



Streamlining Trail Development In Santa Barbara County

Santa Barbara
County Trails
Council Report

October 20, 2022





In the photo above, Santa Barbara County Trails Council leadership is inspecting a newly constructed segment of the Arroyo Quemado Trail at the County-owned Baron Ranch on the Gaviota Coast.



Introduction

This paper has been produced and funded by the Santa Barbara County Trails Council (Trails Council) to guide consideration of how to clarify and ease permitting for trail projects in unincorporated County areas. The Trails Council is a broad-based trails advocacy group consisting of hikers, equestrians, trail runners, mountain bikers and other trail users. The Trails Council was formed in 1967 to advocate for planning and construction of new trails and to help organize work parties to maintain existing trails. Over the last 50 years, the Trails Council has worked cooperatively with the County, other local agencies and private landowners to plan, improve and maintain the County's trail system.

Public trails are a beneficial use providing an array of benefits. Trails can be used for exercise, to enjoy the outdoors, experience nature and access open space areas and beaches. Trails facilitate non-motorized transportation, safe routes to schools and significant public health benefits. Recreational trails and access to nature also build support for conservation and resource protection. These benefits and the importance of expanding the inventory of multi-use public trails are acknowledged in adopted Santa Barbara County land use plans ¹ and policies and mandated by State law. Nonetheless, there are many barriers to developing new public trails: the difficulty of obtaining easements, burdensome land use permitting and environmental review requirements, and construction costs.

This paper will focus on the issues related to trail project permitting and include recommendations to amend the County's ordinances to conform to the County's Comprehensive Plan, which recognizes trails as suitable and desirable uses in most areas of the County. Specific ordinance amendments have not been developed at this point. We support pursuing them as part of the Santa Barbara Countywide Recreation Master Plan and its

¹ The Santa Barbara County Land Use Element Park and Recreation Policy states "Opportunities for hiking and equestrian trails should be preserved, improved and expanded wherever compatible with surrounding uses."

implementation through zoning ordinance amendments. Recommendations to further streamline Santa Barbara County's permit process relative to environmental review requirements and to incentivize provision of trails with private projects are also identified. These recommendations may also be helpful in the evaluation of zoning requirements for trails in the County's incorporated cities.

Primary Barriers to New Trails

- 1. Obtaining necessary easements
- 2. Cost of permitting and design
- 3. Onerous permit requirements
- 4. Lack of zoning ordinance provisions allowing use

This evaluation will present several project examples, summarize the existing zoning ordinance requirements and make recommendations for zoning and process changes to better facilitate the construction of new public trails. A review of the permit process and cost for several recent trail projects demonstrates that the time and costs for permitting are disproportionate to the scale of development associated with new trails, which often include minimal or modest grading, vegetation removal or other impacts associated with constructing a 3-6 foot wide typically earthen trail. Environmental review can often add significant time and cost to trail projects without balancing benefits to the environment. Significantly, the permit requirements in the County zoning ordinances vary across zone districts and geographic areas without a logical or consistent approach and the zoning codes do not allow for trails in the majority of zone districts, although the County's adopted plans often call for trails in these very same zone districts. Clarification of zoning requirements and the implementation of measures to streamline trail project environmental review would go a long way towards easing the path forward for construction of new trails.



New trails are typically built with a combination of a paid trail crew and volunteers. For trail maintenance many of the County's trails rely on non-profit entities to organize volunteers to maintain the trails. Active trail construction and maintenance organizations in the County include the Los Padres Forest Association, Sage Trail Alliance, Lompoc Trails, Santa Maria Valley Open Space, the Montecito Trails Foundation, and the Santa Barbara County Trails Council.



Trail Project Case Studies

A review of the processing history and cost of recent trails projects in Santa Barbara County demonstrates that the time and cost associated with project permitting is disproportionate to the scale and scope of the projects. While it is difficult to accurately parse the costs of different project components, several examples demonstrate the high cost of permitting for projects that are fairly simple and inexpensive to construct.

The Lower Baron Ranch Trail project included the construction of 1.3 miles of trail, trailhead improvements and a trail bridge within the Coastal Zone. The project was carried out by the Trails Council in conjunction with Santa Barbara County Public Works and County Parks. The project required the approval of a Coastal Development Permit with hearing. Project engineering, permitting and preparation of environmental studies and CEQA documents cost approximately \$250,000. Project construction, including a \$550,000 bridge, totaled approximately \$1.5 Million.

The Ellwood Mesa Coastal Trails and Habitat Restoration Project in the City of Goleta involves the enhancement of 2.2 miles of the California Coastal Trail and Juan Bautista de Anza National Historic Trail, improvements to two associated coastal access points on the Ellwood Mesa and habitat restoration. The Trails Council facilitated the permit process for the City. The project required the approval of a Development Plan from City of Goleta and a Coastal Development Permit from California Coastal Commission. Design, permitting and preparation of a negative declaration for this project cost approximately \$195,000. Construction of the trails is estimated at \$495,000, independent of habitat restoration requirements.

The trails at Rice Ranch provide an example of a trail project in the inland area of the County that was not subject to zoning permits. The trails were planned as part of a residential subdivision and then constructed by the Trails Council at a total cost of approximately \$50,000 for

construction of approximately 3 miles of new trail and restoration on approximately 1.6 miles of existing trail.

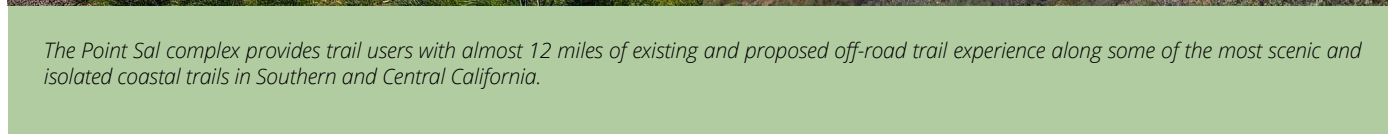
Existing Permit Process Requirements for Trails

This analysis focuses on trail permitting regulations applicable to the unincorporated areas of Santa Barbara County. In Santa Barbara County zoning ordinance treatment of public trail project permitting varies significantly across ordinances, community planning areas and zone districts. Location within or outside of the Coastal Zone is also a determining factor. This paper focuses on trail permitting requirements under Santa Barbara County's **Land Use Development Code (LUDC)**, **Montecito Land Use Development Code (MLUDC)** and **Coastal Zoning Ordinance (CZO)**, but the lessons learned may also apply to other jurisdictions. The LUDC describes permit requirements in the inland areas of the County's urban and rural areas (except Montecito), the MLUDC applies to areas of Montecito outside the Coastal Zone, and the CZO governs areas within the Coastal Zone. The County has nine (9) community planning areas that sometimes have specific permit requirements, such as for Gaviota as discussed below.

New trails in unincorporated areas of the County outside of state and federal lands may be built as part of private



Equestrians are active in their support for new trails and access to existing trails in the North and South County.



The permit requirements for trails in the most relevant County zone districts are shown in Table 1. In most cases, the zone district provisions do not list trails as a permitted use, meaning they are generally not allowed though may be allowed in limited circumstances, if found to be incidental to the primary use. In some zone districts, trails are specifically disallowed. In the few cases where trails are permitted, approval of costly and complex discretionary permits (development plan or conditional use permit) are often required.

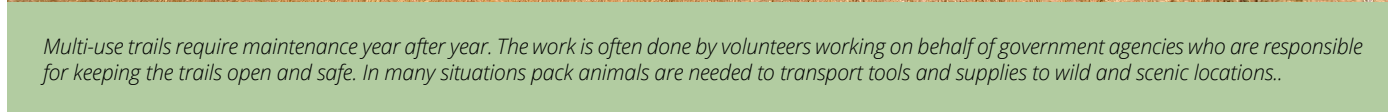


Table 1
Santa Barbara County Zoning Ordinance Trail Permitting Regulations

Zoning Ordinance	Applicability	Zone District	Permitted Use	Permit Requirement	Notes
Article II, Coastal Zoning Ordinance	Countywide in the Coastal Zone				For areas not subject to specific Community Planning Area provisions
		Agricultural I (AG I)	Not listed ¹		
		Agricultural II (AG II)	Permitted Use	Conditional Use Permit with standards	
		Resort / Visitor Serving Commercial (C-V)	Permitted Use	Development Plan	
		Design Residential (DR)	Not Listed		Parks are a permitted use
		Planned Residential Development (PRD)	Not Listed		Public open space is required ²
		Public Works Utility (PU)	Not Listed		Uses similar to permitted uses are allowed
		Recreation (REC)	Permitted Use	Development Plan	
		Resource Management Zone (RMZ)	Not listed		Low intensity recreational uses are permitted with a Major CUP ³
		Single Family Residential (R-1)	Not listed		Parks are a permitted use ⁴
		Rural Ranchette (RR)	Not listed		
		Transportation Corridor (TC)	Yes	Development Plan	

1 See CZO Section 35-118.1, "Use Restrictions. No building or structure shall be hereafter erected, constructed, altered, enlarged, moved, or maintained, nor shall any building or land be used, designed or intended to be used for any purpose other than those which are permitted in the type of zone in which such building or land is located, and then only after applying for and securing all permits and licenses required by law and this Article, which authorizes such building, structure or use."
2 Coastal Land Use Policy 2-20 and the CZO define open space to include hiking and equestrian trails.
3 The CZO lists "Low intensity recreational uses such as summer camps, dude ranches, hunting clubs, and facilities for group retreats."
4 The CZO does not define "Parks."



Table 1 (continued)
Santa Barbara County Zoning Ordinance Trail Permitting Regulations

Zoning Ordinance	Applicability	Zone District	Permitted Use	Permit Requirement	Notes
Article II, Coastal Zoning Ordinance (continued)	Gaviota Planning Area				Applicable to portions of the Gaviota Planning Area within the Coastal Zone
		Agricultural II (AG II)	Principally Permitted (PP) ¹	Coastal Development Permit (CDP)	
		Coastal Dependent Industry (M-CD)	PP	CDP	
		Recreation (REC)	PP	Development Plan	
		Resource Management Zone (RMZ)	PP	CDP	
		Rural Ranchette (RR)	PP	CDP	
		Transportation Corridor (TC)	PP	Development Plan if excavation or grading	
	Toro Canyon				Applicable to portions of the Toro Canyon Planning Area within the Coastal Zone
		Mountainous Toro Cyn (MT-Toro)	Not listed		Low intensity recreational uses are permitted with a Major CUP
	Land Use and Development Code ^{2,3}	Countywide (Excludes Coastal Zone, Montecito Planning Area and incorporated areas)			
		Agricultural I (AG I) ⁴	Not Listed		
		Agricultural II (AG II)	Not Listed		Rural recreation may be permitted with a CUP ⁵

1 A Principally Permitted Use is subject to County decision maker approval of the permit type specified in the ordinance and is not appealable to the Coastal Commission unless located in the physical appeals jurisdiction.
2 Projects carried out by the County are exempt from zoning permits outside the Coastal Zone (LUDC §35.10.050.G).
3 Private trail projects are generally not a permitted use but may be exempt from zoning if considered a “walkway”
4 See LUDC §35.20.030-“Zones and Allowable Land Uses...2. Use not listed. A land use not listed in Chapters 35.21 through 35.28 or not shown in the table of allowable land uses and permit requirements for a particular zone is not allowed, except as otherwise provided in Subsection A.3 (Similar and compatible use may be allowed) below.” Subsection A.3 lists certain commercial and industrial zones.
5 Rural Recreation is defined as “low intensity recreational uses including campgrounds with minimum facilities, hunting clubs, retreats, and summer camps. May include accommodations for recreational vehicles unless prohibited within the applicable zone.”



Table 1 (Continued)
Santa Barbara County Zoning Ordinance Trail Permitting Regulations

Zoning Ordinance	Applicability	Zone District	Permitted Use	Permit Requirement	Notes
Land Use and Development Code (continued)	Countywide (Excludes Coastal Zone, Montecito Planning Area and incorporated areas)				
		Neighborhood Commercial (CN) Limited Commercial (C-1) Retail Commercial (C-2) General Commercial (C-3) Service Commercial (C-S) Highway Commercial (CH) Professional/Institutional (PI) Shopping Center (SC) Old Town (OT) (misc)	Not Allowed ¹		
		Resort/Visitor Serving Commercial (C-V)	Permitted	Development Plan	
		Highway Commercial (HC)	Not Allowed		
		Mixed Use (MU)	Permitted	Development Plan	
		Naples Townsite (NTS)	Not Allowed		
		Planned Residential Development (PRD)	Not Listed		Open space requirements reference trails ²
		Public Works Utility (PU) Recreation (REC)	Not Allowed Permitted	Development Plan	
		Single Family Residential (R-1) Two-Family Residential (R-2) Rural Ranchette (RR) Design Residential (DR) etc.	Not Listed		
		Gaviota Planning Area	Mountainous Gaviota (MT-Gav)	Not listed	Rural recreation may be permitted with a CUP
		Goleta Planning Area	Mountainous Goleta (MT-Gol)	Not listed	Rural recreation may be permitted with a CUP
		Los Alamos Planning Area	Mountainous Los Alamos (MT-LA)	Permitted	Land Use Permit
		Toro Canyon	Mountainous Toro Cyn (MT-Toro)	Not listed	Rural recreation may be permitted with a CUP

1 These zone districts expressly disallow trails.
2 Open space is defined in the Land Use Element and zoning ordinance to include hiking and equestrian trails.



The eight-mile-long Franklin Trail spans three government jurisdictions. The trailhead is in the City of Carpinteria, then the trail transitions into a four-mile section in the County before entering the Los Padres National Forest for the last three miles of the ocean facing trail.



Table 1 (continued)
Santa Barbara County Zoning Ordinance Trail Permitting Regulations

Zoning Ordinance	Applicability	Zone District	Permitted Use	Permit Requirement	Notes
Montecito Land Use Development Code	Inland portion of Montecito Planning Area ¹	Neighborhood Commercial (CN)	Not Allowed		
		Resort/Visitor Serving Commercial (C-V)	Permitted	Development Plan	
		Design Residential (DR) and Planned Residential Development (PRD)	Not Listed	Development Plan for any development	Private residential recreation facilities are permitted
		Public Works Utility (PU)	Not Allowed		
		Single Family Residential (R-1 / E-1)	Not Listed		
		Recreation (REC)	Permitted	Development Plan	
		Resource Management Zone (RMZ)	Not Listed	Development Plan for any development	

Along the Coastline

In the Coastal Zone, a trail will in most cases meet the definition of development and, if a permitted use, trigger the requirement for a Coastal Development Permit (CDP) at a minimum. In the zone districts that include trails as a permitted use, the approval of a Final Development Plan (FDP), Major Conditional Use Permit (CUP) or CDP with hearing may also be required. These complex and expensive permit types all require a noticed public hearing before the Planning Commission or Zoning Administrator, are subject to CEQA review, are appealable to the Board of Supervisors, and in some cases are appealable to the California Coastal Commission. The permit processing costs alone for these types of projects are typically tens of thousands of dollars. Such costs do not account for preparation of project plans which can require a very high level of detail and use of engineers or other professionals

¹ Projects carried out by the County are exempt from zoning permits outside the Coastal Zone (LUDC §35.400.050.G and MLUDC §35.400.050.G)

at a cost which may add up to tens of thousands of dollars. These permitting costs may also not account for CEQA where a typical environmental document can cost \$25,000 to \$50,000 or more to prepare.

The Resource Management/Mountainous, Design Residential, Planned Residential and a Single Family coastal zone districts do not identify trails as a permitted use but do allow “low intensity recreational uses” or permit parks and open space (that one would assume could include trails) with a discretionary permit.

Recently updated zoning provisions for the Gaviota Planning Area clarified that trails are principally permitted in all zone districts and downshifted the permit requirement to a CDP in most zones. As CDPs are discretionary, CEQA review is required and can add substantial additional costs. The approval of a FDP is still required in the Gaviota Recreation and Transportation Corridor districts thus requiring engineered design plans, CEQA review and significant costs and time in the planning process.



Inland Areas

The zoning ordinances governing the inland unincorporated areas of Santa Barbara County are the Countywide Land Use Development Code (LUDC) and the Montecito Land Use Development Code (MLUDC). In both codes, zone districts are largely silent as to permitting for trails. As mentioned above, LUDC §35.10.050.G and MLUDC §35.400.050.G exempt public projects from zoning permits. Public trail projects are still subject to a review to determine consistency with the County's Comprehensive Plan and evaluation of environmental impacts pursuant to CEQA.

Private trails may be exempt from permits if they fall under the definition of “decks, platforms, walks, and driveways” (LUDC §35.20.040.B.15.c), would not require bridges or other structures and would not result in more than 50 cubic yards of grading. As shown on Table 1, only the Visitor Serving Commercial zone districts in the Montecito and Los Alamos Planning Areas and the Los Alamos CM and MU districts include provisions for trails. Several zone districts include provisions for rural recreation (defined as “low intensity recreational uses including campgrounds with minimum facilities, hunting clubs, retreats, and summer camps. May include accommodations for recreational vehicles unless prohibited within the applicable zone.”) with an FDP or CUP, however, trails are not specified. A number of commercial zones and PU expressly disallow trails.

Out of Sync with County's Comprehensive Plan

As is clear from this analysis, the County's zoning ordinance provisions fail to provide for trail development in many areas where they would be compatible with surrounding uses and provide much needed public benefit. This does not conform to the County's Comprehensive Plan which provides for trails in many zone districts where they are not permitted by the ordinances. In fact, Land Use Element Parks/Recreation Policy #4 states, “Opportunities for hiking and equestrian trails should be preserved, improved, and expanded wherever compatible with surrounding uses.” Further, trails are expressly allowed and encouraged in almost all Recreation Unit Type Definitions, including Moderate Use Recreation

areas, Natural Environment areas, Special Use areas, and Recreation Open Spaces described in the County's Comprehensive Plan. Where trails are permitted, permit requirements are onerous relative to the scale of development and the public benefit provided.

Environmental Review

Trail development may be considered a project under the provisions of CEQA if discretionary permits are triggered for certain land use and coastal development permits or if a decision-maker action for issues such as funding is required, which can include many trail projects. If CEQA is required, any project, coastal or inland, must be evaluated for potential impacts to the environment. Projects that do not have the potential to result in adverse impacts may be exempt from CEQA. Projects that affect sensitive resources will often require further analysis and preparation of an environmental document. Environmental document preparation is costly and time consuming. Preparation of specific studies such as biological reports and hydrologic investigations may be required to assess potential impacts. Noticing, public hearing and public comment requirements add additional time and expense to the process.

There are a number of examples of the cost associated with CEQA review of trails projects and cases where trail project impacts were evaluated as part of development projects. Preparation of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Ellwood Mesa Coastal Trail and Restoration Project cost approximately \$50,000, not including special studies for biological resources, hydrology, and wetland delineation. This cost is despite the Ellwood Mesa having been the location of proposed development and subject to extensive study over the years and the fact that most trails already exist and the project would formalize, improve and restore trails and habitat. Similarly, the cost for the Baron Ranch Trail IS/MND was also roughly \$50,000, with the National Environmental Policy Act Environmental Assessment for Baron Ranch Trail segments in the Los Padres National Forest costing



In the photo on the left, sawyers are using chainsaws to clear downed trees and brush. Sawyers are trained and certified to operate a chainsaws to build new trails or maintain existing trails.. Photo on the right shows a runner following a rustic trail to take in the spectacular scenery at Point Sal. Sawyer Photo: Mark Douglas. Point Sal Photo: Chad Hinkle

an additional \$40,000, not including technical studies.

There are many private development projects throughout the County that provide good examples of where the inclusion of trail project environmental impacts in the analysis of the development project on the same property can either fully address or reduce the time and cost of CEQA for the trail project. Projects such as Paradiso del Mare on the Gaviota Coast, San Marcos Foothills in the Santa Barbara foothills, Ennisbrook in Montecito and Rice Ranch in Orcutt, among many other projects all included important trail components that were addressed in the project CEQA review.

Recommendations

Zoning and permitting requirements as well as CEQA compliance are inconsistent between zones, do not comport with the County's policy intent, and currently present substantial barriers to the efficient construction of new trails which are community benefit projects. These barriers can be reduced or minimized by implementing a number of recommendations to create uniform zoning requirements, establish clear development standards and streamline environmental review. Specifically:

1. Amend the Coastal Zoning Ordinance, Land Use Development Code and Montecito Land Use Development

Code to allow for trails in all appropriate zone districts (the Trails Council believes that trails should be considered allowable uses in all or most zone districts) and to include General Regulations/Standards for Specific Use provisions applicable to trail projects. The General Regulations/Standards should:

- a) Require only a ministerial permit (where a permit is required) for trails and associated improvements.
 - b) Include development standards that ensure impacts to biological, cultural, visual, agricultural and other resources (as needed) are minimized.
2. Conduct program-level environmental review as part of the Countywide Recreation Master Plan that can be relied upon for future trail projects and may guide identification of development standards for incorporation in the Land Use Codes.
 3. Where trail easement dedications result from discretionary development projects, clearly assess and identify environmental impacts of the trail as part of the project's environmental document and secure trail zoning permits concurrently.
 4. Consider incentives for private development projects that include trail easement dedication and/or construction, such as permit streamlining, additional allowable uses, permit down-shifts.





Trails Council President Otis Calef (kneeling in center) with volunteer trail crew.

This paper was researched and written by Victoria Greene. Victoria holds a Master of City Planning from UC Berkeley and has over 30 years of experience in land use planning. This includes 15 years with Santa Barbara County where she conducted permit and environmental review for complex development projects, supervised planning staff and

developed and operated the planning department's training program. As executive director for the Montecito Association, she engaged closely in the County's zoning ordinance overhaul effort on behalf of the community. Victoria currently assists the Trails Council in trail permitting and serves as board chair of the Santa Barbara County Immigrant Legal Defense Center.

