

## Land Use Designations and Overlays to Consider, or Currently in Use, in the Gaviota Coast Planning Area

Land Use / Overlay	Details	Potential Application to the Plan Area
Existing Developed Rural Neighborhood ( <b>EDRN</b> ) (Rural Neighborhood in Coastal Zone)	An EDRN is an area that has been subdivided below the minimum rural density of 40-acres. Within EDRNs, new structures shall conform with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged. An existing, undeveloped EDRN is located in the Las Cruces area and is not likely to be developed in the future. EDRNs outside the planning area include San Marcos Pass, Tecolote Canyon (El Embarcadero), etc.	Applying an EDRN overlay may allow for Residential Second Units (RSUs). An EDRN could be applied to El Capitan Ranch Subdivision and/or the Arroyo Quemada community.
Resource Management Zone ( <b>RMZ</b> )	<p>Protect lands that are unsuited for intensive development and that have:</p> <ol style="list-style-type: none"> <li>1) Slopes in excess of 40 percent; or</li> <li>2) Valleys surrounded by slopes exceeding 40 percent; or</li> <li>3) Isolated table land surrounded by slopes exceeding 40 percent; or</li> <li>4) Areas with outstanding resource values, includes environmentally sensitive habitats and/or watersheds.</li> </ol> <p>The intent is to allow reasonable but limited development because of extreme fire hazards, minimum services, and/or environmental constraints, and to encourage the preservation of these areas for uses including grazing, scientific and educational study, and limited residential uses.</p>	National Forest land currently zoned as Agriculture, and other lands suitable for grazing but not for residential development.
Mountainous Zones ( <b>MT</b> )	<p>Protect mountainous lands in the Goleta and Toro Canyon Planning Areas that are unsuited for intensive development, and that consist of the same four characteristics listed above for RMZ lands.</p> <p>The intent is to allow reasonable but limited development because of extreme fire hazards, minimum services, and/or environmental constraints and to encourage the preservation of these areas for uses such as watershed protection, scientific and education study, and limited residential uses.</p>	National Forest land currently zoned Agriculture, and other lands not suitable for development.

Land Use / Overlay	Details	Potential Application to the Plan Area
Agriculture Residential Cluster Overlay (ARC)	<p>The ARC overlay only applies to agricultural operations 10,000 acres or more located within the Coastal Zone (Cojo/Jalama Ranches) in the Gaviota Coast Region. Use of this overlay allows for the maximum permitted density to be calculated at the rate of one dwelling unit for each two acres included in two percent of the gross site area or one unit per acre if there is no potential for significant adverse environmental impacts with respect to the findings required for Development Plan approval. As a general approximation, the roughly 25,000 acre Cojo/Jalama Ranches landholdings could have a maximum of 250 - 500 dwelling units within a 500 acre area. Without using the ARC Overlay tool, there are approximately 47 legal parcels on which dwelling units could be constructed.</p> <p>With the Overlay, two percent of the site area is the maximum area that will be permitted to be taken out of agricultural production and committed to residential and related accessory uses. Included in the two percent area calculation are : residential units, new roads (excluding existing paved roads), parking areas, structural coverage for non-agricultural buildings, private open space such as yards or gardens, etc.</p> <p>A minimum of one percent of the gross site area, including any dry sandy beach, shall be dedicated for public recreation and access and reserved for commercial visitor-serving facilities. The one percent area shall not be required to be a contiguous area. Within the one percent area, land shall be reserved for commercial visitor-serving uses at the rate of five acres per 10,000 gross acres of property for a 10-year period. A copy of the ARC Overlay Ordinance and the associated land use policy from the County's Coastal Land Use Plan, are attached for reference.</p>	Cojo/Jalama Ranches
Waste Disposal Facility Overlay	This overlay denotes the boundaries of the Tajiguas Landfill on the Gaviota Coast. This overlay does not extend into the Coastal Zone. This overlay is used for providing regional public services within a Rural Area.	Currently applied to Tajiguas Landfill.
Petroleum Resource Industry Overlay	This overlay follows parcel boundaries which contain oil and gas processing facilities within Las Flores Canyon, on the Gaviota Coast. This overlay does not extend into the Coastal Zone.	Currently applied to Exxon Corporation's landholdings within Las Flores Canyon.

**35.28.040 - Agriculture - Residential Cluster (ARC) Overlay Zone**

- A. Purpose and intent.** The Agriculture-Residential Cluster (ARC) overlay zone is intended to preserve large, non-prime agricultural operations and avoid the subdivision of large ranches to the minimum lot area otherwise allowed by the primary zone. This is accomplished by allowing clustered residential development at a density greater than otherwise allowed by the primary zone, while ensuring that the development will be compatible with the long-term preservation of the agricultural operation.
- B. Applicability.** The ARC overlay zone may only be applied within the Coastal Zone to large non-prime agricultural operations of 10,000 acres or more located in the Gaviota Coast and North Coastal Planning Areas as designated in the Coastal Land Use Plan for which the County has not approved land divisions. Each land use and proposed development within the ARC overlay zone shall comply with all applicable requirements of the primary zone, in addition to the requirements of this Section.
- C. Permit and processing requirements.** A Final Development Plan in compliance with [Section 35.82.080 \(Development Plans\)](#) and a Coastal Development Permit in compliance with [Section 35.82.050 \(Coastal Development Permits\)](#) is required prior to the issuance of a Building Permit or Grading Permit.
- D. Site design, development, and operational standards.** An agriculture residential unit shall comply with all of the following requirements.
- 1. Residential density and site disposition.**
    - a. Area of residential development.** Residential development at a density greater than otherwise allowed by the primary zone may be permitted, but shall be clustered on no more than two percent of the gross site area.
      - (1) The maximum permitted density shall be calculated at the rate of one dwelling unit for each two acres included in the two percent area. Residential development up to a maximum of one dwelling unit per acre included in the two percent area may be permitted, provided that the review authority finds that there is no potential for significant adverse environmental impact with respect to the findings required by Subsection [35.82.080.E](#) (Findings required for approval).
      - (2) The two percent area is the maximum area that will be permitted to be taken out of agricultural production and committed to residential and related accessory uses. Included in the two percent area calculation are: residential units, new roads (excluding existing paved roads), parking areas, structural coverage for non-agricultural buildings, private open space such as yards or gardens, etc.
    - b. Dedication for public recreation, access, and visitor-serving facilities.** A minimum of one percent of the gross site area, including any dry sandy beach, shall be dedicated for public recreation and access and reserved for commercial visitor-serving facilities. The one percent area shall not be required to be a contiguous area.
    - c. Balance of site.** The ownership of the remaining 97 percent of the gross acreage of the property shall be held in common ownership in perpetuity by the members of the Homeowner's Association required by Subsection D.5 (Homeowner's Association requirement) below.
  - 2. Clustering of residential units required.** Residential units shall be clustered to the maximum extent feasible within no more than two percent of the gross acreage of the site, so as not to interfere with agricultural production, or be inconsistent with the goal of maintaining the rural character of the area. The creation of the residential lots shall comply with all applicable requirements of the Map Act.
  - 3. Land dedication and improvement requirements.**
    - a. Public recreational facilities.** The County may require the applicant to construct trails, parking lots, or related public recreational facilities as a condition of development. The



### 3) Setbacks

The following setbacks for greenhouses, packing and shipping facilities, shade and hoop structures and related structures shall apply:

- a. Front: Seventy-five (75) feet from the right of way line of any street. For parcels within identified view corridors, the front setback shall be at least two hundred fifty (250) feet from the right of way.
- b. Side and Rear: Thirty (30) feet from the lot lines on which the building or structure is located.
- c. Interior Lot: Twenty (20) feet from the lot lines on which the building or structure is located.
- d. One hundred (100) feet from a residentially –zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary.
- e. One hundred (100) feet from top-of-bank or edge of riparian habitat of natural creek channels, whichever is greater.<sup>84</sup>

**Policy 8-7:** Landscaping and screening shall be installed within six months of completion of new greenhouses and/or accessory buildings. Such landscaping shall reasonably block the view of greenhouse structures and parking areas from the nearest public road(s) within five years of project completion.

**Policy 8-8:** The existing and future viability of large, non-prime agricultural operations of 10,000 acres or more for which the County of Santa Barbara has not approved land divisions in the Gaviota Coast and North Coast Planning Areas shall be protected. In order to preserve non-prime agricultural operations and avoid subdivision of large ranches down to the minimum parcel sizes specified in the land use plan, residential development at a density greater than that allowed under the specified minimum parcel size may be permitted only if clustered on no more than two percent of the gross acreage with the remaining acreage to be left in agricultural production and/or open space. The maximum density allowable under a clustered residential development shall be calculated at the rate of one dwelling unit per two acres for each acre included in the two percent area. Residential development to exceed one dwelling unit (du) per two acres in the two percent area up to a maximum of one du per acre may be permitted, provided that the County can make the finding that there is no potential for significant adverse environmental effects with respect to the findings listed below. An additional one percent of the gross area shall be dedicated for public recreation and reserved for commercial visitor-serving uses. Such developments may be considered subject to the following findings which shall be based on data contained in an Environmental Impact Report on each project.

#### **Findings:**

- a. The County shall make the finding that the proposed development will be compatible with the long-term preservation of the agricultural operation.
- b. The County shall make the finding that water resources and all necessary services are adequate to serve the proposed development, including residential, public

recreation, and commercial visitor-serving uses, and the existing agricultural operation.

Water and all necessary services shall be allocated to each land use in the following order of priorities: (1) existing agricultural operations; (2) recreational and visitor-serving uses<sup>85</sup>; (3) residential development.

Residential density shall be decreased if necessary to reserve adequate water supply for agriculture, recreation, and commercial visitor-serving land uses. The E.I.R. on each project shall include an assessment of the potential alternative of intensification of the agricultural operations (e.g., potential for production of higher economic return crops or expansion of existing operations). If this assessment shows that the ranch has good potential for intensification of agriculture without impacting habitat resources, the County shall require the applicant to reserve sufficient water for expanded or intensified agricultural operations.

- c. The County shall make the finding that the proposed development has been sited and designed so as to: (1) avoid and buffer all prime agricultural areas of the site; (2) minimize to the maximum extent feasible the need for construction of new roads by clustering new development close to existing roads; (3) avoid placement of roads or structures on any environmentally sensitive habitat areas; (4) minimize impacts of non-agricultural structures on public views from beaches, public trails and roads, and public recreational areas; and (5) minimize risks to life and property due to geologic, flood, and fire hazard. (Minor agricultural development, i.e., fences, irrigation systems, shall be excluded from these findings.)
- d. The County shall make the finding that the residential development has been clustered to the maximum extent feasible so as not to interfere with agricultural production but shall also be consistent with the goal of maintaining the rural character of the area.
- e. The County shall make the finding that that conditions, covenants, and restrictions governing the Homeowners Association and/or individual lots are adequate to insure permanent maintenance of the lands to remain in agriculture and/or open space.

If the County can make these findings, development may be permitted subject to the following conditions and pursuant to adoption of a special overlay district under the applicable County zoning ordinance:

**Conditions:**

- a. Initial public capital costs created by the development shall be borne by the applicant. Property tax and other revenues accruing to local government from the development shall be equal to or exceed all costs of providing services such as roads, water, sewers, and fire and police protection.
- b. The residential units shall be clustered to the maximum extent feasible within no more than two (2) percent of the gross acreage which shall result in residential lots smaller than the minimum parcel otherwise permitted under the Agriculture II designation. In addition, one (1) percent of the gross acreage shall be reserved for commercial visitor-serving facilities, beach access, bluff top trails, and other public recreational uses. The ownership of the remaining 97 percent of the gross acreage

shall be held in common ownership in perpetuity. The creation of the residential lots shall fully comply with the provisions of the California Subdivision Map Act. Upon creation or sale of residential lots, a capital fund shall be provided that will be sufficient to make capital improvements and purchase equipment and materials necessary to ensure continuance of the agricultural operation.

- c. Development rights to non-agricultural uses for that portion of the property that will remain in agriculture and commercial visitor-serving uses, i.e., 98 percent of the gross acreage minus the portion to be dedicated for public access and recreation, shall be granted to the County and a third party such as the California Coastal Conservancy free and clear of any financial liens. The portion to remain in agriculture and/or open space shall not be further subdivided.
- d. A Homeowners Association shall be formed and membership shall be mandatory for each home buyer and successive buyer. The Homeowners Association shall be responsible for the permanent maintenance of the agricultural and open space areas held in common by the homeowners. An assessment system, or other form of subsidy, shall be required to ensure compliance with this provision.
- e. A minimum of one (1) percent of the gross acreage including the dry sandy beach shall be dedicated for public recreation and access and reserved for commercial visitor-serving facilities. The County may require the applicant to construct trails, parking lots, or related public recreational facilities as a condition of development. The locations of such public recreational facilities shall be compatible with the goal of protecting habitat resources and the viability of the existing agricultural operation.

Within the one percent area, land shall be reserved for commercial visitor-serving uses at the rate of five acres per 10,000 gross acres. All commercial visitor-serving uses shall require a conditional use permit to ensure that such uses are compatible with the rural and agricultural character of the area. Examples of appropriate uses include: rustic lodge or cabins, hostel, campgrounds, etc. Land and access rights for such development may be provided by long-term leases from the Homeowners Association. At the end of a ten-year period following final approval of the project, the land reserved but not developed for commercial visitor-serving uses may be converted to public recreation and open space if the County makes the finding that commercial uses are not economically feasible.

- f. If a non-agricultural development or portion thereof is determined by the County to be subject to hazards from missile fallout from Vandenberg Air Force Base, the County shall require the owner and all subsequent owners to execute documents holding the County and State harmless against any liability arising from such an occurrence as a condition of project approval.

Note regarding calculation of area to be included in the two percent figure for residential development.

The two percent figure is the maximum area that will be permitted to be taken out of agricultural production and to be committed to residential and related accessory uses. Included in the two percent calculation are: residential units, new roads (excluding

existing paved roads), parking areas, structural coverage for non-agricultural buildings, private open space such as yards or gardens, etc.

**Policy 8-9:** The existing and future viability of large, non-prime agricultural operations in the Channel Islands Planning Area shall be protected. In order to preserve (same wording as Policy 8-8 above).

**Policy 8-10:** Legal parcels of non-prime agricultural land in excess of 2,000 acres which are designed as AG-II-320 may be subdivided into parcels of 320 acres or more provided that the owner grants an agricultural easement or development rights to further subdivide the parcel or to use said parcel for all other non-agricultural purposes to the County and a third party such as the Coastal Conservancy in order to assure that the newly created parcels will not be further subdivided or converted to non-agricultural uses. Conversion of a portion of a parcel to allow for a priority use (i.e., coastal dependent industry, commercial visitor-serving uses, or public recreation) may be allowed if necessary to maintain continued agricultural use on the balance of the parcel.

**Policy 8-11** The following requirements shall apply to greenhouse and greenhouse related development within the Carpinteria Valley to protect the long-term productivity of prime agricultural soils.

- a. Greenhouse operations on prime agricultural soils shall encourage use of in-soil cultivation methods
- b. Prime agricultural soils shall not be modified with sterilants or other chemicals that would adversely affect the long-term productivity of the soil.
- c. The removal of prime agricultural soils shall be prohibited, including removal of indigenous prime soils used as a growing medium for container plants which are sold intact.

**Policy 8-12:** No increase in greenhouses or greenhouse related development within the Carpinteria Valley shall result from divisions or redivisions of land, redesignations or rezonings of AG-I or AG-II, or other land uses, subsequent to the date of Commission action on LCP amendment STB-MAJ-2-02.<sup>86</sup>