



**Planning and Development Department**  
**Long Range Planning Division**  
**Transmittal Memorandum**

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**DATE:** August 18, 2011

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**TO:** GavPAC Members

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**FROM:** David Lackie, Supervising Planner  
Brian Tetley, Planner

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**CC:** Supervisor Doreen Farr, 3<sup>rd</sup> Supervisorial District

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**SUBJECT:** GavPAC Meeting No. 41

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The items listed below have been included as part of the meeting materials for GavPAC Meeting No. 41, to be held Wednesday August 24, 2011 @ 6:30 p.m. in the Vista de Las Cruces School auditorium:

1. **Meeting Agenda:** Meeting No. 41 agenda (Attachment 1).
2. **Draft Meeting Minutes:** Staff has provided draft minutes for GavPAC meeting 39 for review and approval (Attachment 2).
3. **Excerpted Ordinance Amendment Language:** The GavPAC has requested the ordinance amendment language associated with special events from the County Planning Commission hearing of August 10, 2011 (Attachment 3).
4. **Revised Policy Direction Summary Tables:** Staff has provided revised Policy Direction Summary Tables incorporating changes discussed at the last meeting (Attachment 4).

In addition to this packet, please bring the GavPAC documents binder with you to the meeting.

All GavPAC materials are also available for download from the following webpage:  
<http://longrange.sbcountyplanning.org/planareas/gaviota/gaviota.php>

## **Discussion of Policy Direction Summary (Agenda Item No. 5)**

During the last two meetings, the GavPAC provided comments on staff's summary of policy directions for the draft plan. This meeting will focus on finalizing all of the desired changes to policy directions into the summary. This will take the form of a working session to go through each subject issue area and come to consensus that the policy directions summary accurately reflects the GavPAC's desired scope for the draft plan.

### **Attachments:**

1. Meeting 41 Agenda
2. Meeting 39 Draft Minutes
3. Excerpted Ordinance Amendment Language
4. Revised Policy Direction Summary Tables



# Notice of Public Meeting

## Gaviota Coast Planning Advisory Committee (GavPAC) Meeting No. 41

**Note: This agenda lists discussion topics for the GavPAC meetings on:**

**Wednesday, August 24, 2011 – 6:30 p.m.**

**Attendees:** GavPAC Members, County Staff, and Public Participants  
**Please review:** Meeting Materials Packet for Meeting on 08/24/11  
**Please bring:** Meeting Materials Packet for Meeting on 08/24/11  
**Location:** Vista de Las Cruces School - Auditorium, 9467 San Julian Rd, Gaviota, CA 93117

Agenda Item	Discussion Topics
<b>CALL TO ORDER</b>	
1	<b>Pledge of Allegiance &amp; Roll Call</b>
2	<b>Public Comment</b> <i>The Public Comment period is set aside to allow public testimony on items not on today's agenda. The time allocated to each speaker will be set at the discretion of the Chair.</i>
3	<b>Administrative Briefings</b> <i>Staff updates regarding local or other legislative activities, local planning decisions, or other updates of interest to the Committee.</i>
4	<b>Meeting #39 Minutes Review and Approval</b>
5	<b>Discussion of Policy Direction Summary</b>
6	<b>Discussion of Long-Term Meeting Schedule</b>
<b>Adjourn</b>	

Questions or comments about the Gaviota Coast Plan may be directed to Brian A. Tetley at 805-884-6848 or [btetley@co.santa-barbara.ca.us](mailto:btetley@co.santa-barbara.ca.us) and further information may be obtained on the following web site: <http://longrange.sbcountyplanning.org/planareas/gaviota/gaviota.php>

Writings that are a public record under Government Code § 54957.5(a) and that relate to an agenda item of a regular meeting of the Planning Advisory Committee that are distributed to a majority of all of the members of the Planning Advisory Committee less than 72 hours prior to that meeting shall be available for public inspection at Santa Barbara County Planning & Development Department, 123 E. Anapamu Street, Santa Barbara, CA, and also on the County's website at <http://longrange.sbcountyplanning.org/>

Attendance and participation by the public is invited and encouraged. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Hearing Support Staff (805) 568-2000. Notification at least 48 hours prior to the meeting will enable the Hearing Support Staff to make reasonable accommodations.

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# Gaviota Coast Planning Advisory Committee

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## ***DRAFT MEETING MINUTES MEETING No. 39***

***Tuesday, July 19, 2011  
Vista de Las Cruces School Auditorium***

**Meeting Called to Order:** By Chair Kim Kimbell at 6:30 p.m.

**1. Roll Call**

**GavPAC Members Present:** Baer, Boise-Cossart, Bowman, Feeny, Kimbell, McGinnis, McKenna, McNabb, Tautrim, and Van Leer

**GavPAC Members Absent:** Lloyd

**County Staff Present:**

Jeff Hunt, Long Range Planning Division Director

Susan Curtis, Long Range Planning, Senior Planner

**2. Public Comment: None**

**3. Administrative Briefings: None**

**4. Meeting Minutes Review and Approval**

The GavPAC reviewed the revised minutes from Meeting No. 37 Minutes on June 29, 2011.

ACTION: Lloyd moved to approve the revised Meeting No. 37 minutes as revised seconded by Tautrim. Motion passed 11-0.

**5. Discussion of Gaviota Terminal Company Property and Landowner Presentation**

Hunt presented an introduction to the Gaviota Terminal Company (GTC) site which is operated by Shell. Owner representative, Susan Petrovich of Brownstein, Hyatt, Faber, and Schreck LLP, introduced Sonya Dompke of Shell who manages the GTC site and presented an overview of historical uses of the 42.42 acre site. Petrovich reviewed historic photos of the site, discussed actions to retire infrastructure and remediate the site, described site characteristics and habitat areas, and described future steps. Petrovich noted agencies' interest in acquiring the site and suggested it was a good time for coordination between agencies regarding future use of the site. Hunt noted the County will be seeking some consensus from the GavPAC regarding potential uses of the GTC site. Petrovich answered questions from the GavPAC and members of the public.

**Public Comment:** Commenters raised issues regarding the future planning of the site, the need for more information, potential future uses, protection of special status species, rights of the property owner, and the involvement of local government and coordination with agencies.



**Deliberation:**

Kimball suggested someone make a motion that the committee recognizes the historic opportunity for the Gaviota Terminal property, and the committee would like to implement the collaborative interagency council approach to development and appropriate use of the property by convening a workshop at an appropriate time in our process by all interested agencies, landowners and other stakeholders to discuss that property and the committee is inclined toward a significant change in the use of that property and the committee is inclined to change the use of the site.

Motion was made by Lloyd to encourage the property owner to work toward some recommendation and bring it back to the GavPAC.

The GavPAC discussed the efficacy of an interagency council process to identify future use of the GTC site and whether that process should be initiated by the property owner. Petrovich asked that the motion be tabled to provide the owner with an opportunity to conduct outreach and identify options.

Motion died for lack of a second.

**ACTION:** Motion by Lloyd, seconded by McNabb to continue the item until a future date. Motion passed 11-0.

**6. Discussion of Policy Direction Summary**

Kimball introduced the item and noted topical items being handled by the subcommittees would be considered once their work was completed their work.

**Deliberation:** The GavPAC discussed the reasoning behind the various policy directions in the summary. No changes to items 3, 4, and 5 were identified. Item 6, under 2) McGinnis recommended removing the words “Although it is unlikely to come into play.” Hunt clarified the summary provided general direction to staff who would then develop policy and bring it back.

Kimbell directed staff to insert the words, “Public Agency” after the word, “proposed” in item number 7 and pointed out that in item number 8, under 2), “EHA” should read “ESHA.”

**Public Comment:** Petrovich noted that proposed mapping could lead to conflict with cattlemen and that item 5 should be clarified. Brian Troutwein noted that mapping was occurring during the preparation of other plans and appropriate in Gaviota.

**Deliberation:** The GavPAC discussed their intent and direction in regards to ESHA policy and mapping.

**ACTION:** Motion by VanLeer to remove 5) from summary item 8, second by Tautrim. Motion passed 7-2, with Kimbell abstaining.

**ACTION:** Motion by Lloyd to modify summary item 8, 1) to extend the existing ESHA mapping in the Coastal Zone into riparian corridors, second by McNabb. Motion passed 10-1.

**Deliberation:** The GavPAC discussed items 9 and 10 and 12 and directed staff to revise item 12 to add the word “encourage.” The GavPAC further directed staff to add the words, “identification of landforms and natural features that are likely to be wildlife movement areas” from item 9 into 10 and delete the rest of item 9.



No changes to item 13 were identified. The GavPAC discussed their intent in item 14 in regards to solar and wind and whether the policy summary was complete. McNabb noted information about station 18 was not included in the policy summary.

**ACTION:** Kimbell directed, and the GavPAC concurred, staff to review the meeting notes from the GavPAC and identify items that may have been left out of the list.

**7. Long-Term GavPAC Meeting Schedule:** The GavPAC will meet again on August 10, 2011 to continue their review the summary of the policy actions taken during past GavPAC meetings. Another meeting after the 10<sup>th</sup> will likely be necessary.

**Adjournment** – 9:30 p.m.





**COUNTY OF SANTA BARBARA  
PLANNING AND DEVELOPMENT**

**MEMORANDUM**

**TO:** County Planning Commission  
**FROM:** Noel Langle, Planner III  
**DATE:** July 27, 2011  
**RE:** Revised General Package Ordinance Amendments

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On July 6, 2011, your Commission continued the public hearing on Case Nos. 11ORD-00000-00012 and 11ORD-00000-00014 to August 3, 2011 so that staff could work with members of the Planning Commission to develop revised ordinance language addressing concerns and questions raised by the Commissioners during the July 6<sup>th</sup> hearing in regards to:

- Exterior parking of motor vehicles and storage of materials, and
- Use of property for temporary events.

Staff met with Commissioners Blough and Brown regarding revisions to the language regarding exterior parking of motor vehicles and storage of materials, and with Commissioners Brooks and Cooney regarding the use of property for temporary events. As a result of these meetings staff revised the language regarding parking and storage of materials; these revisions are discussed in Section 2.0 of this memo. The discussion regarding the use of property for temporary events did not result in any proposed new language. However, Section 3.0 of the memo provides additional analysis that compares the existing regulations governing the use of property for temporary events with the proposed regulations discussed at the July 6, 2011 hearing.

The code sections referenced in Sections 2.0 and 3.0 of this memo refer to the language of the revised County LUDC ordinance (Attachment C) unless otherwise noted. Similar language is also included in the revised Article II ordinance (Attachment F). The complete text of the ordinance amendments including the revisions discussed below are attached to this memo as Attachment C and Attachment F.

**1.0 RECOMMENDATION AND PROCEDURES**

**1.1 Case No. 11ORD-00000-00012.** Follow the procedures outlined below and recommend that the Board of Supervisors approve Case No. 11ORD-00000-00012 as shown in Attachment C based upon the ability to make the appropriate findings. Your Commission's motion should include the following:

1. Adopt the findings for approval, including CEQA findings, and recommend that the Board of Supervisors adopt the findings for approval of the proposed amendment (Attachment A of this memo);
2. Recommend that the Board of Supervisors determine that this ordinance is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of

revised at the July 6<sup>th</sup> hearing, is shown below:

**Fully enclosed.** A structure with four walls that extend from the foundation floor to the roof of the structure, a roof that completely covers the structure, and doors that are kept closed and latched. A fully enclosed structure does not include a carport or other accessory structure that allows the contents therein to be observed from outside the structure other than when viewed through a window. Does not include awnings, fabric shelters, tents and similar structures of a nonpermanent type of construction.

However, it was pointed out that other designs could fulfill the same purpose of not allowing negative visual impacts by blocking views of the contents. Therefore, this definition is now proposed to be revised by changing the term from “fully enclosed structure” to “fully enclosed or fully screened structure” as shown below (text proposed to be deleted is struck-through; text proposed to be added is underlined). The relevant sections of the ordinance are also revised to reflect the new term “fully enclosed or fully screened structure.”

**Fully enclosed or fully screened structure.** A structure, constructed of permanent, solid materials, with ~~four walls that extend from the foundation floor to the roof of the structure,~~ a roof that completely covers the structure, and doors or gates that are kept closed and latched, and walls that extend from the foundation floor either to the roof of the structure or to a sufficient height such that any contents of the fully enclosed or fully screened structure are not visible when viewed from the outside other than when viewed through a window. A fully enclosed or fully screened structure does not include a carport or other accessory structure that allows the contents therein to be observed from outside the structure other than when viewed through a window. Does not include awnings, fabric shelters, tents and similar structures of a nonpermanent type of construction.

### **3.0 USE OF PROPERTY FOR SPECIAL EVENTS** (Attachment C - SECTION 12 & 13; Attachment F - SECTIONS 3, 6, 7 & 8)

The ordinances discussed at the May 4<sup>th</sup> hearing included text amendments aimed at closing a loophole in the existing regulations pertaining to the temporary uses of property that allows property to be rented for use as a reception facility for weddings and similar gatherings without obtaining a Minor Conditional Use Permit (CUP) as would normally be required by the County Land Use and Development Code (CLUDC) and the Article II Coastal Zoning Ordinance. The My 4<sup>th</sup> ordinances sought to close this loophole by specifying that in order to qualify as a tenant, and thus be able to hold an event without having to obtain a Minor CUP, that the term “tenant” did not include transient occupancies where the rental of the lot is for a period of less than 30 days. The concern raised by your Commission was that the language as proposed would not accomplish the goal of eliminating this loophole.

As a result, staff revised the proposed amendment and presented revised language at the July 6, 2011 hearing. However, the Planning Commission directed that staff meet with members of the Commission to review the proposed language. Subsequently staff met with Commissioners Brooks and Cooney regarding the use of property for temporary events, but this discussion did not result in any proposed new language. Therefore, the proposed ordinance language reviewed below does not contain any language that is different than was reviewed at the July 6<sup>th</sup> hearing, and is only intended to provide additional analysis that compares the existing regulations governing the use of property for temporary events with the proposed regulations discussed at the July 6<sup>th</sup> hearing.

The complete text of the proposed amendment regarding the temporary uses of property (Subsection F.4 and F.9 of Section 35.42.260 (Temporary Uses and Trailers) is located on page 19 and page 20 of Exhibit 1 of Attachment C.

### **3.1 Reception facilities for weddings and similar gatherings.**

**Existing regulations.** The allowed temporary use tables in the County LUDC provide that “Reception and similar gathering facilities (commercial)” are allowed in all zones subject to the approval of a Minor Conditional Use Permit (MCUP).

Subsection 35.42.260.F.9 (Reception facilities) describes this type of temporary use as “Reception facilities providing indoor or outdoor facilities that are accessory and incidental to the principal use of the property on a temporary, commercial basis for receptions, parties, weddings, or other similar gatherings that are not included in Subsection F.7 (Public assembly facilities) above.” Public assembly facilities include such facilities that are permitted as convention centers, meeting halls, theaters, etc.

In compliance with the existing regulations, if a property owner wishes to routinely offer their property on a commercial basis for temporary events such as receptions, parties, weddings, or other similar gatherings then they would apply for a Minor CUP. During the processing of the Minor CUP, appropriate conditions of approval that address such areas as number of events per year, hours of operation, noise limits, parking, fire and traffic safety, etc., would be developed to ensure that the use of the property for such a purpose is compatible with the surrounding neighborhood and does not conflict with the allowed land use of the area. A noticed, public hearing would be held on the application for the Minor CUP, and the action of the Zoning Administrator could be appealed to the Planning Commission; the action of the Planning Commission on the appeal could be further appealed to the Board of Supervisors.

**Proposed regulations.** The existing requirement for the Minor CUP is not proposed to be revised by this ordinance amendment. The amendment does, however, propose to amend the title and text (shown as underlined) of Subsection 35.42.260.F.9 (Reception facilities) to read as follows so that the title and description in Subsection 35.42.260.F.9 and the temporary use listed in the temporary use tables are all consistent:

9. **Reception and similar gathering facilities (commercial).** Reception and similar gathering facilities providing indoor or outdoor facilities that are accessory and incidental to the principal use of the property on a temporary, commercial basis for receptions, parties, weddings, or other similar gatherings that are not included in Subsection F.7 (Public assembly facilities) above.

No other changes to the regulations pertaining to reception and similar gathering facilities are proposed.

### **3.2 Charitable and other noncommercial functions.**

**Existing regulations.** The allowed temporary use tables in the County LUDC provide that “charitable functions” are allowed in all zones subject to the permit requirements of Subsection 35.42.260.F.4 (Charitable and other noncommercial functions); Subsection 35.42.260.F.4 is shown below.

- 4. Charitable and other noncommercial functions.** The use of a lot for charitable and other noncommercial functions where the owner or tenant of the lot receives no remuneration, including fundraisers, parties, receptions, weddings and other similar gatherings, may be allowed in compliance with the following permit requirements and development standards.

Permit Requirement	Development Standards
Exempt	For a lot that is less than five gross acres in area: Use of the lot for charitable functions does not exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.
Exempt	For a lot that is five gross acres or more in area: Use of the lot for charitable functions may exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.
Coastal Development Permit or Land Use Permit	For a lot that is less than five gross acres in area: Use of the lot for charitable functions may exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.
Coastal Development Permit or Land Use Permit	For a lot that is five gross acres or more in area: Use of the lot for charitable functions may exceed five times within the same calendar year. The number of persons present at the event at any one time exceeds 300.
Minor Conditional Use Permit	For a lot that is less than five gross acres in area: Use of the lot for charitable functions may exceed five times within the same calendar year. The number of persons present at the event at any one time exceeds 300.

Charitable functions are currently defined as “An event or activity whose primary purpose is of a charitable or noncommercial nature.”

Presently the County LUDC does not contain any standards regulating the use of property for charitable and other noncommercial functions other than those shown in the table above that are used to determine what planning permit is required based on the lot size, number of events by calendar year, and number of attendees.

If a Land Use Permit (LUP) is required, then the standard mailed notice is provided to surrounding property owners, and the action on the LUP is subject to appeal to the Planning Commission and the Board of Supervisors.

If a Minor CUP is required, then similar to the process for reception and similar gathering facilities discussed above, a noticed, public hearing would be held on the application for the Minor CUP, and the action of the Zoning Administrator is subject to appeal to the Planning Commission and the Board of Supervisors.

However, if the event is exempt from a permit requirement, and is consistent with the restrictions included in the table, then notice is not provided to neighbors in advance of the event and there is no ability to appeal the holding of the event.

**Proposed regulations.** As discussed in the opening paragraph of SECTION 3.0, above, the purpose of the proposed revisions is to close a loophole in the existing regulations that allows property to be routinely rented for use as a reception facility for weddings and similar gatherings without obtaining a Minor CUP. The Department is proposing these revisions in response to complaints received by Department regarding what are primarily unregulated commercial uses of residentially and agriculturally zoned property.

The regulations governing the use of property for charitable and noncommercial events are proposed to be revised as discussed below.

- Subsection F.4 (Charitable and other noncommercial functions) is revised to clarify that in order for a temporary event to qualify as a charitable or other noncommercial function, neither the owner nor the tenant may receive any remuneration associated with the holding the event. Additionally the language is revised to address the use of a portion of the lot and any structures located on the lot.
- 4. Charitable and other noncommercial functions.** The use of a lot or portion thereof, including any structures located on the lot, for charitable and other noncommercial functions where ~~the~~ no owner or tenant of the lot on which the function occurs receives ~~no~~ any remuneration associated with such use, ~~including fundraisers, parties, receptions weddings and other similar gatherings,~~ may be allowed in compliance with the following permit requirements and development standards.
- The table within Subsection F.4 is revised as shown below to clarify that the standards apply to all functions regulated under this subsection and not just charitable functions.

Permit Requirement	Development Standards
Exempt	For a lot that is less than five gross acres in area. Use of the lot for <del>charitable</del> <u>such</u> functions does not exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.
Exempt	For a lot that is five gross acres or more in area. Use of the lot for <del>charitable</del> <u>such</u> functions may exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.
Coastal Development Permit or Land Use Permit	For a lot that is less than five gross acres in area. Use of the lot for <del>charitable</del> <u>such</u> functions may exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.

Coastal Development Permit or Land Use Permit	For a lot that is five gross acres or more in area. Use of the lot for <del>charitable</del> <u>such</u> functions may exceed five times within the same calendar year. The number of persons present at the event at any one time exceeds 300.
Minor Conditional Use Permit	For a lot that is less than five gross acres in area. Use of the lot for <del>charitable</del> <u>such</u> functions may exceed five times within the same calendar year. The number of persons present at the event at any one time exceeds 300.

- A new Subsection F.4 a is added that specifies that if any tenant rents the lot or any portion thereof for less than 30 days for the purpose of holding a noncommercial function, then the temporary event is required to be permitted as a “Reception and Similar Gathering Facility (commercial)” which would require the approval of a Minor CUP. This will mean that any temporary event where the rental is for less than a 30 day period will not be able to qualify for an exemption from planning permits as a noncommercial function under this Subsection.
  - a. If any tenant rents the lot or portion thereof, including any structures located on the lot, for a period of less than 30 days for a noncommercial function, then an approved applicable permit for a Reception and Similar Gathering Facility (commercial) identified in Tables 4-10 through 4-15, above, and 35.42.260.F.9 (Reception and similar gathering facilities (commercial)) is required in compliance with this Section 35.42.260 and other applicable development standards of this Development Code.
- A new Subsection F.4 b is added exempts noncommercial functions from the permit requirements and development standards of Subsection F.4 where the number of persons present at the function at any one time does not exceed 25. The intent of this revision is to exempt very small scale activities that may occur on a more frequent basis than is normally provided for. For example, for lots that are less than five acres in size, the number of functions is normally limited to five per calendar year; this exemption could be used in situations where a homeowner hosts small dinner gatherings on a monthly basis.
  - b. The permit requirements and development standards of this Subsection F.4. do not apply to noncommercial functions where the number of persons present at the function at any one time does not exceed 25.
- The existing definition of Charitable Function in the County LUDC is revised as shown below; this revised definition restricts charitable functions to those that are held by organizations that are registered with the federal Internal Revenue Service as a Internal Revenue Code 501(c)(3) nonprofit organization. Other charitable functions that are not held by “501(c)(3) nonprofit organizations” may still be allowed if the Director, as provided by County LUDC Section 35.42.260.B.3.a, determines that other temporary uses may be exempt from permit requirements if the temporary use is similar to those identified as being exempt from permit requirements, and the temporary use does not have the potential to result in an adverse effect on surrounding properties.

**Charitable Function.** An event or activity ~~whose primary purpose is of a charitable or noncommercial nature~~ that is held by a charitable nonprofit organization that is registered with the federal Internal Revenue Service as a Internal Revenue Code 501(c)(3) nonprofit organization.

#### 4.0 SURFACE MINING/RECLAMATION PLAN CUP CLEARANCE PROCESS (Attachment C - SECTION 26)

One of the amendments discussed at the May 4<sup>th</sup> hearing involved changing the permit requirement following the approval of a Conditional Use Permit for surface mining and reclamation from a Land Use Permit to a Zoning Clearance to be consistent with amendments previously adopted by the Board of Supervisors in May 2007 for all other Conditional Use Permits (see page 15 of the May 4, 2011 staff report). Staff now proposes to add additional language (shown as with double-underlines and highlighted below) to Subsection E.2 of the amendment language discussed on May 4<sup>th</sup> to clarify that the shift from a Land Use Permit to a Zoning Clearance also applies to existing Conditional Use Permits where the conditions of approval state that a Land Use Permit is required:

**E. Permit and Reclamation Plan requirements.** The following requirements apply to all surface mining operations in all zones.

**1. Conditional Use Permit and Reclamation Plan required prior to commencement of surface mining operations.** A Conditional Use Permit or Minor Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), a Reclamation Plan prepared in compliance with SMARA and this Section, and a lead agency approved financial assurance shall be required prior to the commencement of any surface mining operations, unless the operations are exempted by the provisions of SMARA, the State Regulations, or Subsection D.1 (Exemptions) above.

**2. Coastal Development Permit or Land Use Permit Zoning Clearance required prior to commencement of development authorized by a Conditional Use Permit and Reclamation Plan.** ~~Except as provided in Subsection E.3 (Zoning Clearance required) below for Agricultural Soil Export Mining, a~~ A surface mine operator shall obtain a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances), as applicable, prior to the initiation of mining and reclamation activities approved in compliance with a Conditional Use Permit and Reclamation Plan. ~~Except for Agricultural Soil Export Mining, the~~ The surface mine operator shall also obtain a separate Coastal Development Permit or Land Use Permit Zoning Clearance to implement a Reclamation Plan.

**a. This requirement to obtain a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearance) shall take precedence over existing permit conditions requiring the issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) prior to the initiation of mining and reclamation activities approved in compliance with a Conditional Use Permit and Reclamation Plan as of [effective date of ordinance].**

## Gaviota Coast Policy Direction Summary

Ref.	Policy Direction Statement	Source
<u>Visual Resources</u>		
1	Visual Resources Subcommittee formed	Meeting 19 Minutes
<u>Agricultural</u>		
2	Agricultural Subcommittee formed	Meeting 21 Minutes
<u>Resource Stewardship &amp; Open Space</u>		
3	Develop a mechanism to implement a countywide programmatic permit for <del>habitat restoration projects, including the</del> <u>voluntary</u> development of a safe harbor mechanism at the federal, state, and county level to protect landowners (landowners doing restoration and neighboring landowners) from the effect of restoring endangered species habitat and Environmentally Sensitive Habitat Area (ESHA)	Meeting 24 & 40 Minutes
4	The county shall apply for grants to assist landowners in removing invasive or noxious species	Meeting 24 Minutes
5	Landscape plans and palettes in the Plan Area shall not include invasive nor noxious plants	Meeting 24 Minutes
6	Develop policy for watershed management based on the following principles: 1) Create a voluntary watershed management plan policy approach to management of watersheds with lands not seeking enhanced entitlements, 2) Consider policies for using a mandatory approach to watershed management for discretionary development, such as subdivisions, and use tools such as development agreements, in-lieu fees, master plans, etc. to implement that policy, 3) Create plan area wide best management practices for water quality protection, 4) policy should reflect the GavPAC's desire to use watersheds as a central organizing concept for policy development.	Meeting 25 and 39 Minutes
7	Develop policy to support the creation of an interagency council which would function as a clearinghouse for proposed public agency projects in the plan area and to promote interagency coordination and engagement of public agencies, particularly those with landholdings within the plan area	Meeting 25 and 39 Minutes
8	Develop policy to: 1) extend existing ESHA coastal corridor mapping to inland areas, 2) look at ESHA regulations in the zoning ordinance to ensure that it is consistent with the Coastal Act, 3) any buffer policies should be flexible and consider the purpose, <u>ecological benefit</u> , and context of the buffer as well as the use of the land next to the buffer, 4) allow for maintenance and use of existing non-conforming development located within sensitive habitat buffers.	Meeting 25, 39 & 40 Minutes
9	Develop policies that stress the importance of free wildlife movement and identify landforms and natural features that are likely to be potential wildlife movement areas within the Gaviota Planning Area. Environmental review of development proposals should evaluate and mitigate for the effects on wildlife movement caused by fencing, roads, lighting, and siting	Meeting 26 and 39 Minutes

## Gaviota Coast Policy Direction Summary

Ref.	Policy Direction Statement	Source
10	Support existing development standards and policy that protects archaeological and historic resources	Meeting 26 Minutes
11	Consider opportunities to develop a community cultural center or other community cultural research and educational opportunities	Meeting 26 Minutes
12	Support the Cachuma Resource Conservation District (CRCD) and Natural Resources Conservation Service's (NRCS) Partners in Restoration inland and coastal permit practices to the extent feasible in the Gaviota Coast Plan area.	Meeting 38 Minutes
<b><i>Transportation, Energy, &amp; Infrastructure</i></b>		
13	Develop policy to: 1) reduce the impacts of the Tajiguas landfill on the Gaviota Coast, 2) not expand the landfill capacity, 3) only accept Santa Barbara County waste	Meeting 27 Minutes
14	Extend the enabling ordinance for commercial scale wind energy into the Coastal Zone, west of the Gaviota pass watershed	Meeting 28 Minutes
15	Develop policies that encourage small scale alternative energy systems	Meeting 40 Minutes
15	Develop general policy language for: 1) restoration of coastal lagoons, 2) restoration of fish passage, 3) removal of barriers to fish passage on county roads, 4) improvement of coastal access, with a focus on access through public land, 5) management of invasive species	Meeting 29 Minutes
16	Use economic and environmental considerations to develop a prioritized list of specific areas (watersheds, lagoons, etc.) and specific invasive species (Arundo donax, etc.) for which to apply the above policy language. The GavPAC recognizes that this policy direction will also serve as guidance for the proposed Interagency Review Council for the Gaviota Coast	Meeting 29 Minutes
17	Encourage the county to keep Fire Station No. 18 active and viable to serve visitors, tourists, and residents on the Gaviota Coast	Meeting 29 Minutes
18	Investigate the feasibility of developing rural volunteer fire brigade(s), and if possible, to assist or support their development	Meeting 29 Minutes

## Gaviota Coast Policy Direction Summary

Ref.	Policy Direction Statement	Source
19	<p>The county land use regulations regarding siting of improvements shall be mindful of defensible space and access requirements under the fire code. Buildings shall be at least 100 feet from environmentally sensitive habitat (ESH), unless extenuating circumstances exist (e.g., a parcel with only ESH)</p> <p><i>Note: The policy direction above shall apply to proposed development. Staff shall seek to reconcile county fire dept. policies for defensible space and access with environmental protection policies for existing development. In addition, the county shall also consider visual impacts with regard to site selection criteria and fire dept. clearance requirements.</i></p>	Meeting 31 & 40 Minutes
20	Infrastructure improvements should be at a scale that is commensurate with the anticipated uses and kept to a rural standard to the extent feasible	Meeting 31 Minutes
21	While public safety is paramount, the Fire Department will encourage flexibility when implementing standards by use of various techniques to fit the improvements into the natural landscape	Meeting 31 Minutes
<b><u>Land Use, Zoning, &amp; Housing</u></b>		
22	Consider a land use designation for U.S. Forest Service lands to clarify that these are not agricultural lands and that they should be considered land for watershed protection	Meeting 32 Minutes
23	<p>Consider the ramifications of rezoning existing Ordinance 661 parcels to the Land Use &amp; Development Code coupled with policies that would clarify that non-conforming parcels as to size have the same benefits as conforming parcels, except as it pertains to land divisions. These issues would be brought back to the GavPAC after landowners with 661-zoned property have been notified of the significance of the pending rezone</p> <p><i>Note: Substandard legal parcels should be considered conforming for all purposes other than land divisions</i></p>	Meeting 32 & 40 Minutes
24	Consider areas that would be appropriate for an Existing Developed Rural Neighborhood (EDRN) designation and an underlying rezone, and then report back to the GavPAC	Meeting 32 Minutes
25	Develop policy approaches that follow the Gaviota Coast Residential Size Outline from May 5, 2011, with the exception of item nos. 2, 3, and 4, of the outline. Item no. 5 of the outline would be amended to read: "A tiered system of enhanced standards and elevated level of review designed to reduce the impacts of a large size residence to those of a median size residence (e.g. LEED energy standards, habitat restoration, siting out of the viewshed, recording an Agricultural Conservation Easement)"	Meeting 33 Minutes
26	<p><del>Develop Non-Conforming Uses Policy Language</del> <u>Consider grandfathering in all existing legal non-conforming uses and structures so as they are treated as conforming</u></p> <p><i>Note: Consider what to do with outdated oil &amp; gas facilities</i></p>	Meeting 30, 38, and 40 Minutes

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Ref.	Policy Direction Statement	Source
<b><i>Recreation &amp; Trails</i></b>		
27	Modify existing policy language so that the county takes a more advisory and consultative approach in relation to state parks	Meeting 34 Minutes
28	Modify existing policy language so that the county looks at the feasibility of implementing existing policies	Meeting 34 Minutes
29	Revise existing policies to recognize limits on trails exaction "subject to prevailing law"	Meeting 35 Minutes
30	Trails Subcommittee formed	Meeting 35 Minutes
31	Trails Subcommittee to consider 1) Incentives for trail dedication 2) Development of a thematic scheme for trail development 3) Encouraging specific plans for trail development on large landholdings 4) Issues related to Coastal Trail planning.	Meeting 35 Minutes
32	Update Parks, Recreation, and Trails (PRT) maps for the eastern and western portions of the Gaviota planning area and consider updating the PRT maps with appropriate trail linkages between inland and coastal trails, including linkages between Baron Ranch, Arroyo Hondo, and El Capitan Canyon	Meeting 36 Minutes
33	Consider incentives for trail dedication, including reducing the existing permit requirement for a trail from a CUP to a CDP/LUP	Meeting 36 Minutes
34	Develop thematic scheme for trail development and consider the appropriate intensity of use for a trail and the trail audience	Meeting 36 Minutes
35	Consider policy to encourage specific plans for trail development on large landholdings	Meeting 36 Minutes
36	Consider issues related to Coastal Trails planning, including the proximity of the trail to the ocean and the Coastal Commission guidelines for the Coastal Trail and coastal access	Meeting 36 Minutes
37	Consider implications for desired infrastructure (e.g. parking) associated with trails development	Meeting 36 Minutes
38	Consider potential impacts of trails development from the landowner perspective	Meeting 36 Minutes
39	Consider minimizing the use of asphalt for trails	Meeting 36 Minutes
40	Consider County Riding and Hiking Trails Advisory Committee (CRAHTAC) adopted principles for trail development	Meeting 36 Minutes