

---

## 1 3.10 LAND USE

2 This section provides information on the existing and planned uses of the project site, and  
3 existing land uses in the project vicinity. It also summarizes the land use policies and  
4 regulations applicable to the project site and assesses land use impacts of the proposed  
5 project.

### 6 3.10.1 Existing Conditions

#### 7 3.10.1.1 Project Vicinity

8 The 143-acre project site is located approximately 0.4 miles west of the City of Goleta,  
9 and corresponding rural-urban interface. The site is located within unincorporated Santa  
10 Barbara County in the eastern portion of the Gaviota Planning Area within the Coastal  
11 Zone. The site is bordered by U.S. Highway 101 to the north, the Pacific Ocean to the  
12 south, and is surrounded by land zoned for a mix of rural residential and agricultural uses  
13 (Figure 3.10-1).

14 The historic Naples Townsite is located immediately adjacent to the western perimeter of  
15 the project site. The Official Map of Naples was recorded in 1995 by the County and  
16 recognized 274 legal lots of the original 400+ parcels depicted on the 1888 Original Map  
17 of Naples. The Townsite is generally undeveloped and is zoned Agriculture II with a  
18 minimum parcel size of 100 acres. The Townsite is comprised of approximately 440  
19 antiquated lots (most are 5 acres or less) and is the site of a proposed development of 72  
20 homes originally approved by the County in 2008; however, the future of this  
21 development is uncertain. The Paradiso del Mare project applicant owns 25 existing  
22 Townsite parcels that abut the project site to the west.

23 Across U.S. Highway 101 to the north of the project site are large rural agricultural  
24 parcels zoned Agriculture II with a minimum parcel size of 100 acres. These parcels are  
25 mostly undeveloped and contain a mix of grazing and other agricultural uses. To the east  
26 are two parcels of approximately 22 and 38 acres zoned Rural Residential (with a  
27 minimum parcel size of 40 acres), both of which are largely undeveloped; one parcel  
28 provides access to an offshore oil facility. Beyond these two parcels is the Bacara Resort  
29 and Spa, a 69-acre resort hotel located within the City of Goleta, approximately 0.4 miles  
30 east of the project site.



Land Use and Zoning in the Vicinity of the Project Site

**FIGURE  
3.10-1**

---

### 1 3.10.1.2 Project Site

2 The 143-acre project site consists of two existing legal, non-conforming to lot size,  
3 parcels: the Ocean Estate parcel comprising 64.8 acres located between the Pacific Ocean  
4 and the Union Pacific Railroad (UPRR) tracks, and the Inland Estate parcel comprising  
5 77.9 acres located between the UPRR tracks and U.S. Highway 101. Both parcels are  
6 designated as Agriculture II (A-II-100) under the Santa Barbara County Coastal Land  
7 Use Plan (Coastal Plan) and zoned Agriculture II (AG-II-100) under the Coastal Zoning  
8 Ordinance (Article II) (refer to Figure 3.10-1). The AG-II-100 designation allows for the  
9 construction of one single-family residence and associated structures on each parcel, as  
10 further discussed below. The primary permitted uses include both agricultural and  
11 single-family residential uses and related accessory uses. The site is currently vacant  
12 with the exception of an access network, including formerly paved (now partially  
13 deteriorated) dirt roads, unauthorized pedestrian trails, and a bridge spanning UPRR that  
14 links both parcels, drainage culverts, and other minor infrastructure. The project site was  
15 previously used for oil and gas production operations; however, this use was  
16 discontinued over a decade ago. The parcels were also previously used for livestock  
17 grazing and limited crop cultivation, but are presently fallow (Santa Barbara County  
18 1993).

### 19 3.10.2 Proposed Land Uses

20 The proposed project would include the construction of one single-family residence and  
21 associated structures within development envelopes on each parcel, as well as  
22 development of a 24-foot-wide entrance drive, utilities, and other infrastructure. The  
23 main access driveway branches off to serve each parcel, with the private residential  
24 driveways narrowing to 16 feet in width. Some utilities infrastructure development (i.e.,  
25 water, electrical, telephone, and cable lines) would occur offsite to facilitate the extension  
26 of public services to the project site. As part of the proposed project, portions of each  
27 parcel outside the development envelope would be set aside for agricultural uses (refer to  
28 Section 3.2, *Agricultural Resources*). The project would also include an offer to dedicate  
29 a linear easement along the full east-west extent of the Ocean Estate parcel for  
30 construction of part of the proposed California Coastal Trail, as well as an easement for a  
31 stairway to the beach (refer to Section 3.13, *Recreation*).

1 The extension of public services to the project site would include water service from the  
2 Goleta Water District (GWD). The Inland Estate parcel is located within the GWD and  
3 the Ocean Estate parcel is proposed for annexation to the GWD. Water service to the  
4 project site would be provided via 10-inch potable and 6-inch reclaimed water pipelines  
5 connected to existing water mains at the western perimeter of the City of Goleta. The  
6 project site would be supplied with up to 222 acre-feet/year (AFY) of reclaimed water  
7 and 30 AFY of potable water for residential, agricultural and fire protection uses.  
8 Southern California Edison (SCE) would provide electricity to the parcels by extending  
9 service from the western perimeter of the City of Goleta. No natural gas service is  
10 proposed. Potential growth-inducing impacts associated with extension of water service,  
11 utilities and access driveways to the project site are evaluated in Impact LU-6 below and  
12 in Section 5.2, *Growth-Inducing Impacts*.

13 Surrounding land uses include U.S. Highway 101 to the north; vacant lands designated  
14 Rural Residential, 40-acre minimum parcel size to the east; the Pacific Ocean to the  
15 south; and vacant lands designated A-II-100 to the west.

### 16 **3.10.3 Regulatory Framework**

17 This section presents applicable land use policies and regulations, including the Coastal  
18 Land Use Plan (CLUP), other Comprehensive Plan elements, the Coastal Zoning  
19 Ordinance (CZO), and the California Coastal Act (Coastal Act). A detailed policy  
20 analysis is presented in Section 4.0, *Consistency with Plans and Policies*.

#### 21 3.10.3.1 State Policies and Requirements

##### 22 California Coastal Act

23 The CCC has authority over certain types of land use and development in the Coastal  
24 Zone through administration of the Coastal Act. The Coastal Act addresses various  
25 issues related to proposed development in the Coastal Zone. *Coastal Act § 30251*  
26 requires that proposed development in the Coastal Zone shall protect scenic and visual  
27 qualities of coastal areas (refer to Section 3.1, *Aesthetics and Visual Resources*). *Coastal*  
28 *Act § 30242* prohibits the conversion of agricultural land to nonagricultural use unless  
29 continued or renewed agricultural use is not feasible (refer to Section 3.2, *Agricultural*  
30 *Resources*). *Coastal Act §§ 30211* and *30212(a)* require that proposed development in

1 the Coastal Zone shall not interfere with public access to coastal resources and, as  
2 feasible, grant access from the nearest public roadway to the shoreline and along the  
3 coast (refer to Section 3.13, *Recreation*).

4 *Coastal Act § 30250(a)*: New residential, commercial, or industrial development,  
5 except as otherwise provided in this division, shall be located within, contiguous with,  
6 or in close proximity to, existing developed areas able to accommodate it or, where  
7 such areas are not able to accommodate it, in other areas with adequate public services  
8 and where it will not have significant adverse effects, either individually or  
9 cumulatively, on coastal resources.

10 *Coastal Act § 30254*: New or expanded public works facilities shall be designed and  
11 limited to accommodate the needs generated by development or uses permitted  
12 consistent with the provisions of this division.

### 13 3.10.3.2 Applicable County Policies

14 A number of County of Santa Barbara policy and planning documents address land use  
15 and development. The guiding element that defines the blueprint for physical  
16 development is the Land Use Element. Other State-mandated elements include the:  
17 Coastal Land Use Plan, Circulation, Conservation, Noise, Open Space, Scenic Highways,  
18 Housing, Seismic Safety, and Safety Elements. In addition, aside from area plans, the  
19 County of Santa Barbara has elective elements that carry the same weight, and also  
20 require internal consistency between all adopted elements. These include the:  
21 Agricultural, Environmental Resource Management (ERME), Scenic Highway,  
22 Hazardous Waste, and Energy Elements. The County's *Comprehensive Plan* provides  
23 general goals, policies, and programs which are applicable to the proposed project, and  
24 the County's CLUP provides the most detailed policies designed to implement the State's  
25 Coastal Act in the Coastal Zone.

### 26 Coastal Land Use Plan (CLUP)

27 The purpose of the CLUP is to protect coastal resources while accommodating  
28 appropriate land use development within the Coastal Zone. The Coastal Zone is also  
29 subject to the policies of the County's overall *Comprehensive Plan*; however, the CLUP  
30 takes precedence when policies conflict. For example, CLUP *Policies 4-3, 4-8, and 4-9*

1 require that proposed development projects are visually compatible with the surrounding  
2 natural environment (refer to Section 3.1, *Aesthetics and Visual Resources*). CLUP  
3 *Policy 8-2* addresses conversion of agricultural resources in the Coastal Zone to  
4 nonagricultural uses (refer to Section 3.2, *Agricultural Resources*). CLUP *Policy 2-6*  
5 requires that proposed development projects have adequate access to public or private  
6 services (refer to Section 3.7, *Fire Protection*, and 3.12, *Public Facilities*). CLUP  
7 *Policies 7-1 through 7-3* and *7-25* require that proposed development in the Coastal Zone  
8 shall not interfere with public access to coastal resources and provide public access as  
9 feasible (refer to Section 3.13, *Recreation*). CLUP *Policy 1-4* requires that prior to the  
10 issuance of a coastal development permit, the County shall make the finding that the  
11 development reasonably meets the standards set forth in all applicable land use plan  
12 policies. CLUP *Policy 9-29* requires that the maximum feasible area shall be retained in  
13 grassland to provide feeding area for the kites.

14 The CLUP designates the parcels as A-II-100, with corresponding zoning of the Coastal  
15 Zoning Ordinance, Article II as AG-II-100. The purpose of this land use designation and  
16 zoning is to establish agricultural land use for large prime and non-prime agricultural  
17 lands in rural areas and to preserve these lands for long-term agricultural use.

18 Santa Barbara County Coastal Zoning Ordinance (CZO)

19 The Santa Barbara County *Coastal Zoning Ordinance* regulates zoning in the Coastal  
20 Zone in Santa Barbara County. Both project parcels are zoned AG-II-100 under the  
21 Coastal Zoning Ordinance. Under Section 35-69.3, permitted used include:

- 22 1. All types of agriculture and farming, including commercial raising of animals;
- 23 2. Sale of agricultural products;
- 24 3. Commercial boarding of animals;
- 25 4. Private and/or commercial kennels;
- 26 5. One single-family dwelling unit per legal lot;
- 27 6. One guest house or artist studio per legal lot;
- 28 7. Greenhouses, hothouses, or other plant protection structures, and related  
29 development;

- 1 8. On-shore oil development, including exploratory and production wells, pipelines,  
2 storage tanks, processing facilities for on-shore oil and gas, and truck terminals;
- 3 9. Excavation or quarrying of building or construction materials, including  
4 diatomaceous earth;
- 5 10. Home occupations;
- 6 11. Special Care Homes; and
- 7 12. Uses, buildings and structures accessory and customarily incidental to the above  
8 uses.

9 Santa Barbara Local Agency Formation Commission (LAFCO)

10 *Sphere of Influence Policies:* The plans and objectives contained within the adopted  
11 General Plans of the cities and the county will be supported. In cases where these plans  
12 are inconsistent, the Commission will adopt findings relative to its decision.

13 *Santa Barbara LAFCO: Sphere of Influence Policies:* Agricultural resources and support  
14 facilities should be given special consideration in sphere of influence designations. High  
15 value agriculture areas, including areas of established crop production, with soils of high  
16 agricultural capability should be maintained in agriculture, and in general should not be  
17 included in an urban service sphere of influence.

18 *Santa Barbara LAFCO: Policies Encouraging Conservation of Prime Agricultural Lands*  
19 *and Open Space Areas:* Proposals which would conflict with the goals of maintaining the  
20 physical and economic integrity of open space lands, agricultural lands, or agricultural  
21 preserve areas in open space uses, as indicated on the city or county general plan, shall be  
22 discouraged.

23 **3.10.4 Environmental Impacts**

24 3.10.4.1 Thresholds of Significance

25 CEQA Guidelines

26 The Santa Barbara County *Environmental Thresholds and Guidelines Manual* does not  
27 contain specific thresholds for land use impacts. With respect to land use, Appendix G of

1 the CEQA Guidelines states that a project would normally have a significant impact on  
2 the environment if it would:

- 3 (a) Physically divide an established community;
- 4 (b) Conflict with any applicable land use plan, policy, or regulation of an agency  
5 with jurisdiction over the project (including, but not limited to the general plan,  
6 specific plan, local coastal program, or zoning ordinance) adopted for the  
7 purpose of avoiding or mitigating an environmental effect;
- 8 (c) Induce substantial population growth in an area, either directly or indirectly; or,
- 9 (d) Conflict with any applicable habitat conservation plan or natural community  
10 conservation plan.

11 3.10.4.2 Impact Assessment Methodology

12 The proposed project would not physically divide an established community or conflict  
13 with any conservation plans; therefore, thresholds (a) and (d) do not apply. Potential  
14 conflicts with plans and policies associated with threshold (b) are addressed in Section  
15 4.0, *Consistency with Plans and Policies*. Where such conflicts closely correspond with  
16 physical environmental impacts, they are identified, and potentially significant impacts  
17 are discussed in each individual resource section of this EIR. With regard to threshold  
18 (c), impacts were assessed based upon the project’s potential to induce growth in nearby  
19 areas (refer to Section 5.2, *Growth-Inducing Impacts* for additional analysis).

20 3.10.4.3 Project Impacts and Mitigation Measures

21 Impact

22 **LU-1 The proposed project would result in visual impacts associated with**  
23 **substantial alteration of the character of the surrounding natural**  
24 **environment, an inconsistency with CLUP Visual Resources Policy 4-**  
25 **3 and Coastal Act Sections 30251 and 30253 (Class I, Inland Estate,**  
26 **Class II Ocean Estate).**

27 CLUP Policy 4-3 states that in areas designated as rural on the land use plan maps, the  
28 height, scale, and design of structures shall be compatible with the character of the  
29 surrounding natural environment, except where technical requirements dictate otherwise.  
30 Structures shall be subordinate in appearance to natural landforms; shall be designed to

1 follow the natural contours of the landscape; and shall be sited so as not to intrude into  
2 the skyline as seen from public viewing places. Similarly, Coastal Act Section 30251  
3 directs that “development shall be sited and designed to protect views to and along the  
4 ocean and scenic coastal areas, to minimize the alteration of natural landforms, (and) to  
5 be visually compatible with the character of the surrounding area...” Coastal Act Section  
6 30253 further states that development shall protect “areas that add to the visual  
7 attractiveness of the coast.” Development of 14,841 square feet of structures, associated  
8 landscaping, and alteration the existing vegetative coverage, including tree removal, on  
9 the Inland Estate Parcel in a location highly visible from U.S. Highway 101 and Amtrak  
10 trains using the UPRR would be potentially inconsistent with these policies. Proposed  
11 development on the Inland Estate would be located in a visual gateway for northbound  
12 travelers to the highly scenic rural Gaviota Coast, would not be subordinate to the natural  
13 landscape, would not follow the natural contours of the landscape, and would be  
14 incompatible with the rural agricultural character of the Gaviota Coast. Substantial  
15 reduction in the size and/or relocation of proposed Inland Estate development to the  
16 eastern portion of the site as discussed in Section 6.0, *Project Alternatives*, would be  
17 required to reach consistency with these policies.

18 The proposed 9,288-square feet of structures for the Ocean Estate would be located over  
19 1,000 feet from U.S. Highway 101, south of the berm of the UPRR, in an area of existing  
20 groves of trees which substantially obstruct views of these proposed structures,  
21 particularly from U.S. Highway 101, but also from Amtrak trains on the UPRR. The  
22 proposed development envelope is generally level, would be subject to moderate grading  
23 and is framed by existing surrounding groves of trees and the UPRR berm. Thus, the  
24 proposed structures would be subordinate to the existing “natural” environment of the  
25 UPRR berm and adjacent groves of trees, especially from primary public viewing  
26 locations. In addition, although the proposed structures would be visible from near-shore  
27 waters, the 100-foot bluff setback, combined with the building site being framed by trees  
28 and backed by UPRR, would limit intrusion of these structures into the skyline from this  
29 vantage point. However, as noted in Section 3.1, *Aesthetics and Visual Resources*, the  
30 groves of trees surrounding the proposed Ocean Estate are aging and in varying states of  
31 health. Loss of substantial portions of these groves of trees would make the proposed  
32 Ocean Estate far more visible from the UPRR and to some extent even from U.S.  
33 Highway 101, and would increase visibility from near-shore waters. This issue could be  
34 addressed through active management of these groves as recommended in Mitigation

1 Measure MM VIS-2. Incorporation of such measures would address direct  
2 inconsistencies of the Ocean Estate with these policies.

3 Although the proposed Ocean Estate (with mitigation) would be potentially consistent  
4 with the guidelines of these policies that structures be subordinate to surrounding natural  
5 landforms and not intrude into the skyline from public viewing places, finding that the  
6 scale of the proposed home, guest house, and garage is compatible with the surrounding  
7 natural environment is more difficult. Although after mitigation this home would not be  
8 highly visible from public viewing areas, neither would it be completely subordinate to  
9 the surrounding natural landscape. In addition, when compared to the typically smaller-  
10 scale existing rural residential development in this planning area, the relatively large size  
11 of the structures proposed for the Ocean Estate may not be consistent with that of  
12 existing developed structures. Compliance with mitigation measures outlined in Section  
13 3.1, as noted in MM LU-1, would reduce impacts to *significant but feasibly mitigated*  
14 (Class II) for the Ocean Estate, however would remain a *significant unavoidable impact*  
15 (Class I) for the Inland Estate.

16 Mitigation Measures

17 *MM LU-1 The proposed project shall comply with mitigation measures MM VIS-1a,*  
18 *MM VIS-1b, MM VIS-1c, and MM VIS-2, to address inconsistencies with*  
19 *CLUP Policy 4-3 and Coastal Act Sections 30251 and 30253.*

20 Impact

21 **LU-2 The proposed project would result in loss and fragmentation of**  
22 **roosting, nesting and foraging habitat for white-tailed kites,**  
23 **inconsistent with CLUP Biological Resources Policy 9-26, 9-27, 9-28**  
24 **and 9-29 (Class I, Inland Estate, Class II Ocean Estate).**

25 The project site has been documented to support nesting and foraging activities (along  
26 with perching during foraging) of the white-tailed kite. Available information suggests  
27 that the site is occasionally used for nesting by up to two pairs of kites and that foraging  
28 probably occurs year-round in most years over much of the site. The site may also be  
29 important in post-fledging training and dispersal.

1 Although no active nesting is known to have occurred in Spring 2009, the proposed  
 2 project would include development of the house and outbuildings of the Ocean Estate,  
 3 the utility corridor/offer to dedicate, and eventual development of the Coastal Trail in  
 4 close proximity to two historic white-tailed kite nest trees. In addition, the project would  
 5 include residential and agricultural development on a total of approximately 30 acres of  
 6 habitat historically utilized for kite foraging. Redesign of the proposed Ocean Estate (as  
 7 accomplished through MM BIO-9) would address potential impacts to white-tailed kite  
 8 roosting and nesting activities and ensure consistency with CLUP Policies 9-26, 9-27,  
 9 and 9-28, and redesign of the Inland Estate development envelopes, relocation of the  
 10 Inland Estate access driveway using the minimum required road widths, and a reduction  
 11 in size of the proposed agricultural envelope would reduce impacts to foraging habitat  
 12 and improve project consistency with Policy 9-29. However, based on the identified  
 13 Class I impact to kite foraging habitat (see Section 3.4, *Biological Resources*), relocation  
 14 of the Inland Estate development envelope to the eastern end of the project site (as  
 15 described under Alternative 3 – *Alternative Development Envelope Locations and Area*  
 16 *Reductions*) would be required to make this project fully consistent with Policy 9-29.

#### 17 Mitigation Measures

18 *MM LU-2*      *The proposed project shall comply with mitigation measure MM BIO-9 to*  
 19 *address inconsistencies with CLUP Policies 9-26, 9-27, 9-28 and to*  
 20 *improve consistency with Policy 9-29.*

#### 21 Impact

22 **LU-3**            **The proposed project would result in potentially significant impacts**  
 23 **to existing unauthorized public coastal access, an inconsistency with**  
 24 **CLUP 7-1 and 7-2 (Class I).**

25 The proposed project would eliminate the existing primary unauthorized vertical coastal  
 26 access trail which crosses the project site, as well as secondary unauthorized trails and  
 27 access points. Although the proposed project includes an offer to dedicate for a coastal  
 28 trail segment and to accommodate a stairway down to the beach, no vertical access across  
 29 the site would be constructed and it is unclear if or when public access would be provided  
 30 as part of the offer to dedicate. Under the proposed project, access through the site and to  
 31 the coast would not be restored until additional offsite trail easements are acquired and  
 32 developed in order to provide access to the project site from adjacent properties. The loss

1 of this existing long-standing and ongoing access would prevent substantial numbers of  
2 surfers and other beach goers from using the primary existing coastal access point along  
3 the easternmost 5 miles of the Gaviota Coast. The loss of existing ongoing substantial  
4 recreational use would conflict with the intent of State and County policies to maintain  
5 and improve access to the coast, and would be considered a potentially significant impact  
6 to existing public recreational use. In addition, closure of long-standing unauthorized  
7 coastal access at this site could create a range of potential secondary impacts, particularly  
8 from increased use of existing unauthorized secondary access trails, which could result in  
9 increased damage to sensitive species habitat, risk of injury, trespassing, vandalism, and  
10 demand on local enforcement services.

11 Implementation of mitigation measures MM REC-2a and -2b would partially offset the  
12 impacts of the loss of vertical coastal access; however, since construction of a stairway or  
13 access point down to the beach are considered infeasible due to protection of the harbor  
14 seal haul out, steep coastal bluffs, and lack of adopted County guidance on preferred  
15 coastal access in this area, the closure of long-standing coastal access for the foreseeable  
16 future would be considered a significant and unavoidable impact.

17 Mitigation Measures

18 *MM LU-3 The proposed project shall comply with mitigation measures MM REC-2a*  
19 *and -2b, requiring an offer to dedicate for a vertical public access*  
20 *easement and 18-space public parking lot to address inconsistencies with*  
21 *CLUP Policies.*

22 Impact

23 **LU-4 Placement of the proposed utility corridor across prehistoric**  
24 **archaeological site CA-SBA-76 would cause a significant and**  
25 **unavoidable impact to the site. Placement of the utility corridor**  
26 **across prehistoric archaeological sites CA-SBA-76, CA-SBA-1322**  
27 **(Class I), CA-SBA-2441 and CA-SBA-3945 would also be potentially**  
28 **inconsistent with CLUP Policies 10-1, 10-2 and 10-3.**

29 CA-SBA-76, located on the adjacent Gaviota Holdings property to the east of the subject  
30 parcels, is a large Middle-Late Period Native American village site named by the  
31 Chumash *Huspat Hulkilik*. The proposed utility corridor would pass through the center

1 of this archaeological site. The number and variety of artifacts and features, anticipated  
2 depth of deposit, potential for intact stratification, and association with late prehistoric  
3 and historic Chumash occupation indicate that the site is a very unique and significant  
4 resource and meets CRHR eligibility criteria. Additionally, tribal representatives  
5 consulted for the Paradiso del Mare project (refer to Table 3.5-2) have expressed  
6 considerable concern for the protection of this site and would prefer that any further  
7 disturbance of this particular site be avoided, consistent with CLUP Policies. The  
8 closely-linked CLUP policies first require that proposed development where  
9 archaeological or other cultural sites are located, be designed to protect and avoid  
10 impacts to cultural sites (Policies 10-1 and 10-2). If avoidance is not feasible, only then  
11 shall adequate mitigation be implemented (Policy 10-3). The applicant has proposed to  
12 place the waterline and other utilities within a fill cap. There is no documentation that all  
13 measures were explored to protect and avoid existing sites (e.g., mechanisms such as  
14 protective easements onsite, purchase of alternative easements, etc.). Placing the utilities  
15 within a fill cap would minimize impacts to the site, but would be considered mitigation  
16 rather than avoidance. Full avoidance of this sensitive cultural site would require an  
17 alternate utilities route, options for which are described in Section 6.4.2.4.

18 To help reduce impacts to the site, mitigation measures MM-CR-4a, b, c, and d requiring  
19 a data collection program and curation, additional consultations with Native American  
20 representatives, ethnohistory and genealogy, and fill replacement would also be  
21 implemented. However, based on the identified Class I impact to this cultural site (see  
22 Section 3.5, *Cultural Resources*), and since relocation of the waterline would be required  
23 for the project to be fully consistent with CLUP Policies 10-1, 10-2 and 10-3, impacts  
24 would remain *significant and unavoidable* (Class I).

25 The existing surveys and other archaeological information indicate that the proposed  
26 utility corridor would also traverse archaeological sites CA-SBA-1322, CA-SBA-2441  
27 and potentially CA-SBA-3945 (refer to Section 3.5, *Cultural Resources*). These sites  
28 have not been formally evaluated. However, they may be potentially significant and  
29 eligible for the CRHR. Nonetheless, these sites are not considered to be of the same level  
30 of importance as CA-SBA-76 and, therefore, potential impacts to these sites would be  
31 less than significant with implementation of MM-CR-4a, b, c, and d (Class II).

32 As discussed in the first paragraph above, County policies require development to avoid  
33 impacts to and construction on archaeological sites if possible. The applicant has not

1 demonstrated that project design and other measures were fully explored to avoid CA-  
2 SBA-1322, CA-SBA-2441 and CA-SBA-3945. In addition, there appear to be several  
3 possible alternative routes for the utility corridor that avoid construction on these  
4 archaeological sites (refer to Section 6.0, *Alternatives*). As a result, the portions of the  
5 proposed utility corridor that would impact these archaeological sites would be  
6 potentially inconsistent with CLUP Policies 10-1, 10-2, and 10-3 (refer to Section 4.0,  
7 *Consistency with Plans and Policies*).

8 Mitigation Measures

9 *MM LU-4*      *The proposed project shall comply with mitigation measures MM CR-4a*  
10 *through 4d to address inconsistencies with CLUP Policies 10-1, 10-2 and*  
11 *10-3.*

12 Impact

13 **LU-5**            **The extension of public services (i.e., water supply) to the project site**  
14 **would result in potentially significant (but mitigable) growth-**  
15 **inducement impacts to nearby areas, including the Naples Townsite to**  
16 **the west and the Gaviota Holdings property to the east (Class II).**

17 Project implementation would result in the extension of public water service and other  
18 utilities (electrical, telephone, and cable) from the western boundary of the City of Goleta  
19 (also the urban-rural boundary line), though the Gaviota Holdings property, onto the  
20 project site. The Grant of Easement that the applicant has obtained through the Gaviota  
21 Holdings property also contains a provision allowing future water service to the Gaviota  
22 Holdings property from the waterline extension associated with the proposed project.

23 The applicant has stated that the diameter of the proposed water lines (10-inch potable  
24 and 6-inch reclaimed water) is required due to the length of the water line extensions  
25 (almost 1.5 miles) and County Fire regulations that require 750 gallons of flow per  
26 minute to meet fire-flow standards (Santa Barbara County Fire Department 2009). The  
27 County Fire Department prefers provision of water service at the site through extension  
28 of water lines. However, Fire Department *Development Standard #2* also permits water  
29 protection through use of onsite water storage tanks. Therefore, mitigation measures to  
30 downsize the potable and reclaimed water lines to the required minimum size and install

1 onsite water storage tanks to meet County fire-flow requirements are included in order to  
2 reduce growth inducement impacts to nearby areas.

3 The proposed access driveway to the site is 24-feet-wide. The access driveway splits into  
4 separate 16-foot-wide driveways serving each parcel. Current County Fire Department  
5 standards for private driveway widths require 12-foot minimum width for serving one  
6 parcel (Development Standard #1A) and 16-foot minimum width for serving two parcels  
7 (Development Standard #1B). Although, the access driveway width exceeds County Fire  
8 standards (a 24-foot-wide driveway would be sufficient to serve 10 or more parcels), the  
9 width narrows at the entrance of each individual estate driveway. Because the driveway  
10 sizes exceed minimum standards (i.e., 12 feet for driveways serving a single residence,  
11 16 feet for driveways serving two residences), the proposed driveways have the potential  
12 to be extended to the adjacent 25 applicant-owned Naples townsite lots. The proposed  
13 24-foot-wide shared driveway terminates at the center of the property at the UPRR  
14 undercrossing, the 20-foot-wide driveway extends 400 feet west from the UPRR  
15 undercrossing, and the 16-foot-wide driveways terminate at the residences. For the  
16 Inland Estate, this means the 16-foot-wide driveway is within 400 feet of the property  
17 boundary, while the Ocean Estate driveway terminates approximately 1,300 feet from the  
18 property boundary.

19 Electrical, telephone, and cable services would also be provided to the parcels; however,  
20 these service would be limited to the site, and would be provided by an extension of lines  
21 from the western boundary of the City of Goleta through the Gaviota Holdings property,  
22 and onto the site.

23 The proposed project has the potential to create substantial growth-inducing impacts as  
24 follows:

- 25 1. The diameter of the proposed water lines is substantially larger than that typically  
26 required to serve single-family and limited agricultural uses anticipated at the  
27 project site<sup>1</sup>. Although these water lines would telescope down toward the  
28 western the edge of the property, the project would still include 6- to 8-inch  
29 potable and 4- to 6-inch reclaimed water line extensions to the central and

---

<sup>1</sup> Although water line size can vary with the setting, single-family homes are typically served by 2-inch water lines which may be larger when the homes are located farther from a water main. Agricultural water lines vary depending upon the size of the operation, although the eastern 6-inch diameter segments of the reclaimed water lines are larger than required to serve the sites' limited agricultural uses.

1 western portions of the project site. The specific number of residences that could  
2 be served by these sizes of water lines is site dependent; however, these diameters  
3 would generally serve numerous residences.

4 2. The project's available water supply of 30 AFY of potable water and 230 AFY of  
5 reclaimed water far exceeds that required to serve the proposed single-family and  
6 agricultural uses. When combined with the size of the proposed potable and  
7 reclaimed water lines, this available supply could be sufficient to serve the  
8 majority or all of the applicant's 25 Naples Townsite parcels adjacent to the west  
9 (refer to Section 3.12, *Public Facilities*).

10 3. The quality and availability of groundwater is limited on the project site and the  
11 adjacent Naples Townsite, which greatly impedes potential development. The  
12 underlying Monterey Formation is known to yield limited quantities of often  
13 poor-quality groundwater. Thus, extending public water service into the rural area  
14 immediately east of the Townsite would remove a significant barrier to growth.

15 The extension of public water service into a rural area currently without a ready  
16 supply of water would contribute to potential growth inducement in the project site  
17 vicinity. The size of the water lines and the ample allocation of water to the project  
18 site could facilitate future extension of water service to the undeveloped lots of the  
19 Naples Townsite immediately to the west and the Gaviota Holdings property to the  
20 east. However, with implementation of *MM LU-5a* and *MM LU-5b* regarding the size  
21 of water lines and the placement of water storage tanks, and *MM LU-5c* regarding the  
22 width of proposed project driveways, growth-inducing impacts would be *significant*  
23 *but feasibly mitigated* (Class II).

24 Mitigation Measures

25 *MM LU-5a* The applicant shall downsize the potable and reclaimed water lines to the  
26 minimum size required to serve proposed residential and agricultural  
27 uses, and install onsite water storage tanks to meet County fire-flow  
28 requirements. Based on County Fire Department standards, it appears  
29 that the proposed size of the Ocean Estate would require approximately  
30 10,000 gallons of water storage and the proposed size of the Inland Estate  
31 would require 12,500 gallons.

1 *MM LU-5b The applicant shall locate and design water storage tanks to be sited to*  
 2 *avoid potential impacts to sensitive resources (i.e., wetlands, native*  
 3 *vegetation, cultural resource sites, etc.) and public view sheds.*

4 **Plan Requirements and Timing.** The applicant shall submit a modified  
 5 water infrastructure plan to P&D prior to approval of any permits for  
 6 onsite and offsite water infrastructure.

7 **Monitoring.** The modified water infrastructure plan will be approved by  
 8 P&D. No further monitoring will be needed.

9  
 10 *MM LU-5c The applicant shall reduce the width of all driveways to the minimum*  
 11 *required to serve the proposed residences (i.e., 12 feet for driveway*  
 12 *serving one residence, 16 feet for driveway serving two residences).*

13 **Plan Requirements and Timing.** The applicant shall submit modified  
 14 grading plans to P&D prior to approval of any permits for grading.

15 **Monitoring.** The modified grading plans will be approved by P&D.  
 16 Permit Compliance staff will monitor road construction to confirm that  
 17 final road widths do not exceed minimum standards.

18  
 19 3.10.4.4 Cumulative Impacts

20 Impact

21 **LU-6 The proposed project would incrementally contribute to the gradual**  
 22 **transition of the Gaviota Coast from a rural agricultural area to one**  
 23 **characterized by large home properties (Class III).**

24 Construction of two homes and ancillary facilities envisioned in the proposed project  
 25 would incrementally contribute to the gradual transition of the Gaviota Coast from a rural  
 26 agricultural area to one increasingly characterized by large and very expensive home  
 27 properties where an residential use rather than agriculture is the primary use of the  
 28 property. Development along the Gaviota Coast includes two oil and gas processing  
 29 facilities (at Gaviota and Las Flores Canyon), the Tajiguas Canyon Landfill, State Park  
 30 beaches and campgrounds, a private campground (El Capitan Canyon), and primarily

1 isolated single-family homes. A few neighborhoods have more intensive residential  
2 development, including the Arroyo Quemada coastline community, well below grade  
3 along U.S. Highway 101 and south of the landfill, the residential subdivision of El  
4 Capitan Ranch, and Rancho Embarcadero at the western end of the Gaviota Coast. These  
5 residential developments are well screened from view by motorists on U.S. Highway 101  
6 and some maintain a rural nature. Recent applications for larger, luxury homes include  
7 the Ballantine residence (13,333 sf), Bean Blossom Lot H residence (13,844 sf), Bean  
8 Blossom Lot X residence (17,605 sf) and the Santa Barbara Ranch project (consisting of  
9 71 luxury homesites) which was recently rejected by the CCC. Development of such  
10 large homes raises a variety of County policy issues and related cumulative impacts,  
11 particularly preservation of visual resources and the area's agricultural resources and  
12 economy (refer to Section 3.1, *Aesthetics and Visual Resources*, for a complete  
13 discussion of this issue).

14 Historically, development in the Gaviota region has been characterized by a mix of  
15 agricultural operations on larger parcels, oil development, and limited large-lot  
16 residential development such as the seventeen (17) 10-acre lots found in Venedido  
17 Canyon. Grazing and ranching operations have historically been the predominant land  
18 use along the Gaviota Coast with substantial areas of cultivated agricultural operations  
19 within creek canyons, several coastal mesas, and hillsides higher in the foothills. These  
20 historic farms and ranches typically supported a mix of smaller, older ranch homes,  
21 buildings, and employee dwellings, often tucked away in low visibility canyon bottoms  
22 (e.g., numerous holdings located along Refugio Road, as well as Arroyo Hondo, Rancho  
23 Tajiguas, or the multiple dwellings located on Naples), with limited visibility from U.S.  
24 Highway 101. Home sizes were reflective of modest values and rural agricultural uses.  
25 According to a Gaviota Coast Conservancy study, the average size of existing homes on  
26 the Gaviota coast is 2,850 square feet, with proposed new homes averaging 4,100 square  
27 feet (Gaviota Coast Conservancy 2005).

28 This trend toward agriculture becoming a secondary or at least lower value use along the  
29 Gaviota Coast raises land use and policy consistency issues. In addition, this trend  
30 presents potential related cumulative impacts with regard to County and State Coastal  
31 Act policies and regulations, such as *Coastal Act § 30242*, and CLUP, Land Use  
32 Element, and Agricultural Element Goals regarding protection of agricultural land, the  
33 agricultural industry and visual resources. Development of high-value residences on  
34 agriculturally zoned land - with resulting higher property valuations - increases the

1 economic incentives for remaining farming operations to subdivide their lands. This  
2 effect upon conversion from agricultural uses served as an impetus over 40 years ago for  
3 State legislators to pass the Land Conservation Act of 1965, also known as the  
4 Williamson Act. The intent of passage of this State program was to provide an incentive-  
5 based method of preserving land. In doing so, property tax rates on enrolled lands are set  
6 to their agricultural uses, rather than higher values comparable to residential or other  
7 urban rates as property values escalate. However, even with enrollment under the Act,  
8 such high valuation may also preclude acquisition by agriculturalists of farms and  
9 ranches for agricultural rather than residential purposes. While this trend is not unique to  
10 the Gaviota Coast, this area's proximity to the urban area and coastal amenities may  
11 make it particularly vulnerable to land use conversion. This is considered a cumulatively  
12 significant issue; however, since the project site only includes two lots with relatively  
13 low-value agricultural resources, and since proposed extension of reclaimed water lines  
14 would permit the cultivation of prime soils, the project's contribution to the transition of  
15 the Gaviota Coast is considered *adverse, but less than significant* (Class III).

16 Impact

17 **LU-7            The proposed project would contribute to potentially significant (but**  
18 **mitigable) cumulative growth-inducement impacts along the eastern**  
19 **reach of the Gaviota Coast (Class II).**

20 The proposed project could contribute to cumulative growth inducement along the  
21 eastern reach of the Gaviota Coast. As described in Section 2.6, *Cumulative Impacts*, the  
22 Official Map of Naples, located west of the site, was recorded in 1995, and recognized  
23 274 lots within approximately 800 acres. The site is subject to proposed residential  
24 development along with a number of other locations along the Gaviota Coast. A large,  
25 high-value residential development that includes 71 residences (Santa Barbara Ranch)  
26 was approved by the County in 2008, but subsequently rejected by the CCC. This project  
27 included 219 of the Official Map lots within 485 acres. In addition, the Paradiso del  
28 Mare project applicant owns 25 of the Official Map lots upon 57 acres abutting this site  
29 to the west. The applicant has previously explored consolidating these parcels to permit  
30 residences on 10 lots. Project implementation would result in the extension of public  
31 water service to the project site, which could subsequently facilitate the extension of such  
32 services to the undeveloped areas of the Naples Townsite. Extension of public water

1 service into the vicinity of the applicant-owned adjacent parcels<sup>2</sup> would remove a  
2 significant barrier to growth and could result in the construction of additional residential  
3 lots, or other similar non-agricultural uses in that area. In addition, extension of water  
4 lines to the east could potentially result in growth inducement impacts associated with the  
5 Gaviota Holdings property adjacent to the east. The water line easement granted by  
6 Gaviota Holdings, LLC includes stipulation that utilities shall be stubbed with  
7 aboveground connections for the benefit of the property owner. However, with  
8 implementation of *MM LU-5a and MM LU-5b* described below to downsize water lines  
9 to the required minimum size and install onsite water storage tanks to meet County fire-  
10 flow requirements, cumulative growth inducement impacts would be *significant but*  
11 *feasibly mitigated* (Class II).

#### 12 3.10.4.5 Residual Impacts

13 Impact LU-1 would remain *significant and unavoidable* (Class I) even after  
14 implementation of the required mitigation. Feasible mitigation measures regarding  
15 redesign of the Inland Estate would be insufficient to fully mitigate impacts given the  
16 proposed location of structures. Such dominant changes in the landscape instead require  
17 an alternative to the proposed project to fully mitigate the impacts (refer to Alternative 3  
18 in Section 6.0, *Alternatives*).

19 Impact LU-2 would remain significant and unavoidable (Class I) even after  
20 implementation of the required mitigation. Feasible mitigation measures regarding  
21 redesign of the Ocean and Inland Estates would be insufficient to fully mitigate impacts  
22 given the proposed location of structures. The level of removal of white-tailed kite  
23 foraging habitat requires an alternative to the proposed project to fully mitigate the  
24 impacts (refer to Alternative 3 in Section 6.0, *Alternatives*).

25 Impact LU-3 would remain significant and unavoidable (Class I) even after  
26 implementation of the required mitigation, since long-standing coastal access would still  
27 be eliminated.

---

<sup>2</sup> The adjacent proposed Santa Barbara Ranch development would obtain water services from the Naples Water Company; however, these applicant-owned parcels within the Naples Townsite were not included within the Santa Barbara Ranch development.

- 1 Impact LU-4 would remain significant and unavoidable (Class I) even after  
2 implementation of the required mitigation, since relocation of the waterline would be  
3 required for the project to be fully consistent with CLUP Policies 10-1, 10-2 and 10-3
- 4 Implementation of the mitigation measures described above would reduce other project-  
5 related impacts to land use to less than significant levels. The project's contribution to  
6 the cumulative impacts associated with the shift from agriculture to residential as the  
7 primary land use along the Gaviota Coast would remain adverse, but less than significant.

