



**COUNTY OF SANTA BARBARA  
PLANNING AND DEVELOPMENT**

**MEMORANDUM**

Date: December 8, 2008

To: Members of the Board of Supervisors

From: John Baker, Director of Planning and Development

Subject: Housing Element Focused Rezone Program – Item D-2 on December 9, 2008

CC: David Matson, Deputy Director

Should the Board of Supervisors wish to consider the original Housing Element Focused Rezone project consisting of Key Site 30 along with the alternative location on Key Site 3, the attached EIR Revision Letter #2 provides the necessary modifications to the proposed Final EIR. This revision letter is consistent with the action of the Planning Commission and the recommendations from the Air Pollution Control District on Key Site 3. This option is being brought forward based on last minute discussions and acknowledgement by State Housing and Community Development that the proposed development proposals on Key Site 3 and 30 are more likely to result in the development of housing prior to the end of the planning period on August 31, 2009.

Attachments

**2003-2008 HOUSING ELEMENT  
FOCUSED REZONE PROGRAM  
PROPOSED FINAL ENVIRONMENTAL IMPACT REPORT  
08EIR-00005**

**REVISION LETTER #2**

**Adoption of Alternative 4**

**November 12, 2008**

*Case #08GPA-00000-00008&9/08RZN-00000-00008/08ORD-00000-00017  
SCH #2008061139*

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## **I. PROJECT DESCRIPTION**

The 2003-2008 Housing Element Focused Rezone Program (Focused Rezone Program) consists of amendments to the County of Santa Barbara General Plan Housing Element (Housing Element), Orcutt Community Plan, and the Land Use Development Code to reflect an action to rezone portions of two sites, known as Key Site 3 and 30 in the Orcutt Community Plan area, to the Multi-Family Residential Orcutt (MR-0) zone designation. This rezoning action establishes new development capacity on vacant land for 372 housing units affordable to lower income households. Completion of the Focused Rezone Program fulfills the County obligation to plan for the remaining 370 lower income unit portion of the 6,064 unit Regional Housing Needs Allocation (RHNA) for the unincorporated County by the State of California for the 2001-2009 Housing Planning Period. As such, implementation of the Housing Element Rezone Program ensures continued State certification of the 2003- 2008 General Plan Housing Element.

## **II. BACKGROUND:**

A Draft Environmental Impact Report (08-EIR-00005, SCH#2008061139) for the Focused Rezone Program was released for public review on August 5, 2008. A noticed public comment hearing on the Draft EIR was held on September 3, 2008. The public comment period for the Draft EIR closed on September 19, 2008 after a 45-day period. In response to public comments, revisions were made and the Proposed Final EIR was released on October 3, 2008, including written responses to comments received on the draft document. In addition to the proposed project, the Proposed Final EIR evaluated five project alternatives, as follows: Alternative 1: The Caltrans and Ebbert Rezone Sites Alternative; Alternative 2: The Key Sites 15 and 23 Alternative; Alternative 3: The Key Sites 3 and 16 Alternative; Alternative 4: Alternative Rezone Site Location on Key Site 3; and Alternative 5: the No Project Alternative.

On October 17, 2008, the Santa Barbara County Planning Commission (Planning Commission) considered the project and directed staff to reconsider different rezone locations for Key Site 3 which would provide a greater distance from both Highway 101 and from adjacent residences, generally consistent with Alternative 4 as evaluated in the Proposed Final EIR. The Commission further directed staff to consider minor changes to the development standards contained in the Proposed Orcutt Community Plan Amendment and Land Use Development Code intended to implement the Focused Rezone Program. On November 12, 2008, the Planning Commission recommended that the Board of Supervisors approve the Option C location for the rezone site moving it approximately 250 feet to the west and 190 feet to the south but still within the upper mesa area and generally consistent with the location evaluated in Alternative 4 of the Proposed Final EIR. This recommended Alternative would allow development of Key Sites 3 and 30 at a density of 20 units per acre to accommodate a total of 372 residential units.

This EIR Revision Letter has been prepared to update the Proposed Final EIR to reflect minor changes related to a modified rezone location on Key Site 3, and to correct two minor oversights within the Proposed Final EIR. The insignificant modifications documented in this EIR Revision Letter dated November 12, 2008 do not require recirculation of the EIR as they do not deprive the public of a meaningful opportunity to comment.

### **III. REVISIONS TO THE EIR IMPACT ANALYSIS**

#### **III.A. Modified Rezone Location for Key Site 3**

In order to further reduce project impacts related to aesthetic/visual resources, air quality, and noise identified in the Proposed Final EIR and associated concerns raised during public review of the project, the 8.0 acre rezone site on Key Site 3 would be relocated approximately 250 feet to the west in order to provide a greater distance from Highway 101 and 190 feet to the south to provide greater distance from the northerly mobile home park. This modified rezone location is generally consistent with Alternative 4 "Alternative Rezone Site Location on Key Site 3" analyzed in section 6.2 of the Proposed Final EIR with the exception that it provides somewhat greater distance from adjacent residences to the north and west. From a site specific basis, the minor change in location of the rezone site on Key Site 3 serves to incrementally reduce the environmental effects noted above without a substantial change in the orientation of the project and does not entail any substantial changes to the environmental effects addressed within the Proposed Final EIR. The existing environmental conditions which previously applied to both the original rezone site location for Key Site 3 and the rezone site location evaluated as a part of Alternative 4 are substantially the same as the modified Option C rezone location.

Since the Draft and Proposed Final EIR discussed the environmental setting, impacts, mitigation measures and alternatives associated with the modified rezone location within Key Site 3 and identified feasible mitigation measures to reduce impacts to the extent feasible, the public was able to meaningfully review and comment on these impacts in its current form. As such, recirculation of the EIR is not required.

#### **III.B. Minor Changes to Development Standards**

The Planning Commission's direction to make minor changes to the development standards contained in the proposed amendments to the Orcutt Community Plan and Land Use Development Code are intended to further refine and clarify standards that would apply to development of the selected rezone sites. Even with these minor changes, the development standards contained in the draft amendments are substantially the same as mitigation measures identified in the Proposed Final EIR to reduce impacts to the extent feasible and the public was able to meaningfully review and comment on these measures in their current form.

### III.C. Additional Minor Corrections to Proposed Final EIR

Two specific recommended changes to the EIR text are necessary to correct minor oversights within the Proposed Final EIR as indicated below.

Revise the first full paragraph on page 6-20 to read as follows:

*Air Quality. Air quality impacts under Alternative 4 would be less than those of the proposed project. Development of 372 residential units under this alternative would generate the same number of daily vehicle trips as the proposed project and onsite energy consumption would be the same as well. As with the proposed project, combined operational emissions from buildout of both of these sites would exceed established thresholds. Temporary air pollutant emissions during grading and construction would also be similar. Development under this alternative would also generate similar levels of greenhouse gases, potentially contributing to global climate change. Overall, these air quality impacts would require implementation of standard dust control and diesel particulate matter mitigation measures, transportation control measures, and energy efficiency standards, as required for the proposed project to reduce construction related air quality impacts, operational emission impacts, and global climate change impacts to less than significant levels. The alternative rezone site would result in fewer future residents being exposed to potentially hazardous air pollutants associated with development near the freeway. Portions of the alternative rezone location may be within 500 feet of Highway 101. ~~However, as~~ As with the proposed project, mitigation including setbacks and HVAC construction standards, would reduce impacts related to exposure to these emissions to a less than significant level. Nevertheless, because of uncertainties regarding the causes and nature of health risks related to freeway exposure, impacts are considered Class I, significant and unavoidable. As with the proposed project, cumulative air quality impacts would be Class I, significant and unavoidable.*

Revise Response 15A on page 9-103 of the Responses to Comments on the Draft EIR section to read as follows:

#### Response 15A

*Visual resource impacts from development of Key Sites 3 and 30 are discussed in Section 4.14, Visual and Aesthetic Resources. Consistency with applicable Orcutt Community Plan policies, including VIS-O-1 and VIS-O-2, is addressed in Section 5.0, Policy Consistency. As noted therein, the proposed project is potentially ~~inconsistent~~ with these policies; ~~however,~~ ~~the~~ The Focused Rezone Program includes consideration of a number of modifications to development standards in the Orcutt Community Plan to meet the project objectives.*

### IV. FINDINGS:

It is the finding of the Planning Commission that based on revisions to the Proposed Final EIR as described above, impacts resulting from implementation of the Focused Rezone Program would not otherwise result in a change in the levels of impact identified in the existing analysis contained in 08EIR-00005. As such, the revisions to that analysis incorporated into the EIR by this EIR Revision Letter dated November 12, 2008 along

with the Revision Letter dated October 15, 2008 may be used to fulfill the environmental review requirements for the current project and the information contained herein does not require recirculation pursuant to CEQA Guidelines Section 15088.5.