gato Creek	See Mitigation Measure BIO 9 above.	Less than significant with mitigation.
Impact BIO-12: The project would result in fragmentation and loss of grassland habitats, including effects on ground-dwelling special status reptile, bird and mammal species due to development	<p>Recommended Mitigation</p> <p>BIO 12-1: CC&R Provisions for Protection of Grassland Habitat and Wildlife. In order to protect remaining grassland habitat within the project site and use of the habitat by wildlife, the following measures shall be incorporated into CC&R's for the project:</p> <p>a. Open Space provisions and Regulation of Agricultural Use. Areas outside of development envelopes on Parcel 1 and 2 that contain native vegetation shall remain as open space and shall not be converted to row-crop agriculture, including, but not limited, to: alfalfa production, vineyards, orchards, or dry-farmed fields. Grazing shall be allowed.</p> <p>b. Fencing. New fences outside of development envelopes, along access roads and elsewhere in open space areas, shall be constructed to allow for wildlife passage while still providing the necessary functions for the livestock operations. The use of deer fencing or other tall mesh-type fencing shall be restricted to agricultural areas and within development envelopes. Construction of non-agricultural stone, stucco, or other solid walls outside of development envelopes shall be prohibited.</p> <p>c. Rodenticides prohibited. Rodent traps <u>for non-</u></p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p><u>agricultural purposes</u> within the <u>residential</u> development envelopes shall be restricted to snap-traps and not rodenticides, which may kill rodents over a broad area outside the development envelopes.</p> <p><i>Required Mitigation</i></p> <p>BIO 12-2: Habitat Avoidance, Protection, and Restoration Plan. To minimize impacts to sensitive resources from future development on Parcels 1 and 2, an onsite Habitat Avoidance, Protection, and Restoration Plan shall be prepared by a qualified biologist prior to development occurring on proposed Parcels 1 and 2. The Plan shall be prepared based on siting surveys conducted according to Mitigation Measure BIO-5. The Plan shall meet the following minimum parameters:</p> <ul style="list-style-type: none"> a. The building site on Parcel 1 shall be limited to 2 acres and the building site on Parcel 2 shall be limited to 1 acre; b. Building sites within each development envelope shall avoid impacting native grasslands; c. Any native habitats temporarily or permanently disturbed shall be restored at a 2:1 ratio based on acreage. d. Roadways. Roadways shall not contain curbs, ditches, or other barriers to small, ground-dwelling wildlife. The width of access roads shall be the minimum necessary for vehicular and emergency vehicle safety in order to avoid or minimize habitat fragmentation and barriers to wildlife movement. Maximum speed limits on all access roads shall not exceed 20 mph in order to avoid or minimize wildlife mortality. e. Lighting. All outdoor lighting (including around 	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>residences, barns, corrals, and other facilities), access roads, and trails shall be of the minimum number and wattage necessary for safety and shall be shielded and directed downward to minimize light “pollution” to adjacent open spaces. Lighting within development envelopes shall not be directed outside of the envelopes.</p> <p>f. Landscaping shall avoid disturbance of native habitats.</p>	
Impact BIO-15: Potential Loss or Degradation of Monarch butterfly autumnal and overwintering habitat (Class II)	<p>BIO 15-1: Trees in the monarch groves shall not be trimmed or removed during construction or occupation unless approved and monitored by County P&D and a qualified monarch butterfly biologist.</p> <p>BIO 15-2: Monarch Protection Plan. The landowner and future applicants for Lots 1, 2, 4 and 5 shall prepare and implement a Monarch Butterfly Protection Plan. The Plan shall include:</p> <ul style="list-style-type: none"> • Timing restrictions on grading and construction of access roads and future residential development that require use of heavy equipment, including backhoes, to avoid noise, dust, and increased human activity impacts to overwintering monarch butterflies (i.e., construction activities should occur between March and October); • If grading or other heavy equipment work must occur between October and March, a qualified biologist shall survey all eucalyptus trees within 50 feet of the development area prior to the start of work to determine use by monarchs. If butterfly aggregations are found within 50 feet of the work area, work activities shall be delayed until monarchs have left the site. <p>See also Mitigation Measure BIO 5.</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Impact BIO-16: Potential effects on wetland resources on Parcels 4 and 5	BIO 16: Wetlands. All site improvements and project development shall maintain a minimum 100-ft. buffer from all coastal wetlands. The potential wetlands in the vicinity of Parcels 4 and 5 shall be properly delineated (i.e., using U.S. Army Corps of Engineers methods and coastal zone definitions) and identified on all grading or building plans for future residential development. No new structures, including irrigation and non-native landscaping, shall be placed, and no disturbance shall occur, within the wetlands or the 100 ft. buffers.	Less than significant with mitigation
Impact BIO-18: Potential effects on coast live oak forest, riparian resources, Santa Barbara honeysuckle, and Plummer's Baccharis on Parcel 6 from construction of water lines	BIO 18: Water line Location. The water line locations shall utilize existing roads and disturbed areas to the maximum extent feasible. Trenching shall be avoided under oak tree canopies and near sensitive plants. Prior to construction, the applicant shall survey and flag the alignment of the water lines along Gato Creek. A County-qualified biologist shall be retained to participate in the survey and realign the water line where necessary to avoid impacts to sensitive plant species or riparian vegetation. Any field revisions shall be plotted on a revised site plan submitted to P&D for review and approval.	Less than significant with mitigation
Cultural Resources		
Impact CULT-1: Indirect Impacts on Cultural Resources	<p>CULT 1-1 All earth disturbances associated with infrastructure improvements and future residential development shall be monitored by a P&D-qualified archaeologist unless subsurface testing within the area of disturbance determines that no resources are present.</p> <p>CULT 1-2 In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.	
Impact CULT-2: Impacts to CA-SBA-80 on Proposed Parcel 3	<p>CULT 2-1 The development envelope on Parcel 3 shall be reduced in size in order to avoid the high-density area of CA-SBA-80 that contributes to the site's significance, as recommended in the Phase 2 Archaeological Investigation of Parcel 3 conducted by Applied Earthworks in 2010.</p> <p>CULT 2-2 No ground disturbance of any kind, including landscaping and vegetation removal involving disturbance of root balls, shall be permitted outside of the reconfigured development Parcel 3 envelope. Utility infrastructure shall be sited so as to avoid the significant portions of CA-SBA-80, as recommended in the Phase 2 Archaeological Investigation of Parcel 3 conducted by Applied Earthworks in 2010. No additional orchard planting shall be permitted within the boundaries of CA-SBA-80. Grazing shall be exempt from this requirement.</p> <p>CULT 2-3 The high-density area of CA-SBA-80 (as determined by a County-qualified archaeologist) shall be temporarily fenced with chain link flagged with color or other material authorized by P&D where ground disturbance is proposed within 100 feet.</p> <p>CULT 2-4 All earth disturbances within the development envelope for proposed Parcel 3 shall be monitored by a P&D-qualified archaeologist and a Native American Observer in accordance with the County Cultural Resource Guidelines.</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>CULT 2-5 In the event significant archaeological remains such as features or diagnostic artifacts are encountered during grading in the low-density portion of CA-SBA-80, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.</p>	
Impact CULT-3: Impacts to CA-SBA-2409 on Proposed Parcel 7	<p>CULT 3-1 Archaeological site CA-SBA-2409 and a buffer area (to be determined by a County-qualified archaeologist) shall be temporarily fenced with chain link flagged with color or other material authorized by P&D where ground disturbance is proposed within 100 feet of the site.</p> <p>CULT 3-2 No ground disturbance of any kind, including landscaping and vegetation removal involving disturbance of root balls, shall be permitted outside of the Parcel 7 development envelope and within 100 feet of the boundaries of CA-SBA-2409. No orchard planting shall be permitted within the boundaries of CA-SBA-2409. Grazing shall be exempt from this requirement.</p>	Less than significant with mitigation
Impact CULT-5: Impacts to Rural Historic Landscape	<p>CULT 5: Proposed residential and accessory buildings in Envelope Nos. 1, 2, 3, 4 and 5 shall be compatible in size, bulk, scale, height, and style with the Las Varas Ranch's existing historic buildings. Plans for proposed future residential development within these envelopes shall be reviewed by a County-qualified architectural historian contracted by the owner/applicant to ensure that future development does not compromise</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>the integrity of the rural setting and adheres to the Secretary of the Interior's <i>Standards for the Treatment of Historic Properties</i>.</p> <p>See also Mitigation Measure CULT 6-1, which would require preservation of the existing historic structures.</p>	
Impact CULT-6: Impacts to Historic Structures	<p>CULT 6-1: The significant historic buildings in Area 1 and Area 2 shall be retained <i>in situ</i>. Any rehabilitation of these buildings shall be undertaken using the Secretary of the Interior's Standards for Rehabilitation.</p> <p>CULT 6-2: Prior to the project's implementation the applicant shall provide for photographic documentation of the significant buildings in Areas 1 and 2 within their setting by a County-approved historian. Such photographic documentation includes large-format black and white archival photographs of the elevations of each building and their relationship to each other within their setting. A color Xerox copy of these photographs, with a copy of this report, shall be provided to Planning and Development in hard copy and digital format and the original photographs and negatives shall be compiled in a binder, with a site map with arrows indicating the direction of each photograph, and provided to the Goleta Valley Historical Society.</p> <p>See also Mitigation CULT 5, which would ensure that new development is compatible with the size, height, and style of the existing historic structures.</p>	Less than significant with mitigation
Fire Hazards		
Impact FIRE-2: Fire Response Times and Service Levels.	FIRE-1: Impact Fees. All applicable Development Impact Mitigation Fees in effect at the time of permit issuance for future residential development of the site shall be paid.	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Geologic Processes		
Impact GEO-1: Erosion and Sedimentation	Short-term erosion impacts would be mitigated by implementation of Mitigation Measure WAT 2-4, which requires preparation and implementation of an erosion and sediment control plan during grading and construction activities. Long-term erosion impacts resulting from development of the site would be mitigated by implementation of Mitigation Measures WAT 3-1 and 3-2, which require the implementation of various Best Management Practices (BMPs) and drainage features in order to minimize runoff and associated long-term erosion and sedimentation.	Less than significant with mitigation
Impact GEO-2: Bluff Retreat	GEO 1: Bluff Retreat. All structures and improvements adjacent to the coastal bluffs shall be setback from the bluff tops consistent with the approved development envelopes. All structures and improvements within Parcels 1 and 2 shall be designed such that surface and subsurface drainage from development is conducted away from coastal bluffs and does not contribute to bluff erosion.	Less than significant with mitigation
Impact GEO-3: Landslides and Slope Stability	GEO 2: Geologic Hazards. Site-specific engineering geology/geotechnical report(s) and soils engineering studies addressing structure sites, shared water system, and access roads shall be performed. These reports shall provide recommendations for proper grading, foundation design, and other structural components of future development.	Less than significant with mitigation
Impact GEO-4: Expansive Soils and Liquefaction	See Mitigation Measure GEO 2 above.	Less than significant with mitigation
Impact GEO-6: Radon Gas	GEO 3: Prior to issuance of building permits, radon testing shall be conducted in all areas of proposed structural development. If radon gas is present, habitable structures shall be designed and constructed in accordance with	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	Environmental Protection Agency (EPA) guidelines for minimizing impacts associated with radon gas exposure.	
Hazardous Materials		
Impact HAZ-1: Impacts from Past Oil and Gas Activities	<p>HAZ 1-1: Hazardous Materials Discovery - Field Observation. A registered environmental assessor shall conduct a pre-grading/construction training with appropriate construction crews regarding the identification of contaminated soil and shall be on-site during grading and site excavation activities in areas that are within 500 feet of mapped abandoned oil wells. In the event that visual contamination or chemical odors are detected while implementing the approved work on the project site, all work shall cease immediately. The property owner or appointed agent shall contact the County Fire Department's Hazardous Materials Unit (HMU); the resumption of work requires the approval of the HMU.</p> <p>HAZ 1-2: Encountering Oil Production Infrastructure. In the event that any unexpected wells or piping are encountered during normal grading operations, all grading operations shall cease until the Division of Oil and Gas has been notified and appropriate actions have been taken. Previously abandoned wells showing evidence of continued leaking shall require re-abandonment to current standards under the direction of DOGGR and the County Fire Department in compliance with California Code of Regulations Title 14, Chapter 4 and the Public Resources Code, Section 3106.</p>	Less than significant with mitigation
Impact HAZ-2: Impacts from Agricultural Operations.	<p>HAZ 2: Hazardous Materials Permits. The landowner/applicant shall obtain all necessary permits and authorizations from the County Fire Department for the storage and handling of hazardous materials, including agricultural chemicals, fuels, and spent lubricants. The landowner/applicant shall prepare and submit to the County Fire Department a Spill Prevention Control and</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	Countermeasure (SPCC) plan for their review and approval.	
Land Use		
Impact LU-1: Land Use Compatibility.	<p>Land use impacts associated with compatibility of development would be mitigated by implementation of the following mitigation measures:</p> <ul style="list-style-type: none"> • Mitigation Measure CULT 5, which requires that future residential development be compatible with the size, bulk, scale, height, and style of existing historic structures within the project site; and • Mitigation Measures AES 1 through AES 5, which reduce aesthetic impacts of the project. • Mitigation Measure AG 2-3, which codifies the applicant's commitment to remain in agriculture through the recordation of CC&Rs. 	Less than significant with mitigation
Impact LU-2: Conflicts with County Policies	Mitigation Measure CULT 2-1, which reduces the extent of the development envelope on Parcel 3, would ensure consistency with Coastal Land Use Plan Policy 10-2. Mitigation Measure BIO 16 would ensure consistency with Coastal Land Use Plan Policy 9-9.	Less than significant with mitigation
Recreation		
Impact REC-2: Effects on the Quality or Quantity of Existing Recreational Opportunities.	REC 2: The design for any future residences on proposed Parcels 1 and 2, including massing, building materials, colors, and landscaping, shall be compatible with the rural character of the area. Residences shall be set back far enough from the beach and sized appropriately so as to not intrude into the skyline or break the view plane of the Santa Ynez Mountains as viewed by the public. Excessive grading, interpreted for this project to mean a cut or fill	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	slope of five feet or greater, shall not be permitted as a means to avoid skyline intrusion. The minimum distance for residential structures from the bluff top or beach edge shall be 200 feet.	
Transportation/Circulation		
Impact TRANS-2: Traffic-Related Hazards.	<p>TRANS 1: To improve the corner and stopping sight distance, the Owner/Applicant shall modify the small cut slope approximately 600 feet north of the Las Varas Ranch Road access on the beach side to increase the sight distance.</p> <p>TRANS 2: The Owner/Applicant shall extend the existing northbound left turn lane approximately 240 feet within the center median to meet the minimum Caltrans distance of 530 feet.</p> <p>TRANS-3: The Owner/Applicant shall construct full deceleration and acceleration lanes at Las Varas Ranch Road along the southbound shoulder of U.S. Highway 101 to meet minimum Caltrans requirements.</p>	Less than significant with mitigation
Water Resources/Flooding		
Impact WAT-2: Construction-related Water Quality Impacts.	<p>WAT 2-1 SWPPP. The applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.</p> <p>WAT 2-2 Sediment and Contamination Containment. The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:</p> <ol style="list-style-type: none"> 1. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble 	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.</p> <ol style="list-style-type: none"> 2. Apply concrete, asphalt, and seal coat only during dry weather. 3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc. 4. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination. 5. Re-vegetate graded areas upon within 30 days of completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. <p>WAT 2-3 Equipment Washout-Construction. The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site as necessary to avoid spillage. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>resources.</p> <p>WAT 2-4 Erosion and Sediment Control Plan. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until regraded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit an Erosion and Sediment Control Plan (ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The Erosion and Sediment control plan shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (www.countysb.org/government/county_ordinance_code_Chapter_14_14-9 and 14-29 – refer to Erosion and Sediment Control Plan Requirements.)</p> <p>WAT 2-5 Grading Limits. All future plans for development within individual development envelopes shall designate a “limit of disturbance” line within the envelope.</p>	
Impact WAT-3: Long-term Water Quality Impacts and Hydrological Changes.	<p>WAT 3-1 Storm Water Retention-Biofiltration Systems. To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces, the Owner/Applicant shall construct a permanent biofiltration system to treat storm water runoff from the site. Biofiltration includes vegetated swales, channels, buffer strips, retention, and rain gardens, and shall be designed in accordance with the California</p>	Less than significant with mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>Stormwater BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method. The biofiltration systems shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the filtration properties and the plants selected are adequate to reduce concentrations of the target pollutants including nutrients, heavy metals, pathogens, and oil and grease. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofiltration system. Invasive plants shall not be used. Biofilters shall not replace existing riparian vegetation or native vegetation unless otherwise approved by P&D.</p> <p>WAT 3-2 To reduce runoff from impervious areas and allow for infiltration, the applicant shall incorporate pervious materials or surfaces (e.g., porous pavement or unit pavers on sand) into the project design where feasible, including parking areas, courtyards, etc.</p> <p>WAT 3-3 All outdoor trash container areas must meet the following requirements:</p> <p>1) Trash container areas must divert drainage from adjoining paved areas.</p> <p>2) Trash container areas must be protected and regularly maintained to prevent off-site transport of trash.</p>	
CLASS III IMPACTS		
Aesthetics/Visual Resources		
Impact AES-6: Impacts on Private Views.	None required.	Less than significant before mitigation.
Agricultural Resources		
Impact AG 1: Direct Effects on Agricultural Operations and Productivity.	None Required	Less than significant before mitigation.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Impact AG-3: Effects on Long-term Viability	None Required	Less than significant before mitigation.
Air Quality		
Impact AQ-1: Construction PM ₁₀ Emissions.	<p>AQ 1: Construction-Generated Airborne Dust (PM₁₀). The applicant shall prepare a Construction Management Plan to control PM₁₀ emissions. At a minimum the Plan shall include the following dust control measures:</p> <ul style="list-style-type: none"> • During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency shall be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops grown for human consumption. • Minimize the amount of disturbed area and reduce onsite vehicle speeds to 15 mph per hour or less. • Gravel pads must be installed at all access points to prevent tracking of mud on to public roads and internal private roads where applicable. • If importation, exportation, and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be covered with a tarp from the point of origin. • After clearing, grading, earthmoving, or excavation is completed, the disturbed area shall be treated by watering, revegetating, or spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. • The contractor or builder shall designate a person or 	Less than significant before mitigation.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SBCAPCD prior to approval of permits for map recordation and for finish grading for any structures.</p>	
<p>Impact AQ-2: Construction-related NO_x and ROG Emissions.</p>	<p>AQ 2: Construction-Related Emissions. The applicant shall prepare a Construction Management Plan to control diesel emissions during construction. At a minimum the Plan shall incorporate the following mitigation measures:</p> <ul style="list-style-type: none"> • All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months. • Diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emissions standards should be used to the maximum extent feasible. • Diesel catalytic converters, diesel oxidation catalysts, and diesel particulate filters, as certified and/or verified by EPA or California, shall be installed on equipment operating on-site, if available. • Diesel-powered equipment should be replaced by electric equipment whenever feasible. • Idling of heavy-duty diesel trucks during loading and unloading should be limited to five minutes; auxiliary 	<p>Less than significant before mitigation.</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>power units should be used whenever possible.</p> <ul style="list-style-type: none"> • Construction worker's trips should be minimized by requiring carpooling and by providing for lunch on site. • The engine size of construction equipment shall be the minimum practical size. • The amount of construction equipment operating simultaneously shall be minimized through efficient construction management practices to ensure that the smallest practical number is operating at any one time. • Construction equipment shall be maintained per the manufacturer's specifications. • Construction equipment operating on site shall be equipped with two or four degree engine timing retard or pre-combustion chamber engines. • Catalytic converters shall be installed on gasoline-powered equipment, if feasible. 	
Impact AQ-3: Long-term Emissions	<p>AQ 3: Energy Conservation Measures. The applicant shall incorporate the following energy conservation measures into future building plans unless the applicant or future landowner proves to the satisfaction of P&D that incorporation of a specific measure is infeasible:</p> <ol style="list-style-type: none"> 1. Exceed the California Title 24 Energy Code requirements by 20% or greater for all relevant applications, including energy efficient appliances and lighting. 2. Apply water-based paint on all structures. 3. Low NOx residential and commercial water heaters and space heaters per specifications in the 1991 Air Quality Attainment Plan; 4. Solar panels for residential water heating systems and other facilities or use of on-demand water heater(s); Include design elements that maximize the use of natural lighting and passive solar cooling/heating. 	Less than significant before mitigation.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	5. Construct parking areas with concrete or other non-polluting materials instead of asphalt. 6. Develop landscape plans that use landscaping to shade buildings and parking areas where feasible.	
Impact AQ-4: Carbon Monoxide Hot Spots	None required.	Less than significant before mitigation.
Biological Resources		
Impact BIO-8: Wildlife mortality and disturbance from Introduction of non-native animals and interactions with humans	<p>BIO 8: Prepare Resident Education Program. The applicant shall retain a qualified local biologist to prepare a Resident Education Program. Plan Requirements: At a minimum, the Program shall contain literature discussing proactive measures that landowners shall implement regarding the following:</p> <ul style="list-style-type: none"> • Minimizing the attractiveness of the project area, specifically livestock areas, to non-native wildlife and avoiding or minimizing native wildlife mortality; ▪ Reducing or avoiding negative human/wildlife interactions; ▪ Keeping cats and dogs in at night in order to reduce predation by them on native wildlife and to prevent them from being preyed upon by coyotes and mountain lions; ▪ Requiring leashing of dogs on hiking trails; ▪ Developing measures to prevent domestic cats and dogs from roaming habitats outside the development envelopes, such as barrier fencing around the development envelopes; ▪ Preventing domestic cats and dogs from reproducing and becoming feral; ▪ Eliminating food sources and other attractive nuisances to wildlife in and around development envelopes; ▪ Limiting impacts of non-native aquatic and terrestrial plants and animals on native wildlife and habitats (See BIO-6 and BIO 7-1 above); 	Less than significant with mitigation before mitigation.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> Prohibiting release of non-native animals into open spaces and collecting of native wildlife, such as turtles, frogs, and snakes; Educating residents concerning snakes and the benefits of these predators for rodent control, identification of harmless species, and the alternative of capturing and moving snakes to open space areas rather than killing them; The value of swallows, black phoebes, and other eave-nesting birds for insect control, Simple, proactive, non-invasive measures that can be implemented by landowners to prevent nesting by these species on residences and other structures; and Other relevant topics. <p>See also Mitigation Measure BIO 12-1a, which limits agricultural activity on lots 1 and 2.</p>	
Impact BIO-10: Gato Crossing: Short-term, Temporary Water Quality Impacts During Construction (removal of crossing)	None required	Less than significant before mitigation.
Impact BIO-14: Project use of beaches could result in impacts to special-status beach-dwelling invertebrates, specifically the globose dune beetle (Class III)	None required	Less than significant before mitigation.
Impact BIO-17: Potential effects on riparian and wildlife resources on Parcel 5 from trail construction and use.	None required	Less than significant before mitigation.
Cultural Resources		
Impact CULT-4: Ethnic Impacts	None required	Less than significant before mitigation
Fire Hazards		
Impact Fire-1: Defensibility and Potential for Wildland Fires	None required	Less than significant before mitigation
Geologic Processes		

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Impact GEO-5: Seismic Shaking	None required	Less than significant before mitigation
Land Use		
Impact LU-3: Growth Inducing Impacts.	None required	Less than significant before mitigation
Recreation		
Impact REC-1: Conflicts with Established Recreational Uses.	None required	Less than significant before mitigation
Transportation/Circulation		
Impact TRANS-1: Long-term Traffic Impacts.	None required	Less than significant before mitigation
Water Resources/Flooding		
Impact WAT-1: Drainage and Flood Hazards.	None required	Less than significant before mitigation
Impact WAT-4: Groundwater Resources	<p>No mitigation is required. However, in order to minimize water use given the uncertain state of long-term water supplies in the region as a whole, the following mitigation measures are recommended.</p> <p>WAT 4-1 Outdoor water use shall be limited through the measures listed below.</p> <ol style="list-style-type: none"> Landscaping shall be primarily with native and/or drought tolerant species. Drip irrigation or other water-conserving irrigation shall be installed. Plant material shall be grouped by water needs. Turf shall constitute less than 20% of the total landscaped area. No turf shall be allowed on slopes of over 4%. Soil moisture sensing devices shall be installed to prevent unnecessary irrigation. 	Less than significant before mitigation

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>g. If a successor ordinance is adopted regulating outdoor water use, it shall be complied with and shall supersede the above requirements.</p> <p>WAT 4-2 Indoor water use shall be limited through the following measures:</p> <p>a. All hot water lines shall be insulated.</p> <p>b. Recirculating, point-of-use, or on-demand water heaters shall be installed.</p> <p>c. Self regenerating water softening shall be prohibited in all structures.</p> <p>d. Pool(s) shall have pool cover(s).</p>	
CLASS IV IMPACTS		
Impact BIO-1: Replacement of Arizona crossing at Gato Creek with a span bridge would remove a barrier to special status fish species dispersal.	None required.	Beneficial impact
Impact REC-3: Effects of the Proposed Recreational Facilities.	None required	Beneficial Impact
CUMULATIVE IMPACTS		
<p>Cumulative Aesthetic Impacts</p> <p>Given that many of the recently approved, planned, and pending projects identified in Section 3.0 are located in the coastal zone and visible from a roadway (U.S. Highway 101) recognized as highly scenic by the County and eligible for scenic highway designation by the State, and located in areas highly visible to the public in one of the last remaining rural, undeveloped coastlines in southern California, cumulative impacts to the visual character and important visual resources and viewsheds of the Gaviota Coast are</p>	See Mitigation Measures AES 1 through AES 5.	Less than significant (not cumulatively considerable) - Class II

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>considered significant. However, the proposed project would contribute a total of seven new residences to the area. Five of these would be on the coastal terrace south of U.S. Highway 101 on property totaling approximately 520 acres and the other two would be sited north of the highway on property totaling approximately 1,264 acres. Therefore, the density of development associated with the proposed project would remain compatible with the rural character of the area. In addition, much of the new development would be screened from public view by vegetation or existing topography and therefore their presence would not contribute to the change in the visual character of the area as experienced by the public. Lastly, new development within the ranch would have to be designed to be compatible with the character of the existing ranch development in order to protect the integrity of the Rural Historic Landscape, as discussed in Section 4.5. Given these factors, the project's contribution to the significant cumulative impacts is <i>not cumulatively considerable</i>.</p>		
<p>Cumulative Agricultural Impacts</p> <p>While estate-style residential development will occur within the area, as identified by the related projects in Section 3.0, it is expected that agricultural uses will continue and sufficient land will continue to be available for agriculture. Overall, cumulative impacts to agriculture along the Gaviota Coast are considered less than significant. Given the nature and extent of the proposed project, the project's contribution to cumulative agricultural impacts is <i>not cumulatively considerable</i>.</p>	See Mitigation Measures AG 2-1 through 2-3.	Less than significant (not cumulatively considerable) - Class II
<p>Impact AQ-5: Cumulative Air Quality</p> <p>On a cumulative basis, other planned, pending and future projects as identified in Section 3.0 would incrementally add to the generation of air pollutants from construction</p>	None required.	Less than significant (not cumulatively considerable) - Class III

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>activities and long-term traffic generation. Vehicles trips generated by traffic associated with these projects would contribute incrementally to the County air emissions; however the burden contributed by any single project-generated vehicular use is added to that from thousands of other vehicles. The impact of a single project or collection of projects is very small on a regional scale. Cumulative impacts are therefore often addressed in terms of project compatibility with the County air quality plans. With projects that have been properly accounted for or anticipated in the County-wide growth projections used as a basis for regional air quality planning, there would be no significant cumulative impact as a result of unanticipated growth. The 2007 Clean Air Plan indicates that the County is projected to reach attainment status even with continued growth as currently forecasted; based upon a menu of air pollution reduction strategies to be implemented on small and large scales, including the application of standard emission controls applied to development projects, increased vehicle emission standards, and alternative transportation programs. The proposed project is consistent with plan elements and land use designations included as part of the County Comprehensive Plan and Coastal Land Use Plan. Since the project's air quality impacts are less than significant and the project is consistent with the Clean Air Plan, its contribution to cumulative air quality impacts is <i>not cumulatively considerable</i>.</p>		
<p>Impact AQ-6: Greenhouse Gas Emissions</p> <p>Given the global nature of climate change resulting from GHG emissions, GHG emission impacts are inherently cumulative in nature. The determination of whether a project's GHG emissions impacts are significant depends on whether emissions would represent a cumulatively considerable contribution to the significant cumulative</p>	See Mitigation Measure AQ 3.	Less than significant (not cumulatively considerable) - Class III

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>impact. In 2004, California emitted 484 million metric tons of GHGs (CARB 2007). The proposed project would contribute incrementally to cumulative greenhouse gas emissions through the release of carbon dioxide from vehicle use and indirectly through energy consumption for the residences and other uses. According to the URBEMIS 2007 computer model, the proposed project would generate maximum daily carbon dioxide emissions of approximately 1,934 pounds per day (321 metric tons/year), driven primarily by vehicle emissions from future residents and public visitors to the proposed beach access trail. This is far less than the 1,100 metric ton significance criteria referenced in Section 4.3.3, though it does not include indirect emissions associated with residential electricity use.</p> <p>According to the BAAQMD, the 1,100 metric ton significance criteria is equivalent to approximately 60 single-family residences given average annual household GHG emissions of approximately 18.3 metric tons/household/year.⁴ The proposed project would result in the development of up to seven new single family dwellings. Therefore, the project's contribution to cumulative impacts as a result of GHG emissions would <i>not be cumulatively considerable</i>.</p>		
<p>Cumulative Biological Impact</p> <p>In conjunction with other planned, pending, and potential future projects in the vicinity of the project site (e.g., Santa Barbara Ranch, Paradiso del Mare Ocean and Inland Estates, Eagle Canyon Ranch), the project has the potential to contribute to cumulative impacts on biological resources. Future residential development along the coastal terrace in</p>	See project-specific mitigation measures to reduce impacts to biological resources.	Cumulatively considerable - Class I

⁴ BAAQMD Thresholds of Significance (May 2010), at 60.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>the vicinity of the project site has the potential to result in the incremental loss or degradation of significant raptor roosting, foraging, and nesting habitat. The resulting incremental loss and fragmentation of habitat will further restrict the movement of wildlife across and between habitats. Loss of foraging habitat for white-tailed kites on nearby properties, when combined with on-site impacts to foraging habitat, could decrease the viability of nesting and breeding in the project vicinity. Residential development in the project vicinity associated with the related projects also has the potential to result in cumulative impacts to riparian vegetation and aquatic species such as California red-legged frog. This would result from 1) direct impacts from disturbance or degradation of riparian habitat; 2) indirect impacts resulting from water quality degradation associated with an increase in impervious surfaces and pollutant runoff near water bodies; 3) increased human and domestic animal presence in close proximity to riparian habitats; and 4) fragmentation of upland habitat used for wildlife movement, particularly associated with the development envelope on proposed Parcel 2. The low density of residential development associated with the project and the large areas of open/undeveloped land and orchard areas within the project site that would remain would help to ensure that the project's contribution to significant impacts on raptor foraging would not be cumulatively considerable. Project impacts to California red-legged frog and other sensitive aquatic species remains significant and unavoidable absent relocation of the development envelope on Parcel 2. For this reason, the project's contribution to significant cumulative biological impacts is considered <i>cumulatively considerable</i>.</p>		
<p>Cumulative Cultural Resources Impacts <i>Archaeological Resources</i></p>	<p>See project-specific mitigation measures to reduce impacts to cultural resources.</p>	<p>Less than significant (not cumulatively)</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>As discussed in Section 4.5.2, numerous recorded sites occur within the project site. However, the archaeological resources within the ranch do not constitute a historic (i.e. prehistoric) district. The proposed project has been designed to avoid significant impacts to known archaeological sites. Mitigation measures applied to the project would result in further avoidance of archaeological sites and ensure that impacts to archaeological resources (both recorded and unknown) would be reduced to less than significant levels. As a result, development of the proposed project would not significantly contribute to a significant cumulative impact on cultural resources. Therefore the project's contribution to cumulative archaeological impacts <i>would be cumulatively considerable but feasibly mitigated</i>.</p> <p><i>Historic Resources</i></p> <p>The proposed Santa Barbara Ranch development, located immediately east of the project site, would potentially develop up to 72 home sites (under Alternative 1) encompassing both sides of U.S. Highway 101. It is located on portions of the historic Dos Pueblos Ranch and the old Naples Townsite and contributes to the rural setting of the area. This and other nearby projects have the potential to impact views of the historic rural setting as experienced from U.S. Highway 101, thereby compromising the historic integrity of the rural setting. In total, other planned, pending, and recently constructed projects would introduce approximately 117 new residences along both sides of U.S. Highway 101 in this section of the Gaviota Coast. Potential impacts on the historic rural setting of the area from these projects are cumulatively significant. The proposed project has the potential to impact views of the historic rural setting from U.S. Highway 101, railroad, and ocean, and materially impair the historic setting and character defining features of</p>		<p>considerable) - Class II</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>the site by the introduction of incompatible development. This would potentially contribute to the cumulative historic impacts to the Gaviota Coast. However, the project only includes the potential for seven new residences scattered throughout the ranch and many of the future residences would not be visible from U.S. Highway 101 or are located outside of the boundaries of the Rural Historic Landscape. In addition, implementation of the mitigation measures identified above would ensure that future residential development is compatible with, and would not compromise the historic integrity of, the existing historic structures and Rural Historic Landscape found within the project site, consistent with the Secretary of the Interior's Standards. Therefore, the project's contribution to cumulative historic impacts would be <i>cumulatively considerable but feasibly mitigated</i>.</p>		
<p>Cumulative Fire Hazard Impacts</p> <p>The proposed project, in conjunction with other planned and pending projects identified in Section 3.0, would result in an incremental increase in the temporary and permanent residential population in a high fire hazard area, thereby exposing additional residents and members of the public to potential fire hazards and increasing the potential for a fire to be ignited by human activities. These projects would be underserved by the County Fire Department due to their distance from the closest fire stations until such time as the new station is constructed and operational in western Goleta. This would result in a potentially significant cumulative impact. The proposed project would increase the total on-site residential population by approximately 19 people with residential buildout of the project site. In addition, provision of a public parking lot to serve the proposed beach access trail would result in an increase in</p>	None required.	Less than significant (not cumulatively considerable) - Class III

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>the temporary population in this area by up to approximately 63 people (based on 2.1 people per vehicle) at any given time. This level of growth associated with the project would not exacerbate evacuation of area residents given the excess capacity of U.S. Highway 101 and the relatively short and straightforward ingress/egress routes. Fuel management and water storage capacities within the ranch would ensure the site is defensible from wildfire events and would not significantly exacerbate existing fire hazards. Therefore, the project's contribution to area fire hazards would <i>not be cumulatively considerable</i>.</p>		
<p>Cumulative Geologic Impacts</p> <p>Geologic impacts are generally localized and project-specific in nature, as they involve the land upon which the project is proposed to be located. Geologic hazards present on an individual site would likely be limited to that site and would not contribute to any cumulative impacts to the rest of the community. The proposed project, as well as other planned or pending projects in the vicinity, would be required to comply with the California Building Code and County Grading Ordinance which would help to ensure that any geologic impacts are reduced to the maximum extent feasible and do not result in any off-site impacts to the surrounding community. Overall, cumulative geologic impacts are considered less than significant and the project's contribution is <i>not cumulatively considerable</i>.</p>	None required.	Less than significant (not cumulatively considerable) - Class III
<p>Cumulative Hazardous Materials Impacts</p> <p>The proposed project, in conjunction with other planned and pending projects would potentially increase the residential population in a predominantly agricultural area. This could have the effect of increasing the number of people potentially exposed to agricultural chemicals. However, the application and storage of pesticides and</p>	See Mitigation Measures HAZ 1-1, 1-2, and 2.	Less than significant (not cumulatively considerable) - Class III

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>other agricultural chemicals is strictly regulated by the County Agricultural Commissioner's Office and County Fire Department in order to protect public health and prevent unintended release of hazardous materials. In addition, exposure to hazardous materials such as improperly abandoned oil or gas wells is rather localized and would not have far-reaching effects. The proposed project would involve the future development of up to seven residences, which would not result in a significant increase in the population potentially exposed to public health hazards. In addition, it is not expected that the new public trails created as part of the project would expose the public to health or safety hazards from continued pesticide application in compliance with local and state regulations. Thus, the cumulative effect of unsafe public exposure to these hazards is considered less than significant and the project's contribution would <i>not be cumulatively considerable</i>.</p>		
<p>Cumulative Land Use Impacts</p> <p>New residential development associated with the cumulative projects (including the proposed project and the identification of building envelopes for future development) totals 117 residential units (assuming implementation of the Santa Barbara Ranch Alternative 1 project totaling 72 units; the MOU project consisting of 18 fewer units). This number of residential units distributed along the entire Gaviota Coast would not necessarily be incompatible with the existing rural agricultural land uses characteristic of the area; however, the majority of these residences would be concentrated in a roughly three-mile segment within or east of the Naples Townsite and many of these would be clearly visible from the main travel corridor of U.S. Highway 101. House sizes within this development could range from approximately 4,000 square feet to 13,000 square feet and</p>	<p>See Mitigation Measures AES 1 through 5, CULT 5, and AG 2-3.</p>	<p>Less than significant (not cumulatively considerable) - Class II</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>would include guest houses, garages, and other residential accessory structures that would potentially be out of character with existing rural land uses in the surrounding area. Land use in this immediate area would become characterized more by rural residential development, with most of the lots less than 20 acres in size, than by agriculture and ranching. The Paradiso del Mare project just east of Santa Barbara Ranch is also proposing two residences of over 6,000 feet with accessory structures on the coastal terrace south of U.S. Highway 101. These two projects are located at the gateway to the Gaviota Coast as one leaves the urban communities of Goleta and Santa Barbara, and thus have a notable influence on helping to define the rural agricultural character of land uses and development along the Gaviota Coast.</p> <p>Other planned, pending, and future projects may follow this trend of large estate-style residences that, together, could change the character of existing and surrounding land uses and development along the Gaviota Coast. For these reasons, cumulative impacts with regards to land use compatibility and the rural character of the surrounding area are considered significant. The proposed project would only contribute up to seven new residences and accessory structures across 1,784 acres to this cumulative development and many of these would not be visible from U.S. Highway 101 so as not to significantly contribute to the change in character of the area as experienced by the general public. In addition, the ranch would be maintained in agriculture consistent with its current orchard and ranching operations. This would help to ensure that the site retains its existing rural agricultural character and residential uses remain subordinate to the rural setting. Therefore, the project's contribution to the significant cumulative impact is <i>not cumulatively considerable</i>.</p>		

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Cumulative Recreation Impacts</p> <p>The cumulative projects would result in up to approximately 117 residential units being constructed along the Gaviota Coast in between the City of Goleta and Gaviota State Park (assuming implementation of the Santa Barbara Ranch Alternative 1 project totaling 72 units; the MOU project consists of 18 fewer units). Much of this development would be concentrated east of the project site within and adjacent to the Naples Townsite. Especially in this area, this level of development has the potential to significantly impact the visual character of the area and thereby degrade the recreational experiences currently enjoyed by the public. While many of the planned and pending projects are low density and smaller in scale than the projects contemplated in and around the Naples Townsite, they would nonetheless incrementally add to the change in the rural character of the region that contributes to the area's recreational value.</p> <p>The proposed project would result in up to seven new single family residences and associated infrastructure and accessory structures over the entire project site, representing a small fraction of the cumulative development proposed along this section of the Gaviota Coast. At the same time, it would add three new recreational opportunities for the public in the form of vertical and lateral beach access and a segment of the California Coastal Trail. While future residential development within the project site would potentially degrade the quality of the recreational experience of the public by degrading scenic views and viewsheds as experienced by the public, the project would not directly impact any existing designated recreational facilities. Many of the future residences would not be visible from public viewpoints or would be subordinate to the surrounding landscape due to their distance from public</p>	<p>See Mitigation Measures AES 1 through AES 5, REC 1 through REC 3, and CULT 5.</p>	<p>Less than significant (not cumulatively considerable) - Class II</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>recreational areas and surrounding vegetation and intervening topography. Development would be low density and the existing agricultural and ranching operations would remain to help maintain the ranch's rural character. Given this and project mitigations, the project's contribution to significant cumulative recreational impacts would <i>not be cumulatively considerable</i>.</p>		
<p>Cumulative Transportation/Circulation Impacts</p> <p>Average daily trips (ADTs) and peak hour trips (PHTs) on U.S. Highway 101 in the vicinity of the project site have been decreasing over the last seven years, from a peak of 4,050 PHTs and 40,500 ADTs in 2002 to 3,100 PHTs and 31,000 ADTs in 2008 (no data is available for 2009). Because the historic traffic growth rate shows a negative trend, a conservative analysis for the future traffic volumes for U.S. Highway 101 in the vicinity of the project site would include no change (increase or decrease) for the next 20 years. As such, the existing plus project impact analysis is representative of a cumulative analysis for traffic conditions in the vicinity of the project site. The list of planned, pending, and recently approved projects included in Section 3.0 would result in an increase in ADTs along various segments of U.S. Highway 101, primarily east of the project site in between the project site and the City of Goleta. Assuming the development of up to 117 new single family dwellings within the segment of U.S. Highway 101 in between the City of Goleta and Gaviota Beach State Park, less than 2,000 ADTs would be generated and these would be distributed along several miles of the highway. Traffic volume on the highway would remain well below capacity and levels of service would remain within acceptable levels of LOS C or better.</p> <p>The other cumulative projects would not contribute</p>	None required.	Less than significant (not cumulatively considerable) - Class III

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>significant numbers of peak hour trips to the project intersection at Las Varas Ranch Road, thus impacts to levels of service associated with intersection capacity would not be significantly affected by other projects and impacts to delays would be minimal. Level of Service would remain within acceptable levels of LOS C or better. Therefore, cumulative traffic impacts would not be significant and the project's contribution to cumulative traffic impacts would <i>not be cumulatively considerable</i>.</p>		
<p>Cumulative Water Resources/Flooding Impacts</p> <p><i>Water Quality</i></p> <p>In conjunction with other planned, pending, and future projects in the vicinity of the project site, the project has the potential to contribute to cumulative water quality impacts. Because of the pattern of drainages within the vicinity of the project site (a series of separate north to south flowing watersheds isolated from one another), there is no interaction or transport of pollutants in between watersheds. Most other projects within the cumulative projects list, including the residential development at Santa Barbara Ranch, would also be subject to storm water treatment requirements and the incorporation of Best Management Practices to minimize erosion and treat surface runoff before it enters area watercourses. Due to the scale of the project, the limited amount of new impervious surfaces associated with future development of the site relative to the ranch as a whole, and the ample opportunities within the site for storm water treatment before reaching nearby watercourses, the project's contribution to cumulative water quality impacts is <i>not considered cumulatively considerable</i>.</p> <p><i>Flooding</i></p> <p>In terms of cumulative flooding impacts, other planned,</p>	<p>See project-specific mitigation measures to address water quality and flooding.</p>	<p>Less than significant (not cumulatively considerable) - Class II</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>pending and future projects identified on the cumulative projects list would incrementally increase the amount of impervious surfaces within the local watersheds, increasing surface runoff and potentially resulting in localized flooding impacts if not properly managed. Flooding is typically localized within individual watersheds. There are no other planned or pending projects within the watershed occupied by the project site that would contribute to flooding impacts. Regardless, all new development projects are required to incorporate necessary drainage features to ensure peak flows are not increased and excessive surface runoff is detained on-site. These features, combined with the relatively low-intensity character of future development in this area, would ensure that cumulative flooding impacts are less than significant and the proposed project's contribution to these impacts would <i>not be cumulatively considerable</i>.</p> <p><i>Groundwater</i></p> <p>Impacts to groundwater resources in the vicinity of the project site are also localized, as watershed boundaries delineate the boundaries for establishing safe yields for bedrock aquifers. The proposed project would not contribute to the overdraft of other groundwater resources (e.g. other bedrock aquifers in nearby watersheds or different geologic formations) in the project vicinity, since there are no other planned or pending projects within the Gato Creek watershed or Vaqueros sandstone aquifer. Cumulative impacts on the safe yield of the Vaqueros aquifer which would supply some of the project's water demands are therefore considered less than significant and the proposed project's contribution to this impact is <i>not cumulatively considerable</i>.</p>		

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Attachment D

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 THAT AN)
ORDINANCE BE APPROVED AMENDING)
SECTION 35-1, THE SANTA BARBARA COUNTY)
LAND USE AND DEVELOPMENT CODE, OF)
CHAPTER 35 OF THE SANTA BARBARA)
COUNTY CODE, BY AMENDING THE COUNTY)
ZONING MAP FOR ASSESSOR'S PARCEL)
NUMBERS 081-240-049, 079-080-002 AND)
PORTIONS OF 079-080-001, 079-080-022, AND)
079-080-009 FROM U TO AG-II-100.)

RESOLUTION NO.: 14 - ____

CASE NOS.: 07RZN-00000-00006
07RZN-00000-00007

WITH REFERENCE TO THE FOLLOWING:

- A. All zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps", of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, are hereby repealed as they relate to Assessor's Parcel Numbers 081-240-049, 079-080-002 and the inland portions of Assessor's Parcel Numbers 079-080-001, 079-080-022 and 079-080-009.
- B. On September 29, 1958 by Ordinance 971, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Zoning Ordinance, Ordinance 661 of Chapter 35 of the Santa Barbara County Code.
- C. The County Planning Commission has held a duly noticed public hearing, as required by section 65854 of the Government Code on the proposed amendments to a zoning ordinance, at which hearing the proposed amendments were explained and comments invited from persons in attendance.
- D. Whereas section 65855 of the Government Code requires inclusion of the reason for the recommendation and the relationship of the zoning map amendment to the applicable general and specific plans, which is hereby identified as necessary because Ordinance Number 661 is now obsolete and has been replaced by the County Land Use & Development Code.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The project site contains several inland parcels and portions of parcels that are currently zoned Unlimited Agriculture ("U") under Ordinance Number 661, which is now obsolete and has been replaced by the County Land Use & Development Code. The subject parcels are designated Agriculture II, 100-acre minimum lot area (A-II-100) under the Comprehensive Plan. It is the practice of the County to rezone such parcels to their appropriate zoning under the Land Use and Development Code when the opportunity presents itself in the form of a discretionary application for development, which would be to Agriculture II with a 100-acre minimum lot area (AG-II-100) in this instance. The two rezones would update the zoning of the subject parcels, or inland portions thereof, consistent with current governing ordinances and the designation in the Comprehensive Plan. As such, the rezones are in the interests of the general community welfare.

2. The rezones would update the zoning of the subject parcels consistent with current governing ordinances and the designation in the Comprehensive Plan. Therefore, the request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and the County Land Use and Development Code.
3. The project site contains several inland parcels and portions of parcels that are currently zoned Unlimited Agriculture (“U”) under Ordinance Number 661, which is now obsolete and has been replaced by the County Land Use and Development Code. The subject parcels are designated Agriculture II, 100-acre minimum lot area (A-II-100) under the Comprehensive Plan. It is the practice of the County to rezone such parcels to their appropriate zoning under the Land Use and Development Code when the opportunity presents itself in the form of a discretionary application for development, which would be to Agriculture II with a 100-acre minimum lot area (AG-II-100) in this instance. The two rezones would update the zoning of the subject parcels, or inland portions thereof, consistent with current governing ordinances and the designation in the Comprehensive Plan. As such, the rezones are consistent with good zoning and planning practices.
4. For the reasons stated above, the Commission recommends that the Board of Supervisors approve an Ordinance, Exhibit 1, Amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the Santa Barbara County Code, by Amending the County Zoning Map by changing the zoning of Assessor’s Parcel Numbers 081-240-049, 079-080-002 and the inland portions of 079-080-001, 079-080-022 and 079-080-009 from Unlimited Agriculture (U) under Ordinance 661 to AG-II-100 based on the findings included as Attachment A of the Planning Commission staff report dated July 10, 2014.
5. A certified copy of this resolution shall be transmitted to the Board of Supervisors.

PASSED, APPROVED AND ADOPTED this _____, 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DANIEL BLOUGH, Chair
Santa Barbara County Planning Commission

ATTEST:

Dianne Black
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

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LAND USE DEVELOPMENT CODE (ZONING MAP AMENDMENT)

ORDINANCE NO. _____

AN ORDINANCE TO AMMEND ASSESSOR PARCEL NUMBERS 081-240-049, 079-080-002 AND THE INLAND PORTIONS OF ASSESSOR PARCEL NUMBERS 079-080-001, 079-080-022 AND 079-080-009
Case Nos. 07RZN-00000-00006 and 07RZN-00000-00007

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1

All zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps," of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, are hereby repealed as they related to Assessor's Parcel Numbers 081-240-049, 079-080-002 and the inland portions of Assessor's Parcel Numbers 079-080-001, 079-080-022 and 079-080-009 as shown on the map attached hereto as Exhibit A and incorporated by reference.

SECTION 2

Pursuant to the provisions of Section 35.14.020, "Adopting New Zoning Ordinances and Maps," of Land Use Development Code, of Chapter 35 of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts by reference the Zoning Map identified as Board of Supervisors Exhibit A, dated _____, which amends Assessor's Parcel Numbers 081-240-049, 079-080-002 and the inland portions of Assessor's Parcel Numbers 079-080-001, 079-080-022 and 079-080-009 from Unlimited Agriculture (U) to AG-II-100, and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit A, and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION 3

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit A to show that said map has been adopted by this Board.

SECTION 4

Except as amended by this Ordinance, Section 35.14.020 of the Land Use Development Code of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

SECTION 5

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

MONA MIYASATO
Clerk of the Board of Supervisors

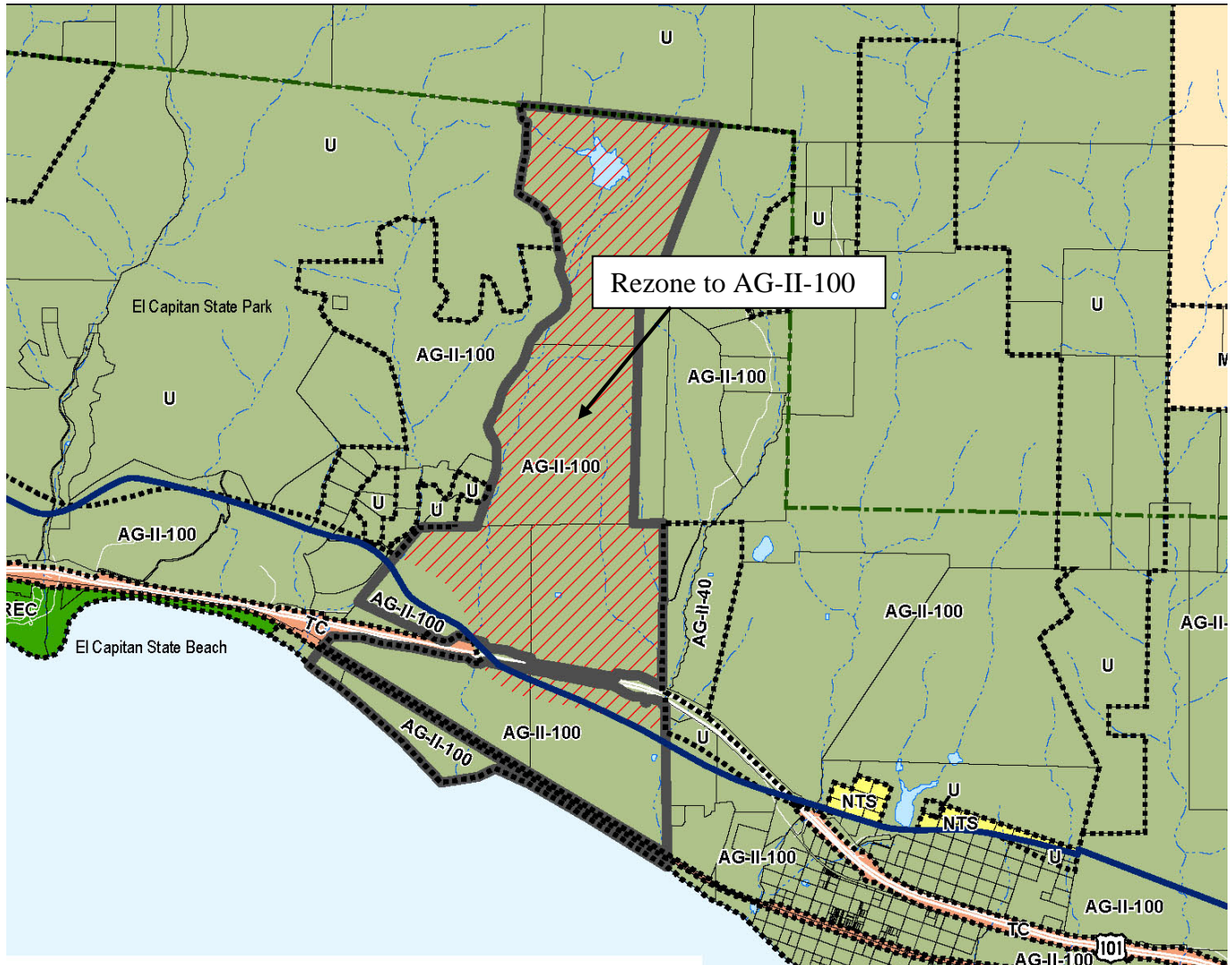
By: _____
Deputy Clerk

Steve Lavagnino, Chair, Board of Supervisors
County of Santa Barbara
State of California

MICHAEL GHIZZONI
County Counsel

By: _____
Deputy County Counsel

Exhibit A **ZONING MAP**





COUNTY OF SANTA BARBARA

Planning and Development

COASTAL DEVELOPMENT PERMIT

Case No.: 11CDP-00000-00078

Project Name: Las Varas Ranch Shared Water System

Project Address: 10045 Calle Real

Assessor's Parcel Nos.: 079-080-001, -009, -013, -014, and -022

Applicant Name: Paul Van Leer

The Board of Supervisors hereby approves this Coastal Development Permit for the development described below, based upon the required findings and subject to the attached terms and conditions.

Date of Approval: _____

Associated Case Number(s): 07CUP-00000-00057

Project Description Summary: Construction of water system infrastructure as part of a private shared water system.

Project Specific Conditions: See Attachment A

Permit Compliance Case: ☒ Yes ☐ No;

Permit Compliance Case No.: _____

Appeals: The approval of this Coastal Development Permit may be appealed to the California Coastal Commission by the applicant or an aggrieved person. The written appeal must be filed with the California Coastal Commission at 89 S. California Street, Suite 200, Ventura, CA within 10 business days following receipt by the Coastal Commission of the County's notice of final action.

The final action by the County on this Coastal Development Permit may be appealed to the California Coastal Commission after the appellant has exhausted all local appeals. Therefore a fee is not required to file an appeal of this Coastal Development Permit.

Terms of Permit Issuance:

- 1. Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
- 2. Date of Permit Issuance.** This Permit shall be deemed effective and issued following the end of the appeal period provided an appeal of this approval has not been filed and all applicable permit conditions required to be met prior to issuance have been completed.
- 3. Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

NOTE: Approval and issuance of a Coastal Development Permit for this project does not allow construction or use outside of the project description, terms or conditions; nor shall it be construed to be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.

Owner/Applicant Acknowledgement: Undersigned permittee acknowledges receipt of this approval and agrees to abide by all terms and conditions thereof.

Print Name	Signature	Date
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Planning and Development Department Approval by:

Print Name	Signature	Date
------------	-----------	------

Planning and Development Department Issuance by:

Print Name	Signature	Date
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ATTACHMENT A: PROJECT SPECIFIC CONDITIONS

1. This Coastal Development Permit is based upon and limited to compliance with the project description, the exhibits, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project includes a Minor Conditional Use Permit (and Coastal Development Permit for the coastal portions) for a State Small Water System for future residences on the seven proposed parcels that would result from the proposed project. The water system would be designed to support up to two residential water connections (assuming an agricultural employee residence or guest house on each parcel) for each parcel for a total of 14 water connections. It would be designed to meet domestic and landscape irrigation water demands. Each new residential development served by the shared water system would include a water storage tank holding a minimum of 2,500 gallons for fire protection purposes, consistent with Development Standard #3 of the County Fire Department.

Water would be supplied by surface water from an existing stream water diversion and storage facilities within the Ranch and groundwater from a recently drilled well. The water system would include a water well, two booster pumps, treatment facility, and two above-ground water tanks to serve two different pressure zones. One of these would be located above the northern end of building area 6c and the other would be located adjacent to an existing ranch road approximately 150 feet east of Gato Creek and west of the middle of building area 6c). The treatment facility would be located on Parcel 6 adjacent to an existing ranch road near Gato Creek and would include a building of approximately 960 square feet (24 feet x 40 feet) for treatment equipment and supplies. It would require electrical power and an all-weather access road. The water tanks would have storage capacities of 30,000 and 60,000 gallons. The water lines would range between 2 and 4 inches in diameter and would serve each residential development envelope.

The proposed water treatment system is a “packaged” type plant consisting of a filtration unit, chemical feeds, waste decant tank, finished water storage tank, and booster pump. The support chemicals for the system include 12.5% Sodium Hypochlorite for oxidation, a coagulant (either aluminum sulfate or ferric chloride), and a cationic polymer to aid the coagulation process. The chemicals will be in bulk dry format and mixed in separate 50 to 100 gallon tanks and liquid fed into the raw water supply line prior to entering the packaged system. This function would be provided by a licensed service company. The system produces a waste stream that is typically 3-5% of the total flow pulled, which is composed of backwash water and waste from the clarifiers. The waste stream would be diverted to a decant tank (approximately 2,500 gallons) located next to the treatment building and the system would recover 95% of the waste stream which would be recirculated for potable use.

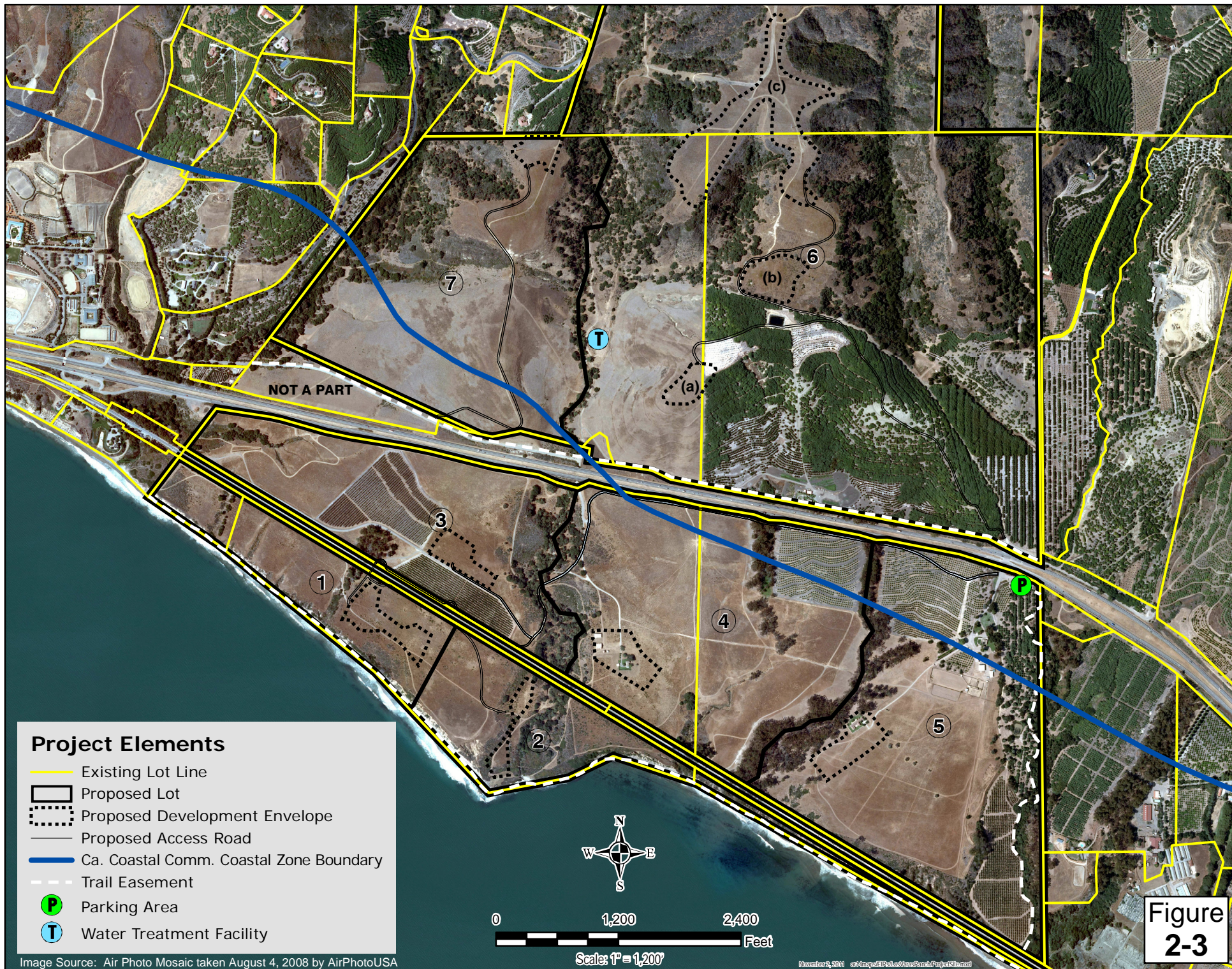
The decant tank would need periodic removal of the solids, and it is anticipated that removal of the solids would be performed by a service company and disposed of at a sanitation receiving station on a semi-annual or annual basis. There would be no effluent released from the system.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above, the referenced exhibits, and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) shall be implemented as approved by the County.

2. **Rules-02 Effective Date-Appealable to CCC.** This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
3. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Specifically, the applicant shall obtain a Land Use Permit and Building Permit, and Grading Permit if applicable, from Planning and Development. These Permits are required by ordinance and are necessary to ensure implementation of the conditions of approval required by the Planning Commission and Board of Supervisors. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
4. **Rules-11 CDP Expiration-With CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made.
5. A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the

associated Conditional Use Permit or Development Plan (as modified by any extension thereto).

- 6. Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
1. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 2. Pay fees prior to approval of Land Use Permit or Coastal Development Permit as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
 3. Note the following on each page of grading and building plans "This project is subject to Mitigation and Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from 10EIR-00000-00005;
 4. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.
- 7. Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.



**Figure
2-3**

