

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
PHONE: (805) 568-2000
FAX: (805) 568-2030

July 25, 2011

TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF JULY 20, 2011

RE: Terrace Villas; 09GPA-00000-00005, 10RZN-00000-00003, 10DVP-00000-00011, 10TRM-00000-00003, TM 14,770, 10RDN-00000-00007

Hearing on the request of Frances Romero of Urban Planning Concepts, agent for Western Sky Development, owner, to consider the following:

- a) **09GPA-00000-00005** [application filed on May 1, 2009] proposing to amend the Orcutt Community Plan (OCP) Land Use Designations Map to change the land use designation from Residential 8.0 units/acre (Res-8.0) to Residential 4.6 units/acre (Res-4.6) on property zoned Design Residential, 3.3 units/acre (DR-3.3);
- b) **10RZN-00000-00003 & 10DVP-00000-00011** [applications filed on July 27, 2010] proposing to rezone 5.39 acres from Design Residential 3.3 units/acre (DR-3.3) to Small Lot Planned Development (SLP) in compliance with Chapter 35.104 of the County Land Use and Development Code; and approval of a Final Development Plan in compliance with Section 35.82.080 of the County Land Use and Development Code to develop 16 single family custom homes, tract grading, installation of tract roads, public services and utilities, common open space, and landscaping, on property zoned DR-3.3;
- c) **10TRM-00000-00003/TM 14,770** [application filed on July 27, 2010] for approval of a Tentative Map in compliance with County Code Chapter 21 to divide 5.39 acres into 20 lots ranging from 7,555 square feet. to 39,999 square feet, on property zoned DR-3.3;
- d) **10RDN-00000-00007** [application filed on July 27, 2010] for approval of the naming of a proposed private road which will serve the Terrace Villas subdivision in compliance with Chapter 35.76 of the County Land Use and Development Code, on property zoned DR-3.3 ; and to

adopt the Negative Declaration (11NGD-00000-00007) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Geologic Processes, Noise, Public Facilities and Water Resources/Flooding. The ND and all documents may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara or 624 West Foster Road, Suite C, Santa Maria. The ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara. The application involves 18 existing parcels identified as AP Nos. 129-300-001 through -021 located on the east side of Stillwell Road, approximately 1,250 feet south of the Clark Avenue/Stillwell Road intersection, and 1,800 feet west of U.S. Highway 101 commonly known as 5320 Stillwell Road, Orcutt Community Planning area, Fourth Supervisorial District. (Continued from 5/11/11)

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of July 20, 2011, Commissioner Valencia moved, seconded by Commissioner Blough, and carried by a vote of 4 to 1 (Brooks no) to:

1. Recommend that the Board of Supervisors make the required findings for the project specified in Attachment A of the staff report, dated May 11, 2011 including CEQA findings.
2. Recommend that the Board of Supervisors adopt the Negative Declaration (11NGD-00000-00007) included as Attachment C of the staff report, dated May 11, 2011, and adopt the mitigation monitoring program contained in the conditions of approval as Attachment B of the staff report, dated May 11, 2011, and as revised in the staff memo, dated July 20, 2011.
3. Recommend that the Board of Supervisors approve the rezone (10RZN-00000-00003) changing the zone district on the subject parcels from Design Residential, 3.3 units/acre (DR-3.3) to Small Lot Planned Development (SLP) (draft resolution included as Attachment D of the staff report, dated May 11, 2011).
4. Recommend that the Board of Supervisors approve a Comprehensive Plan Amendment (09GPA-00000-00005), changing the Land Use Designation on the subject parcels from Residential 8.0 units/acre (Res-8.0) to Residential 4.6 units/acre (Res-4.6) (draft resolution included as Attachment E of the staff report, dated May 11, 2011).
5. Recommend that the Board of Supervisors approve the project subject to the conditions included as Attachment B of the staff report, dated May 11, 2011, as revised at the hearing of July 20, 2011, and in the staff memo, dated July 20, 2011.

REVISIONS TO CONDITIONS OF APPROVAL (ATTACHMENT B)

Condition #9 is revised as follows:

9. **Geo-02 Erosion and Sediment Control Plan.** Grading and erosion and sediment-control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures, or permanent landscaping.

The Owner/Applicant shall submit an Erosion and Sediment Control Plan (ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The Erosion and Sediment control plan shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (www.countysb.org/government/county_ordinance_code Chapter 14 14-9 and 14-29 – refer to Erosion and Sediment Control Plan Requirements.) **PLAN REQUIREMENTS:** The grading and erosion and sediment control plan(s) shall be submitted for review and approved by P&D prior to zoning clearance issuance. The plan shall be designed to address erosion and sediment control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING:** The plan shall be implemented prior to the commencement of and throughout grading/construction.

MONITORING: P&D Grading Inspector staff shall perform site inspections throughout the construction phase.

Condition #12 is revised as follows:

12. **WatConv-01 Sediment and Contamination Containment.** The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:
1. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
 2. Apply concrete, asphalt, and seal coat only during dry weather.
 3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
 4. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans. **TIMING:** Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.

MONITORING: The Owner/Applicant shall demonstrate compliance with these measures to P&D Grading Inspector ~~compliance-monitoring~~ staff as requested during construction.

Condition #15 is revised as follows:

15. **WatConv-07 SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.

TIMING: Prior to issuance of Zoning Clearance permit the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to issuance of Zoning Clearance permit. P&D Grading Inspector ~~compliance~~ ~~monitoring-staff~~ shall site inspect during construction for compliance with the SWPPP.

Condition #17 is revised as follows:

17. **NPDES-12 Storm Water Retention-Biofiltration System.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces, the Owner/Applicant shall construct a permanent biofiltration system to treat storm water runoff from the site. Biofiltration includes vegetated swales, channels, buffer strips, retention, rain gardens, and shall be designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method. The biofiltration system shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the filtration properties and the plants selected are adequate to reduce concentrations of the target pollutants. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofiltration system. Invasive plants shall not be used. Biofilters shall not replace existing riparian vegetation or native vegetation unless otherwise approved by P&D. This requirement shall be included in the CC&R's.
PLAN REQUIREMENTS: The Owner/Applicant shall include the biofiltration system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and depict it graphically. **TIMING:** The Owner/Applicant shall submit a maintenance plan for the biofiltration system to P&D permit processing planner for review and approval prior to issuance of Zoning Clearance. ~~The Owner/Applicant shall submit a performance security to ensure installation and long term maintenance (inspections at least once/year) of the biofiltration system. Performance security must be submitted to P&D permit processing planner prior to issuance of Zoning Clearance.~~

MONITORING: P&D compliance monitoring staff shall site inspect for installation, and periodically inspect for maintenance throughout the a five-year performance period as specified in condition #44. ~~Performance security release requires P&D compliance~~ ~~monitoring-staff approval.~~ The owner is responsible for annual maintenance inspections

of the biofiltration system. The owner shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspections at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

Condition #44 is revised as follows:

44. **Rules-26 Performance Security Required.** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation including the storm water retention biofiltration system per condition #17. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation components, P&D may use the security to complete the work.

REVISIONS TO FINAL MITIGATED NEGATIVE DECLARATION (ATTACHMENT C)

Mitigation Measure #7 is revised as follows:

7. **Geo-02 Erosion and Sediment Control Plan.** Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until regraded areas have been stabilized by structures, long-term erosion control measures, or permanent landscaping. The Owner/Applicant shall submit an Erosion and Sediment Control Plan (ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The Erosion and Sediment control plan shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (www.countysb.org/government/county_ordinance_code_Chapter_14 14-9 and 14-29 – refer to Erosion and Sediment Control Plan Requirements.) **PLAN REQUIREMENTS:** The grading and erosion and sediment control plan(s) shall be submitted for review and approved by P&D prior to zoning clearance issuance. The plan

shall be designed to address erosion and sediment control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING:** The plan shall be implemented prior to the commencement of and throughout grading/construction.

MONITORING: P&D staff Grading Inspector shall perform site inspections throughout the construction phase.

Mitigation Measure #10 is revised as follows:

10. WatConv-01 Sediment and Contamination Containment. The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

1. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
2. Apply concrete, asphalt, and seal coat only during dry weather.
3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
4. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans. **TIMING:** Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.

MONITORING: The Owner/Applicant shall demonstrate compliance with these measures to P&D Grading Inspector ~~compliance-monitoring staff~~ as requested during construction.

Mitigation Measure #13 is revised as follows:

13. WatConv-07 SWPPP. The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.

TIMING: Prior to issuance of Zoning Clearance permit the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The

Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

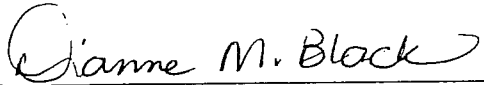
MONITORING: P&D permit processing planner shall review the documentation prior to issuance of Zoning Clearance permit. P&D Grading Inspector ~~compliancee monitoring staff~~ shall site inspect during construction for compliance with the SWPPP.

Mitigation Measure #15 is revised as follows:

15. **NPDES-12 Storm Water Retention-Biofiltration System.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces, the Owner/Applicant shall construct a permanent biofiltration system to treat storm water runoff from the site. Biofiltration includes vegetated swales, channels, buffer strips, retention, rain gardens, and shall be designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method. The biofiltration system shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the filtration properties and the plants selected are adequate to reduce concentrations of the target pollutants. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofiltration system. Invasive plants shall not be used. Biofilters shall not replace existing riparian vegetation or native vegetation unless otherwise approved by P&D. This requirement shall be included in the CC&R's.
PLAN REQUIREMENTS: The Owner/Applicant shall include the biofiltration system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and depict it graphically. **TIMING:** The Owner/Applicant shall submit a maintenance plan for the biofiltration system to P&D permit processing planner for review and approval prior to issuance of Zoning Clearance. ~~The Owner/Applicant shall submit a performance security to ensure installation and long term maintenance (inspections at least once/year) of the biofiltration system. Performance security must be submitted to P&D permit processing planner prior to issuance of Zoning Clearance.~~

MONITORING: P&D compliance monitoring staff shall site inspect for installation, and periodically inspect for maintenance throughout the a five-year performance period as specified in condition #44. ~~Performance security release requires P&D compliancee monitoring staff approval.~~ The owner is responsible for annual maintenance inspections of the biofiltration system. The owner shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspections at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

Sincerely,



Dianne M. Black
Secretary Planning Commission

cc: Case File: 09GPA-00000-00005, 10RZN-00000-00003, 10DVP-00000-00011, 10TRM-00000-00003, TM 14,770,
10RDN-00000-00007
Planning Commission File
Dianne M. Black, Director Development Review
Agent: Frances Romero, Urban Planning Concepts, 2624 Airpark Drive, Santa Maria, CA 93455
Owner: Western Sky Development, 2255 S. Broadway, Suite 9, Santa Maria, CA 93454
Engineer: Bethel Engineering, Attn: Russ Garrison, 2624 Airpark Drive, Santa Maria, CA 93455
Rachel Van Mullem, Deputy County Counsel
Dana Carmichael, Planner

Attachments: **Attachment A – Findings**
 Attachment B – Conditions of Approval
 Attachment D – Rezone Draft Ordinance/Resolution

DMB/dmv

G:\GROUP\PERMITTING\Case Files\TRM\10 Cases\10TRM-00000-00003 Terrace Ranch Development Plan\7-20-11 Planning Commission
Hearing\07-20-11 actltr.doc

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

The Board of Supervisors has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors and has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, including the negative declaration and any comments received, the Board of Supervisors finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record there is no substantial evidence that the project will have a significant effect on the environment.

1.3 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board of Supervisors, 105 E. Anapamu Street, Santa Barbara, CA 93101.

1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 COMPREHENSIVE PLAN AMENDMENT FINDINGS

Government Code Section 65358 requires a comprehensive plan amendment to be in the public interest. The proposed comprehensive plan amendment would be in the public interest for the following reasons:

1. The proposed project has been re-designed to include recreational open space amenities, landscaped buffer areas, grading plans which take into account the existing topography of the site, and optimum access. These amenities result in improvements to the existing recorded Terrace Ranch Tract Map which results in an overall benefit to the public.

2. The SLP zone district will be appropriate for the site as it requires 15% of the site to remain in open space, and allows for housing opportunities which meet the needs of the community and ensures a safe and attractive residential environment by promoting high standards of site planning, architecture, and landscaping for small lot planned development.

2.2 REZONE FINDINGS

In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map the review authority shall first make all of the following findings:

2.2.1 The request is in the interests of the general community welfare.

The SLP zone district will be appropriate for the site as it requires 15% of the site to remain in open space, and allows for housing opportunities which meet the needs of the community and ensures a safe and attractive residential environment by promoting high standards of site planning, architecture, and landscaping for small lot planned development. Therefore, the rezone is consistent with this finding.

2.2.2 The request is consistent with the Comprehensive Plan, the requirements of

State planning and zoning laws, and this Development Code.

Upon approval of the proposed Comprehensive Plan Amendment to the Orcutt Community Plan (OCP) Land Use Designations Map to change the land use designation from Residential 8.0 to Residential 4.6, the proposed rezone will be consistent with this finding.

2.2.3 The request is consistent with good zoning and planning practices.

Rezoning the project site from Design Residential, 3.3 units/acre (DR-3.3) to Small Lot Planned Development (SLP) will allow the project site to be developed with custom single family residences which will meet the needs of the community. The SLP zone district requires open space and recreational amenities, as well as high standards of site planning, architecture, and landscaping. Therefore, the rezone is consistent with this finding.

Additional findings required for sites zoned Small Lot Planned Development (SLP).

In compliance with Subsection 35.104.090.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Rezone to the SLP zone the review authority shall first make all of the following findings:

1. That the proposed SLP development provides affordable housing opportunities, consistent with the stated purpose and intent of the SLP district; and
2. That the SLP site is located within an Urban Area, as designated in the

Comprehensive Plan, and within reasonable access to employment opportunities, public transportation, commercial centers, and schools.

The approximately 5 acre project site was initially subdivided in 2008 through the Terrace Ranch 18-lot Tract Map. In-lieu fees were paid in satisfaction of Housing Element requirements at that time. The Terrace Villas project increases the number of lots onsite from 18 to 20, a net increase of two lots, which is less than the 5 or more new lots threshold contained in the Inclusionary Housing Program. As a result, the proposed project would be exempt from additional affordable housing requirements.

The project site is located in an area that provides close access to public transportation on Clark Avenue, commercial centers and schools. As a result, the rezone is consistent with these findings.

2.3 DEVELOPMENT PLAN FINDINGS

A. Findings required for all Preliminary or Final Development Plans. In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the review authority shall first make all of the following findings:

2.3.1 The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.

The subject 5.39 gross acre parcel is bordered on the north and east by mobile homes, and to the south and west by single family residences. According to the Design Guidelines submitted for the project, future single family residences would be designed so that the apparent size of exterior wall surfaces visible from off the site would be minimized through the use of single story and small-scale elements. The building elevations would include offsets (staggered walls) or varied setbacks, projections and cantilevers, eave overhangs, roof pitches, and/or other means of horizontal and vertical articulation to create shade and shadow, and otherwise articulate building form. The maximum height proposed for a two-story home would be 25 feet from the finished grade. Future homes and structures would be sited to enhance and preserve view corridors. To ensure neighborhood compatibility, future single family residences would be required to be in conformance with the approved Design Guidelines, and would be reviewed and approved by NBAR prior to Zoning Clearance and Building Permit issuance. Therefore, the project is consistent with this finding.

2.3.2 Adverse impacts will be mitigated to the maximum extent feasible.

A Mitigated Negative Declaration (11NGD-00000-00007) was prepared for the proposed project (see Attachment C) pursuant to Section 15070 of the State Guidelines for the implementation of the California Environmental Quality Act and the County of Santa Barbara Environmental Guidelines. Mitigation measures required to reduce potentially significant impacts on Aesthetics/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Geologic Processes, Noise, Public Facilities, and Water Resources/Flooding were accepted by the applicant on February 22, 2011 and are

included in the conditions of approval (Attachment B). Therefore, the project is consistent with this finding.

2.3.3 Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

Access to the site would be from a proposed private cul-de-sac accessed from the intersection of Stillwell Road and Clark Avenue. The intersection of Clark Avenue and Stillwell Road is signalized, and able to accommodate the levels of traffic that would be generated by the proposed project. The transportation division of the Public Works Department has reviewed the proposed project and has determined that the uses proposed would not cause a hazard to motorists, bicyclists, or pedestrians, and would provide adequate access. The proposed cul-de-sac improvements would be constructed to Fire Department standards to ensure adequate safety as required by the Fire Department's condition letter. No new public roads would be required to serve the project. The proposed project would have no effect on existing neighborhood parking, as each single family residence would have a garage, and also the option for additional on-street parking. Therefore, the project is consistent with this finding.

2.3.4 There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.

Adequate public services are in place to serve the proposed project. Water services will be provided by the Golden State Water Company, and Sanitary Services will be provided by the Laguna County Sanitation District. Santa Barbara County Fire Station #23 would serve the project site. This Fire Station is located in Tiffany Park, which is less than 0.50 mile north of the project site. Adequate police protection is available to serve the site. Therefore, the project is consistent with this finding.

2.3.5 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.

The proposed project site is located in an urban area within the Orcutt Community Planning boundary. Surrounding development adjacent to the site consists of single family residences and subdivisions (Cimarron Estates, Mesa Verde, and Jensen's Crossing). Structural designs, project siting, and appropriate conditions have been incorporated into the project in order to avoid any detrimental effect to the neighborhood, and incompatibility with the surrounding areas. Therefore, the project is consistent with this finding.

2.3.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.

The project conforms to all applicable requirements of the Comprehensive Plan and the Orcutt Community Plan. The project also conforms to all requirements of the Land Use and Development Code in regards to the SLP zone district-standards. Therefore, the project is consistent with this finding.

2.3.7 Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.

The proposed project site is located in an urban area within the Orcutt Community Planning boundary. Therefore, this finding does not apply the project.

2.3.8. The project will not conflict with any easements required for public access through, or public use of a portion of the subject property.

The project does not conflict with any public easements and there currently is no public use of the subject property. Therefore, the project is consistent with this finding.

B. Additional finding required for Final Development Plans. In compliance with Subsection 35.82.080.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Final Development Plan the review authority shall first find that the plan is in substantial conformity with any previously approved Preliminary Development Plan except when the review authority considers a Final Development Plan for which there is no previously approved Preliminary Development Plan. In this case, the review authority may consider the Final Development Plan as both a Preliminary and Final Development Plan.

The project consists of a Final Development Plan, and does involve a previously approved Preliminary Development Plan; therefore, this finding is not applicable.

2.4 TENTATIVE MAP FINDINGS

A. Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall deny Terrace Villas Tract Map, Case No. 10TRM-00000-00003/TM 14,770 if any of the following Subdivision Map Act Findings cannot be made:

1. State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Future residential development on the site would be able to take advantage of solar exposure for natural heat and light and prevailing winds for natural cooling effects. There is sufficient northern, southern, eastern, and western exposure to allow for passive heating or cooling systems to be provided on the site. Therefore, the project is consistent with this finding.

2. State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.

The project is consistent with all applicable policies of the County's Comprehensive Plan. Adequate ingress/egress, infrastructure and public and private services are available to serve the proposed lots and with compliance with the project description and conditions identified in Attachment B, the subdivision would not create any significant environmental impacts. The sizes of the proposed residential lots are consistent with that of the surrounding neighborhood and any future development would be required to be compatible with neighboring land uses. Therefore, the project is consistent with this finding.

3. **State Government Code §66474. The following findings shall be cause for disapproval of a Tentative Parcel Map/Tract Map:**
- a. **The proposed map is not consistent with applicable general and specific plans as specified in §66451.**

With compliance with the project description and conditions of approval identified in Attachment B, the project is consistent with all applicable policies of the County's Comprehensive Plan, the Orcutt Community Plan, The Santa Barbara County Land Use and Development Code, and Chapter 21, the County Subdivision Ordinance.

- b. **The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

With compliance with the project description and conditions of approval identified in Attachment B, future residential improvements of the subdivision will be consistent with the County's Comprehensive Plan, and the Orcutt Community Plan.

- c. **The site is not physically suitable for the type of development proposed.**

The 5.39 gross acre project site is sufficient to accommodate the future development of 16 single family dwellings. To ensure neighborhood compatibility, future single family residences would be required to be in conformance with the approved Design Guidelines, and would be reviewed and approved by NBAR prior to Zoning Clearance and Building Permit issuance. Adequate public and private services would be available to serve the project. As such, the site can be found physically suitable for the proposed subdivision.

- d. **The site is not physically suited for the proposed density of development.**

Approval of the General Plan Amendment changes the land use designation of the site from Res-8.0 to Res-4.6. Under Res-8.0, the maximum density is 40 units. Under the new land use designation of Res-4.6, the maximum density is 23 units. The project includes the development of 16 single family residential lots which is less than the maximum density. As a result, the site is physically suitable for the proposed density of development.

- e. **The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

As indicated in the Final Mitigated Negative Declaration (Attachment C), potentially significant environmental impacts would be mitigated to a less than significant level. The site does not contain any sensitive biological habitats or wildlife and with compliance with the project description and conditions of approval outlined in Attachment B, the subdivision would not cause significant environmental damage nor have the potential to injure fish or wildlife.

f. The design of the subdivision or type of improvements is likely to cause serious public health problems.

There are no identified or likely public health problems or hazards associated with the project. Adequate water, utilities, and access are available to serve the proposed parcels. The project is not located within an area of historic flood hazards and has been reviewed by the County Fire Department and the County's Flood Control District, Environmental Health Services, and Air Pollution Control District.

g. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The project does not conflict with any public easements and there currently is no public use of the subject property.

4. State Government Code §66474.4. The legislative body of a county shall deny approval of a tentative map or parcel map if it finds that the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land.

The project site is located in an urban area, and is not under agricultural preserve contract. There are no agricultural uses on the site.

5. State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.

The project site will continue to be served by the Laguna County Sanitation District (LCSD). The LCSD has indicated that they "Can and Will Serve" the subdivision.

B. Chapter 21, County Subdivision Regulations

A. The following findings shall be cause for disapproval of a Tentative Parcel Map or lot split map, but the Tentative Parcel Map or lot split map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant.

1. **Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening; however the Director of Public Works may approve such easements or rights-of-way without such subordinations.**

The project does not conflict with any public easements and there currently is no public use of the subject property. Therefore the Planning Commission finds the project consistent with this regulation.

2. **Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street.**

Access to the project site will continue to be from Stillwell Road via Clark Avenue. The intersection of Clark Avenue and Stillwell Road is signalized, and is adequate to serve the subdivision. Public Works Transportation has determined that the existing access is suitable for the project. No lots resulting from the tentative map will become landlocked. Therefore, the Planning Commission finds that the project has adequate width or improvement of access roads and will not result in a landlocked lot.

3. **Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view.**

Any future development including access roads will occur on areas of the parcel which contain slopes of less than 20 percent. Utilities will be installed underground. Therefore, the Planning Commission finds that the project will not create unsafe or unattractive grading cuts or fills.

4. **Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors.**

Grading for tract development, including roads and pads for homes is estimated at approximately 35,001 cu. yd. cut, and approximately 21,984 cu. yd. fill with 13,017 cu. yd. export that will be balanced onsite due to shrinkage and expansion. No grading has occurred nor is any required for any street or buildable area prior to recordation of the map. Therefore, the Planning Commission finds no grading or construction has been performed during the process of this application.

5. **Potential creation of hazard to life or property from floods, fire, or other catastrophe.**

The project site is not located within a flood plain or flood way, and any future development will be located within areas of the parcel that contains slopes of less than 20%. Additionally, the County Flood Control and Fire Departments have reviewed the project and have submitted conditions included in Attachment B. Therefore, the Planning Commission finds there is no potential creation of hazard to life or property from floods, fire, or other catastrophe.

6. Nonconformance with any adopted general plan of the County or with any alignment of a state highway officially approved or adopted by the Department of Transportation.

Compliance with the project description and required conditions of approval will ensure that the design and improvements of the subdivision and future development are consistent with the County's Comprehensive Plan, Orcutt Community Plan, and the Land Use Development Code. Therefore, the Planning Commission finds that the project is in conformance with the adopted general plan of the County and does not conflict with any State highway.

7. Creation of a lot or lots which have a ratio depth to width in excess of 3 to 1.

The project will not result in lots that have a ratio depth to width in excess of 3 to 1. Therefore, the Planning Commission finds the project in conformance with this finding.

8. Subdivision designs with lots backing up to watercourses.

The subdivision will not back up to a watercourse. Therefore, the Planning Commission finds that the future build-out of these new lots will not result in significant adverse impacts to the watercourse, nor will the flow of the watercourse have significant impacts upon future residents.

2.5 ROAD NAMING FINDINGS

Findings for All Road Namings (LUDC 35.76.050.D.2)

The Road Name Selection states that the objective of regulated road naming is to ensure that proposed road names are pleasant sounding; easy to read (so that the public, and children in particular, can readily pronounce the name in an emergency); and add to the pride of home and community. In order to meet that objective, the following criteria were adopted and must be met in order to approve the naming of a road.

2.5.1 A road name shall not be duplicated within the area served by the same post office, or fire or police department. No name should duplicate another road name used elsewhere in the County. Similar sounding names are considered duplicates regardless of spelling.

The proposed road name "Tuscan Way" has been reviewed and cleared for use by the Santa Barbara County Fire Department, Sheriff's Dispatch, and the Office of the County Surveyor. Therefore, the proposed road name is consistent with this criterion.

2.5.2 A road shall not be named after a living person, except that a road may be named with a family surname prominent in County history, even if a family member still resides in the area.

The road name "Tuscan Way" does not reference a surname.

2.5.3 A road name shall have less than 24 letters, including punctuation, spacing, and road classification (e.g., lane, street; way).

The road name "Tuscan Way" contains 10 letters, including spacing and the road classification.

2.5.4 A road name shall be easy to pronounce and spell.

The road name "Tuscan Way" is easy to pronounce and spell.

2.5.5 A road name shall be grammatically correct whether in English or a foreign language.

The road name "Tuscan Way" is grammatically correct.

2.5.6 A road name shall include the appropriate road classification (e.g., lane, street, way).

The road name "Tuscan Way" includes the road classification.

ATTACHMENT B: CONDITIONS OF APPROVAL

Terrace Villas Project

Case Nos. 10TRM-00000-00003/TM 14,770, 10DVP-00000-00011, 10RDN-00000-00007

Associated Case Nos. 09GPA-00000-00005, 10RZN-00000-00003

May 11, 2011

I. PROJECT DESCRIPTION

1. This Tentative Tract Map, Final Development Plan, and Road Naming is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibit 1, dated (Approval dated by Board of Supervisors) and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations.

The project description is as follows:

Hearing on the request of Frances Romero of Urban Planning Concepts, LLC, agent for Western Sky Development, owner, for approval of: 1) a General Plan Amendment (09GPA-00000-00005); 2) a Rezone (10RZN-00000-00003); 3) a Tract Map (10TRM-00000-00003); 4) a Development Plan (10DVP-00000-00011); and 5) a Road Naming (10RDN-00000-00007) under the provisions of Chapter 21 and the Santa Barbara County Land Use & Development Code (LUDC). Approval of the proposed project would result in the reconfiguration of 5.39 acres comprised of 18 parcels (17 residential and 1 open space previously approved under TM 14,330 prior to adoption of the Orcutt Community Plan) to 20 parcels (16 residential, 3 open space, and 1 common lot/road) ranging in size from 7,555 sq. ft. to 11,080 sq. ft. Additional details pertaining to each component of the proposed project is as follows:

General Plan Amendment (09GPA-00000-00005): An amendment to the Orcutt Community Plan Land Use Designations Map changing the land use designation on the 5.39 gross acre project site to Residential 4.6 (4.6 du/acre) from Residential 8.0 (8 du/acre), in order to facilitate the rezone from Design Residential, 3.3 units/acre (DR-3.3) to Small Lot Planned Development (SLP).

Rezone (10RZN-00000-00003): An LUDC rezone to SLP (Small Lot Planned Development) from the existing DR-3.3 (Design Residential, 3.3 units/acre) zone designation in order to accommodate the proposed number of uniformly-sized lots while still providing open space protection of slopes onsite.

Tract Map (10TRM-00000-00003/TM 14,770): A Tentative Tract Map creating 20 legal lots from the existing 18 lot Terrace Ranch Subdivision (currently undeveloped but previously recorded under TM 14,330). The newly created lots would consist of 16 custom single family lots ranging in size from 7,555 sq. ft. to 11,080 sq. ft., an open space/detention basin of approximately 21,727 sq. ft., common lot (road) of approximately 39,999 sq. ft., and additional open space areas of 17,428 sq. ft. Water services would be provided by the Golden State Water Company (pre-1997 individual meters). Sanitary

services would be provided by the Laguna County Sanitation District. Access to the site would be from a proposed private cul-de-sac accessed via Stillwell Road.

Final Development Plan (10DVP-00000-00011): Approval of a Final Development Plan in compliance with Section 35.82.080 of the County Land Use and Development Code for the development of 16 single family custom homes (in conformance with approved design guidelines), tract grading, installation of tract roads, public services and utilities, common open space, and landscaping. Guidelines for the build-out of individual lots would be provided to address site design, grading, floor area, building form, height, accessory structures, materials and finishes, lighting, landscaping, irrigation, walls and fences, and fire prevention.

Grading for tract development, including roads and pads for homes is estimated at approximately 35,001 cu. yd. cut, and approximately 21,984 cu. yd. fill with 13,017 cu. yd. export that will be balanced onsite due to shrinkage and expansion. The detention basin area would include a tot lot for 2-5 year old children with adjacent benches, a barbeque pit with two picnic tables and additional seating areas. The project site would be designed with ten foot steps on the southern and northern lots, including retaining walls with a maximum height of 4 feet. Lots 8-12 at the terminus of the cul-de-sac would be flat.

Road Naming (10RDN-00000-00007): Approval to name the proposed access road "Tuscan Way" under the provisions of LUDC Section 35.76.050. "Tuscan Way" has been reviewed and cleared for use by the Santa Barbara County Fire Department, Sheriff's Dispatch, and the Office of the County Surveyor.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. MITIGATION MEASURES from NEGATIVE DECLARATION

11NGD-00000-00007

3. **Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to zoning clearance issuance. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

4. **Aest-10 Lighting.** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **PLAN REQUIREMENTS:** The Owner/Applicant shall develop a Lighting Plan for BAR approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. **TIMING:** Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff and BAR shall review a Lighting Plan for compliance with this measure prior to Final Building Inspection Clearance to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

5. **Air-01 Dust Control.** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
- a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
 - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
 - d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
 - e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
 - f. Order increased watering as necessary to prevent transport of dust off-site.
 - g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
 - h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:
 - i. Seed and water to re-vegetate graded areas; and/or
 - ii. Spread soil binders; and/or
 - iii. Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans. **PRE-CONSTRUCTION REQUIREMENTS:** The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to the start of grading activities. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

6. **Bio-02 Tree Replacement.** The Owner/Applicant shall submit for P&D approval a Native Tree Replacement Plan prepared by a P&D-approved arborist/biologist and designed to be incorporated into the tract landscaping and including the following components:
1. The replacement trees shall be as follows:
 - a. Twenty 1 gallon size Coast Live Oak (*Quercus agrifolia*) trees obtained from locally occurring saplings or seed stock. Show replanting locations on plans.
 - b. Ten P&D approved 1 gallon size native trees of the applicants choice. Show replanting locations on plans.
 2. The trees shall be gopher fenced.
 3. If replacement trees cannot all be accommodated on site, the Owner/Applicant shall submit a plan for P&D approval for replacement trees to be planted off site.
 4. All new trees shall be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and gopher fencing during the maintenance period.

PLAN REQUIREMENTS: Replanting locations shall be shown on landscaping and irrigation plans. **TIMING:** Plans shall be submitted prior to map recordation. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance and maintained throughout the maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

7. **Tree Removal Surveys for Nesting Birds.** If tree removals occur during the bird breeding and nesting season (February 1 to August 15), the applicant shall hire a Planning & Development qualified biologist to conduct a pre-removal survey of all trees to ensure that there are no impacts to nesting birds. **Plan Requirements and Timing:** This survey shall be undertaken 10 days prior to proposed removal, to determine whether raptors or other special status species are nesting on site. A brief letter shall be prepared by the biologist and reviewed and approved by Planning & Development before project activities are initiated. If raptors or other special status species are found to be nesting, applicant shall avoid work in the area by providing a buffer from active nests as determined by the qualified biologist.

MONITORING: P&D shall be given the name and contact information for the qualified biologist prior to initiation of the survey. Biologist shall contact P&D-at the conclusion of the field survey to inform P&D in writing of the results of the surveys. If no sensitive species are found, P&D will allow tree removal activities to commence. All required mitigation shall be

implemented prior to the start of proposed grading activities. Grading Inspectors shall inspect as needed.

8. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans.

MONITORING: P&D permit processing planner shall check plans prior to Issuance of Zoning Clearance or Land Use Permit, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

9. **Geo-02 Erosion and Sediment Control Plan.** Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures, or permanent landscaping. The Owner/Applicant shall submit an Erosion and Sediment Control Plan (ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The Erosion and Sediment control plan shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (www.countysb.org/government/county_ordinance_code_Chapter_14_14-9_and_14-29 – refer to Erosion and Sediment Control Plan Requirements.) **PLAN REQUIREMENTS:** The grading and erosion and sediment control plan(s) shall be submitted for review and approved by P&D prior to zoning clearance issuance. The plan shall be designed to address erosion and sediment control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING:** The plan shall be implemented prior to the commencement of and throughout grading/construction.

MONITORING: P&D Grading Inspector shall perform site inspections throughout the construction phase.

10. **Noise-02 Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting (depending on compressor noise levels) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at construction site entries. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that the required sign is posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

11. **SolidW-01 Solid Waste-SRSWMP.** The Owner/Applicant/Permittee shall develop and implement a Source Reduction and Solid Waste Management Plan (SRSWMP) describing proposals to reduce the amount of waste generated during construction and throughout the life of the project and enumerating the estimated reduction in solid waste disposed at each phase of project development and operation.

PLAN REQUIREMENTS: The plan shall include but not limited to:

1. Construction Source Reduction:
 - a. A description of how fill will be used on the construction site, instead of landfilling,
 - b. A program to purchase materials that have recycled content for project construction.
2. Construction Solid Waste Reduction:
 - a. Recycling and composting programs including separating excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). Provide separate onsite bins as needed for recycling.

TIMING: The Owner/Applicant shall (1) submit a SRSWMP to P&D permit processing staff for review and approval prior to issuance of zoning clearance.

MONITORING: During operation, the Owner/Applicant/Permittee shall demonstrate to P&D compliance staff as required that solid waste management components are established and implemented.

12. **WatConv-01 Sediment and Contamination Containment.** The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:
1. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
 2. Apply concrete, asphalt, and seal coat only during dry weather.
 3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
 4. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans. **TIMING:** Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.

MONITORING: The Owner/Applicant shall demonstrate compliance with these measures to P&D Grading Inspector as requested during construction.

13. **WatConv-03 Erosion and Sediment Control Revegetation.** The Owner/Applicant shall re-vegetate graded areas within 30 days upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeded of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS:** Include this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas within 30 days upon completion of grading activities.

MONITORING: The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

14. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site daily. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all land use, grading, and building permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

15. **WatConv-07 SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.

TIMING: Prior to issuance of Zoning Clearance permit the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to issuance of Zoning Clearance permit. P&D Grading Inspector shall site inspect during construction for compliance with the SWPPP.

16. **NPDES-10 Storm Drain Labels.** The Owner/Applicant shall label all on-site storm drain inlets, new or existing, to advise the public that the storm drain discharges to the ocean and that dumping waste is prohibited (e.g., "Don't Dump - Drains to Ocean"). Label shall be in both

English and Spanish. **PLAN REQUIREMENTS:** Show location of storm drain inlets and proposed storm water labels on site, building and grading plans prior to issuance of Zoning Clearance and grading permits. Label design shall be equivalent or similar to that used by Public Works Department - Project Clean Water. Alternate label designs shall be shown on the plans and submitted to P&D for approval prior to issuance of Zoning Clearance and grading permits. **TIMING:** Labels shall be affixed to storm drain inlets prior to Final Building Inspection Clearance.

MONITORING: P&D building staff shall site inspect prior to Final Building Inspection Clearance.

17. **NPDES-12 Storm Water Retention-Biofiltration System.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces, the Owner/Applicant shall construct a permanent biofiltration system to treat storm water runoff from the site. Biofiltration includes vegetated swales, channels, buffer strips, retention, rain gardens, and shall be designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method. The biofiltration system shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the filtration properties and the plants selected are adequate to reduce concentrations of the target pollutants. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofiltration system. Invasive plants shall not be used. Biofilters shall not replace existing riparian vegetation or native vegetation unless otherwise approved by P&D. This requirement shall be included in the CC&R's. **PLAN REQUIREMENTS:** The Owner/Applicant shall include the biofiltration system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and depict it graphically. **TIMING:** The Owner/Applicant shall submit a maintenance plan for the biofiltration system to P&D permit processing planner for review and approval prior to issuance of Zoning Clearance.

MONITORING: P&D compliance monitoring staff shall site inspect for installation and periodically inspect for maintenance throughout the performance period as specified in condition #44. The owner is responsible for annual maintenance inspections of the biofiltration system. The owner shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspections at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

18. **NPDES-16 Storm Water Retention-Roof Runoff Collection.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall install a roof runoff collection and disposal system to infiltrate storm water runoff. Runoff shall be directed to either a subsurface infiltration trench, french drains, planter-boxes, landscaped areas or connected to the site's irrigation system. An overflow or high flow bypass system will be provided. **PLAN REQUIREMENTS:** The Owner/Applicant shall include the roof runoff collection and disposal system design, including any plant palettes and the sources of plant

material, on the grading and drainage and landscape plans, and any special roof design elements on building and roofing detail plans, depicted graphically.

MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance.

19. **NPDES-17 Storm Water Retention-Residential Project.** The Owner/Applicant shall specify the following in the CC&R's and shall separately record a buyer notification that reads as follows: "IMPORTANT: BUYER NOTIFICATION: Long-term maintenance and proof of inspections of the biofiltration system shall be the responsibility of the owner. Biofiltration system maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance." **TIMING:** The Owner/Applicant shall complete the required recordation prior to final map clearance.

III. PROJECT SPECIFIC CONDITIONS

20. **Special Condition – Avigation Easement.** Prior to map recordation, an Avigation Easement shall be granted, in a form acceptable to the Santa Maria Public Airport District, over the entire project site. The Department of Real Estate report and project CC&R's shall contain a notice that "airplanes regularly overfly the site in landing approaches to the Santa Maria Public Airport".
21. **Special Condition – Road Name Signage.** The property owners shall be responsible for installing and maintaining the new road name sign in compliance with County LUDC Subsection 35.76.060.C.

IV. CONDITIONS UNIQUE TO TENTATIVE MAPS

22. **Map-01 Maps-Info.** Prior to recordation of the tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Final Map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
23. **Map-01a Maps-Future Lots.** Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.
24. **Map-01b Maps-Not Retroactive.** If Zoning Clearances are obtained prior to recordation, Tentative Map conditions will not apply retroactively to the previously issued permit.
25. **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the Final Map, the Owner/Applicant shall submit a Final Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the

project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.

26. **Map-06 Title to Common Space.** Title to the common open space and recreational facilities shall be held by a non-profit association of all homeowners within the project areas or other non-profit entity on such reasonable terms and conditions as the Board of Supervisors may prescribe. The reasonable terms and conditions may include restricting the rights to develop the property to the uses described in the approved project. If the common open space is conveyed to a group other than the homeowners association, the rights to develop such property with uses other than those described in the approved project shall be conveyed to the County of Santa Barbara.
27. **Map-07 CCR Maintenance.** The Applicant shall record Codes Covenants and Restrictions (CC&Rs) which provide for shared maintenance responsibilities by all owners for the:
1. Detention basin and appurtenant landscaping, fencing and access;
 2. Common area landscaping / irrigation;
 3. Plantings / irrigation required for open space and oak tree replacements
 4. Storm Water Quality Management Plan components.

The CC&Rs shall also include responsibilities for all owners to maintain the property in compliance with all conditions of approval of the project:

1. Drought tolerant landscape;
2. Recycling requirements;
3. Any Air Quality Green House Gas requirements.

The CC&R language is subject to approvals from P&D and County Counsel. In addition, the Owner/Applicant shall record a buyer notification that reads as follows: "IMPORTANT: BUYER NOTIFICATION: The Home Owners Association shall obtain County approval for amendments to any CC&R provision related to project requirements. All owners shall maintain property in compliance with all conditions of approval for the project."

28. **Map-08 Water and Sewer Connections.** If, prior to the Board action to approve the recording of the Final Map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the County or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the County Surveyor an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted, or letters from the County Health Department and P&D Building & Safety stating that the lots in the subdivision will be served by an approved potable source of water and an approved private sewage disposal system.
29. **Map-10 Public Utility Easements.** Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall identify the utility, water and sewer district serving the property, and state that the easements shown thereon are acceptable.
30. **Map-11 Electrical Utilities.** Electrical utilities shall be installed underground.

V. CONDITIONS UNIQUE TO DEVELOPMENT PLANS

31. **Rules-14 Final DVP Expiration.** Final Development Plans shall expire five years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.
32. **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibit #1, dated _____ (Date approved by Board of Supervisors).

VI. COUNTY RULES AND REGULATIONS

33. **Rules-01 Effective Date-Not Appealable to CCC.** This General Plan Amendment, Rezone, Development Plan, Tentative Map, and Road Naming shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit [LUDC §35.82.020].
34. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
35. **Rules-04 Additional Approvals Required.** Approval of this Tentative Map, Development Plan, and Road Naming is subject to the Board of Supervisors approving the required Rezone and Comprehensive Plan Amendment.
36. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
37. **Rules-06 Recorded Map Required.** Tentative Map 14,770 shall be recorded prior to issuance of any permits for development, including grading.
38. **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibit #1, dated _____ (Approval date by Board of Supervisors).
39. **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

40. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with the County Land Use and Development Code.
41. **Rules-19 Maps/LLA Revisions.** If the unrecorded Tentative Map is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Tentative Map.
42. **Rules-23 Processing Fees Required.** Prior to recordation, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
43. **Rules-25 Signed Agreement to Comply.** Prior to recordation, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. This form may be obtained from the P&D office. Owners of lots resulting from this land division shall record such agreements prior to zoning clearance issuance for future development.
44. **Rules-26 Performance Security Required.** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation including the storm water retention biofiltration system per condition #17. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation components, P&D may use the security to complete the work.
45. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
 1. Air Pollution Control District dated August 25, 2010;
 2. Environmental Health Services Division dated April 15, 2011
 3. Fire Department dated August 26, 2010
 4. Flood control Water Agency dated August 19, 2010;
 5. Parks Department dated April 18, 2011;
 6. Transportation Division dated April 21, 2011
 7. Public Works Project Clean Water dated August 24, 2010
46. **Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

47. **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
1. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 2. Pay fees prior to zoning clearance issuance as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
 3. Note the following on each page of grading and building plans “This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from Negative Declaration 11NGD-00000-00007.
 4. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.
48. **Rules-32 Contractor and Subcontractor Notification.** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
49. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
50. **Rules-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.

51. **Rules-36 Map/LLA Expiration.** This Tentative Map shall expire five years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.

52. **Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.



Santa Barbara County
Air Pollution Control District

August 25, 2010

Dana Carmichael
Santa Barbara County
Planning and Development
624 W. Foster Road, Suite C
Santa Maria, CA 93454

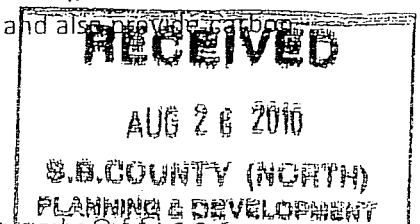
Re: **APCD comments on Terrace Ranch Development Plan**
10RZN-00000-00003, 10DVP-00000-00011, 10TRM-00000-00003, TM 14,770

Dear Ms. Carmichael:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of a general plan amendment and rezone of the property, and a tentative tract map to create 16 residential lots and four open space and common lots for retention basins, roads, and recreation. Grading for the project consists of 35,001 cubic yards of cut and 21,984 cubic yards of fill. The subject 5.1-acre property, zoned DR-3.3 and consisting of Assessor Parcels 129-300-001 through -020, is located on Stillwell Road in the unincorporated community of Orcutt.

Air Pollution Control District staff offers the following suggested conditions:

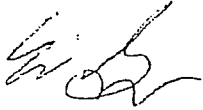
1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
3. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
4. At a minimum, prior to occupancy each building should reduce emissions of greenhouse gases by:
 - Increasing energy efficiency beyond Title 24 requirements;
 - Encouraging the use of transit, bicycling and walking by the occupants;
 - Increasing recycling goals (e.g., separate waste and recycling receptacles); and
 - Increasing landscaping (shade trees decrease energy requirements and also provide carbon storage.)



5. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,



Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Frances Romero
Project File
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: Dana Carmichael, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: April 15, 2011

SUBJECT: Case No. 10TRM-00000-00003/TM 14,770, 10DVP-00000-00011 Orcutt Area

Applicant: Western Sky Development
2255 S. Broadway, Suite 9
Santa Maria, CA. 93454

Assessor's Parcel No. 129-300-001 through 020, zoned DR-3.3,
located at 5320 Stillwell Road.

10TrM-00000-00003/TM 14,770, 10DVP-00000-00011 represents a request to reconfigure a previously approved but never developed residential subdivision. The original subdivision was approved in 1994 and included 17 residential lots and open space lot. The current proposal is to reconfigure the subdivision to include sixteen residential lots three open space lots and one common lot.

Domestic water supply is proposed to be provided by the Golden State Water Company. Since this is a new project the previous water and sewer entitlements will need to be reviewed by the service providers and the applicant will need to obtain a new guarantee of service in the form of a "can and will serve" letter.

Sewage disposal is proposed to be provided by the Laguna County Sanitation District. As noted above the applicant will need to obtain a new "can and will serve" letter.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Recordation, Environmental Health Services shall approve written notice from the Golden State Water Company indicating that said company can and will provide domestic water service upon demand and without exception.
2. Prior to Recordation, Environmental Health Services shall approve written notice from the Laguna County Sanitation District indicating that said sanitary district can and will provided municipal sewage collection and disposal upon demand and without exception.

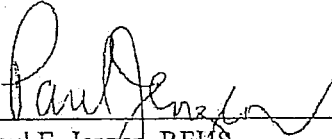
Planning and Development Department

Case Numbers 10TRM-00000-00003/TM 14,770, 10DVP-00000-00011

April 15, 2011

Page 2 of 2

3. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.



Paul E. Jenzer, REHS
Senior Environmental/Health Specialist


cc: Applicant
Agent, Francis Romero, Urban Planning Concepts
Golden State Water Company
Martin Wilder, Laguna County Sanitation District
Michael Emmons, Office of the County Surveyor
Mark Matson, Planning & Development Building Div., Santa Maria

LU-5070

Memorandum

DATE: August 26, 2010

TO: Dana Carmichael
Planning and Development
Santa Maria

FROM: Glenn Fidler, Captain 
Fire Department

SUBJECT: APN: 129-280-001 through -020
Permit #: 10TRM-00003, TM 14,770, 10RZN-00003, 10DVP-00011
Site: 5320 Stillwell Road, Santa Maria
Project Description: Rezone, Development Plan, Tract Map



The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. Fire Protection Certificates will be required.
2. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected.

PRIOR TO MAP RECORDATION THE FOLLOWING CONDITIONS MUST BE MET

3. A bond shall be on file with the fire department for the construction of required access ways. Roadway plans, acceptable to the fire department, shall be submitted for approval prior to bond submittal.
4. A bond shall be on file with the fire department for the installation of new fire hydrants. Fire hydrant plans, acceptable to the fire department, shall be submitted for approval prior to bond submittal.
5. A road name will be required.
6. A road maintenance agreement shall be required.

10/26/10
10/26/10
10/26/10
COUNTY OF SANTA BARBARA

**PRIOR TO CONSTRUCTION OF STRUCTURES
THE FOLLOWING CONDITIONS MUST BE MET**

7. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
8. Proposed road shall be installed and made serviceable.
 - Proposed road shall have a minimum width of 36 feet.
 - Proposed road shall include curb and gutters.
9. New fire hydrants shall be installed and made serviceable. Fire hydrants shall be located per fire department specifications and shall flow 750 gallons per minute at a 20 psi residual pressure. Plans shall be approved by the fire department prior to installation.
10. Installation of road name signs.

**PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET**

11. Santa Barbara County Fire Department sprinkler requirements shall be met.
12. Recorded addresses are required.
13. Building address numbers shall be posted as required by fire department.
14. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

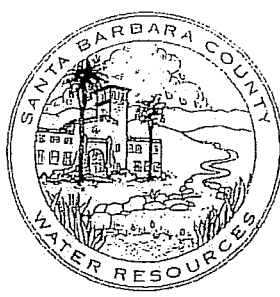
Fees will be calculated as follows:

 - Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please telephone 805-681-5523 or 805-681-5500.

DP:mkb



Santa Barbara County Public Works Department
Flood Control & Water Agency

August 19, 2010

Dana Carmichael, Planner
County of Santa Barbara
Planning & Development Department
624 W. Foster Road
Santa Maria, CA 93455

**Re: 10DVP-00000-00011; 10TRM-00000-00003; 10RZN-00000-00003;
Terrace Ranch Rezone, Development Plan and Tract Map
APN: 139-300-001 to -020; Santa Maria**

Dear Ms. Carmichael:

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General

- a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated February 2010 (<http://www.countyofsb.org/uploadedFiles/pwd/Water/StdConditionsFeb2010.pdf>).
- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.

2. Prior to Final Map Recordation/Zoning Clearance

- a. The applicant shall submit all improvement plans, grading and drainage plans, drainage studies, landscape plans and Final Map to the District for review and approval.
- b. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
- c. Detention basins are required and shall be designed to hold a volume not less than 0.07 ac-ft/ac for residential developments; and to discharge water at a maximum rate of 0.07 cfs/ac for the 25-year storm event.
- d. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies.

- e. The applicant shall dedicate real property for drainage within the subdivision, and easements on the Final Map or by a separate instrument.
- f. The applicant shall acquire and supply proof of drainage easements for any off-site drainage conveyances.
- g. The applicant shall sign and return the Maintenance Agreement (Subdivider's or Owner's Agreement).
- h. The applicant shall submit a copy of the project's Conditions, Covenants & Restrictions for the Homeowners' Association to the District for review and approval.
- i. The applicant shall post surety bonds for drainage improvements in amounts approved by the Public Works Director.
- j. The applicant shall submit to the District electronic drawings in PDF format of the approved improvement plans, grading and drainage plans, drainage studies, landscape plans and Final Map on a compact disc along with one hard copy of each.

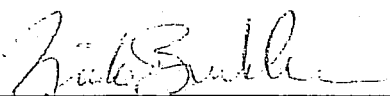
3. Prior to Occupancy Clearance

- a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval).
- b. The applicant shall submit a Project Summary Report in PDF format to the District.

Sincerely,

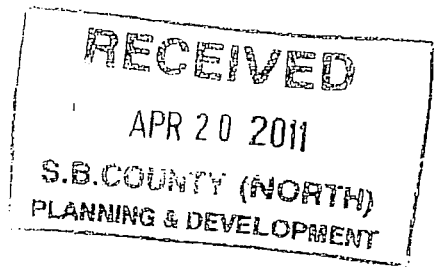
SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: _____



Nick Bruckbauer
Development Review Engineer

Cc: Western Sky Development, 2255 South Broadway, Suite 9, Santa Maria, CA 93454
Urban Planning Concepts, 2624 Airpark Drive, Santa Maria, CA 93455
Bethel Engineering, 2624 Airpark Drive, Santa Maria, CA 93455
LGA Architects, 330 James Way, Suite 260, Pismo Beach, CA 93420



April 18, 2011

TO: Dana Carmichael, Planner
 Planning & Development

FROM: Claude Garciacelay, Park Planner *[Signature]*

RE: 10TRM-003 / TM14,770 Terrace Ranch
 APN 129-300-001 thru -020

County Parks recommends the following condition(s) to the approval of the above referenced project:

1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot or dwelling unit. The purpose of the fee is to provide park and recreational facilities within the recreational demand area. A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun

Based on the current fee schedule, the total fee for the proposed project would be **\$63,824.00** (\$3989 x 16 new lot(s)/dwelling unit(s)). Fees are due prior to land use clearance. The actual fee shall be based on the fee schedule in effect when payment is made and, fee schedules are subject to adjustment on an annual basis. Please phone this office prior to payment to verify the final fee required. This office will not accept or process a payment prior to project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, Rocky Nook Park, 610 Mission Canyon Road, Santa Barbara, CA 93105; or in the North County at Waller Park, 300 Goodwin Road, Santa Maria, CA 93455.

C: Owner: Eric Dias, Western Sky Development
 2255 S. Broadway, Suite 9, Santa Maria CA 93454
 Agent: Frances Romero, Urban Planning Concepts
 2624 Airpark Dr., Santa Maria CA 93455

Thomas Fayram
 Interim Director of Parks
 (805) 568-2461

Brian Roncy
 Deputy Director
 (805) 934-6145

Nicole Koon
 Fiscal Officer, Business Manager
 (805) 568-2477

Juan Beltranena, AIA, AICP
 Capital Projects Manager
 (805) 568-2470

Park Administration
 610 Mission Canyon Road
 Santa Barbara, CA 93105
 Tel: (805) 568-2461
 Fax: (805) 568-2459

**North County
 Park Operations**
 300 Goodwin Road
 Santa Maria, CA 93455
 Tel: (805) 934-6123
 Fax: (805) 934-6213

**South County
 Park Operations**
 4568 Calle Real, Building E
 Santa Barbara, CA 93110
 Tel: (805) 681-5650
 Fax: (805) 681-5657

**Cachuma Lake
 Recreation Area**
 2225 Hwy 154
 Santa Barbara, CA 93105
 Tel: (805) 686-5055
 Fax: (805) 686-5075

Reservations
 South County: (805) 568-2465
 North County: (805) 934-6211
 Cachuma: (805) 686-5050
 Jalama: (805) 934-6211

www.countyofsb.org/parks
 sbparks@co.santa-barbara.ca.us

Equal Opportunity Employer

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



April 21, 2011

TO: Dana Carmichael, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval (11 pages)**
Terrace Villas Tract Map
10TRM-00000-00003, TM 14,770
APN: 129-300-001 to -020 / Orcutt

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Orcutt Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is \$64,352 (16 new lots x \$3,367/lot + (16 EDU's x (\$351 landscape median fee + \$304 bikeway fee))). Fees are due prior to zoning clearance and shall be based on the fee schedule in effect when paid. This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Frontage Improvements

- 2. Prior to building permit issuance, the applicant shall engineer and post a security for the construction of standard roadway improvements along the entire project frontage. The improvements shall be designed and bonded to the satisfaction of the County Traffic Engineer and County Counsel to include an ADA compliant walkway, any curb and gutter necessary to convey drainage in a non-erosive manner and all asphalt pavement necessary to meet the intent of the improvement plans. The improvements shall transition into existing improvements in a manner acceptable to all applicable agencies. Construction of these improvements shall be completed prior to occupancy of any future, permitted development associated with the above referenced parcel, unless other arrangements have been approved in writing by the County Traffic Engineer or his/her designee.

Sight Distance

- 3. Prior to zoning clearance, the developer shall design, and prior to occupancy, the developer shall provide intersection sight distance in a manner acceptable to the Department of Public Works Traffic Section.

When the criteria for sight distances cannot be met, the County may prohibit vehicle turning movements, require speed change lanes or require additional speed change lane lengths.

Driveways/Drive Aisles

- 4. Prior to zoning clearance, the developer shall design, and prior to occupancy the developer shall construct, all site ingress and egress points in a manner acceptable to the Department of Public Works Traffic Section and Caltrans. All driveway accesses shall be improved to include all necessary pavement or cross gutters to match adjacent improvements as required by the Department of Public Works Traffic/Permit Sections.

Encroachment/Excavation/Haul Permit

- 7. An Excavation or Encroachment Permit shall be required for any work performed in the County right of way, including road construction, driveways, utilities, connections and hauling more than 1000 cubic yards of earthwork.

The developer shall comply will all applicable Public Works and Caltrans Standard Conditions of Approval and Engineering Design Standards, as determined by the Public Works Traffic/Permit Sections prior to issuance of an Encroachment Permit.

Encroachment Permits and/or Santa Barbara Engineering Design Standards and Pubic Works Standard Conditions of Approval can be obtained at the following locations:

North County Permits Section
 620 West Foster Road
 Santa Maria, CA 93455
 805-739-8788

South County Permits Section
 4417 Cathedral Oaks Road
 Santa Barbara, CA 93110
 805-681-4967

Street Sections/Pavement Traffic Index

6. Prior to zoning clearance or tract/parcel map approval, the developer shall design, and prior to occupancy, the developer shall construct pavement for all roadwork based on the appropriate road detail provided in the Santa Barbara County Engineering Design or Caltrans Standards. All designs and/or modifications shall be reviewed and approved by the Department of Public Works Traffic Section.

Encroachment/Excavation/Haul Permit

7. An Excavation or Encroachment Permit shall be required for any work performed in the County right of way, including road construction, driveways, utilities, connections and hauling more than 1000 cubic yards of earthwork.

The developer shall comply with all applicable Public Works and Caltrans Standard Conditions of Approval and Engineering Design Standards, as determined by the Public Works Traffic/Permit Sections and Caltrans, prior to issuance of an Encroachment Permit.

Encroachment Permits and/or Santa Barbara Engineering Design Standards and Public Works Standard Conditions of Approval can be obtained at the following locations:

North County Permits Section
620 West Foster Road
Santa Maria, CA 93455
805-739-8788

South County Permits Section
4417 Cathedral Oaks Road
Santa Barbara, CA 93110
805-681-4967

Standard Conditions of Approval

8. Prior to recordation of the final map, the developer shall comply with all applicable Public Works Standard Conditions of Approval (attached) and Engineering Design Standards, as determined by the Public Works Traffic/Permit Sections.

Traffic Controls

9. Prior to zoning clearance, traffic circulation and control on adjacent streets shall be designed as required by the Department of Public Works Traffic Section. This shall include, but is not limited to, curb openings, turn lanes and control signs for regulation, warning, and guidance of traffic.
10. Prior to zoning clearance, traffic circulation and control onsite shall meet the approval of the Department of Public Works Traffic Section.
11. Prior to occupancy, all signs shall be installed, and prior to final clearance, the County may require the developer to add traffic safety devices, such as signing and striping, the need for which are not apparent at time of plan approval but which are warranted due to actual field conditions. The developer shall install the traffic safety devices prior to final clearance.

Off-site Road Improvements

12. Where off-site road improvements or a dedication of right of way for off-site improvements is required for which a need cannot be attributed to the project, the County shall deduct the value of construction or dedication from the payment that would otherwise be collected for Traffic Mitigation Fee's.

Improvements and dedication that are necessary to mitigate the specific impacts of a project on area roads are considered on-site and are not to be deducted from the Traffic Mitigation Fee's. If the value of the off-site road improvements or dedication exceeds the payment required, the County may:

1. Reimburse the applicant the difference between the amount of the payment and the value of the additional improvements and dedication, or
2. Enter into an agreement with the applicant to establish a credit for the additional improvements and dedications.

Street Lights

13. As authorized by the Board of Supervisors Resolution No. 81-229, before the approval of any Final Subdivision Map, or Precise Plan in planned developments or of any Conditional Use Permit, Conditional Exception or Variance involving land development, the Developer or owner must provide a Road Lighting Plan to the Department of Public Works for approval

The plan must have the approval of the public utility or the public agency involved.

The Road Lighting Plan must show the location of each road light, the mounting height, luminaire arm length, the luminaire type, lamp type and lumen rating and conform to the Residential Road Standards as follows unless approved otherwise by the Public Works Traffic or Permit Sections.

- a. All roadway lighting shall be designed in accordance with IES standard publication RP-8-00.
- b. Whenever possible road lights must be placed on lot lines and at intersections.

Residential and commercial road lighting poles may be required to be of an ornamental type acceptable to the Public Works Department and meeting the current standards filed by the utility company concerned in writing, with the Public Works Department. Luminaire spacing shall be adjusted to the satisfaction of the County Traffic Engineer if ornamental poles are chosen.

A written statement showing the number of lights, the amount of lumens and the monthly and yearly costs must accompany the Road Lighting Plan.

The Developer or owner, prior to final approval of occupancy, must deposit a check with the Public Works Department, payable to the County of Santa Barbara, sufficient in amount to maintain and energize the street lights shown of the approved lighting plan, from the requested date for occupancy clearance, up to the date the first charges or benefit assessments will be made or levied upon the property being developed.

All electrical equipment and installation must conform to the applicable standards of the following:

- a. Electrical safety orders of the Division of Industrial Relations, State of California
- b. Rules for overhead electric line construction, General Rule No. 95 of the California Public Utilities Commission.

Road lighting provided under Highway Lighting Districts or County Service Areas must only be installed in the right of way, roads, or other areas dedicated to the public.

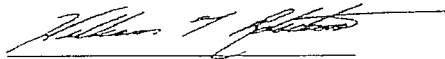
The Department of Public Works may require increased illumination where it is found necessary for traffic or pedestrian safety, due to special circumstances affecting such areas.

Lighting District Annexation

14. Prior to recordation of the Final Map, the applicant must apply for annexation of the tract into the applicable County Service Area and pay all fee's and costs for advertising public hearings in connection therewith.

If you have any questions, please contact me at 739-8785.

Sincerely,

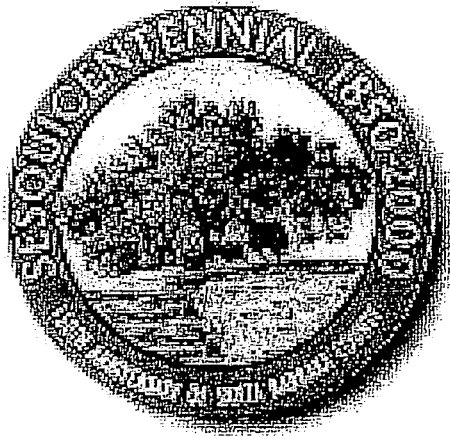


William J. Robertson

cc: 10TRM-00000-00003

Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
F:\Group\Transportation\Traffic\Transportation Planning\Development Review\Orcutt\Terrace Villas Tract Map 10TRM-Cond.doc

Santa Barbara County



Standard Conditions of Approval

October 2007

COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS

Standard Conditions for Tentative Tract Map Approval Ammended October, 2007

1. Construction of all improvements required by the Public Works Department in the approval of the Tentative Map shall be in accordance with County Subdivision Ordinance No. 1722, the Geometric Design Standards contained in the Engineering Design Standards Manual, the applicable portions of the California Department of Transportation Standard Specifications of current date and the Standard Detail contained in Appendix 4 of the Engineering Design Standards Manual.
2. Design of all improvements to be constructed as part of this development shall be performed by a Civil Engineer registered in the State of California. Specifications and plan and profile drawings, completed in accordance with Department of Public Works Standards shall be submitted to the Public Works Department and appropriate officials of other departments for their approval, and all bonds and fees shall be posted prior to recordation of the final development map.
3. Prior to recordation of the Final Map and start of any construction, the Developer shall designate to the Department of Public Works the road or roads he intends for construction access to the development to the extent to which subject roads will be used as haul roads. The Public Works Department may, at its option, designate an alternate off-site access or may require a security for the repair or reconstruction in the event subject road is damaged by construction traffic.
4. The Structural road section for all proposed public roads shall consist of the following:

Aggregate Base conforming to the provisions in Section 26, "Aggregate Bases", of the Standard Specifications shall be placed with a minimum thickness of 0.50 feet on all public roads. The actual thickness of the aggregate base shall be determined by "R" Values from Test Method 301- F, California Department of Transportation Specifications. When the Traffic Index is less than 5.5 the minimum section will be 0.2 feet of A.C. and 0.5 feet of A.B. When the Traffic Index is 5.5 or greater, the minimum section will be 0.3 feet A.C. and 0.5 feet Class II Base.
5. All underground utilities shall be extended to development boundaries and laterals stubbed out to the property lines clear of zone at each lot before the placement of concrete surfacing. Prior to release of the Road Improvement Security and acceptance of the roads within the development, it will be necessary for the Developer to have each utility company certify in writing that the above has been accomplished.
6. Prior to release of the Road Improvement Security, the Registered Civil Engineer or Licensed Land Surveyor who performed the construction staking for the development shall certify in writing, that all curbs, gutters, storm drains, and other related street work have been staked in the field accordance with the plan and profile drawings by the Director of Public Works.
7. Prior to approval of plan and profile drawings by the Department of Public Works, the Developer shall post Sureties and provide inspection fees in amounts to be determined by the Department of Public Works to insure required improvements within the road right of way

8. Hydraulic studies indicating drainage flows to be anticipated from the entire watershed within which the development is located shall be submitted to the Public Works Department and Flood Control Engineer for review and approval. Detailed hydraulic studies of storm water run-off to be carried in each gutter of each street shall be submitted by the Developer's Engineer for approval by the Public Works Department. The amount of storm water runoff to be carried in a street section shall be computed on the basis of a 10 year frequency storm. Special drainage facilities will be required when the capacity of the street section has been reached. The drainage facility design shall be prepared in conformance with Section 13 and Appendix 12 of the Engineering Design Standards Manual, and submitted for approval by the Department of Public Works and Flood Control Engineer. Design criteria for underground drainage facilities will be based on a minimum storm frequency of 25 years. Actual design frequency will be determined by the Department of Public Works or the Flood Control Engineer.
9. Developer shall furnish and install any required road name signs, traffic control signs. And striping to County standards. All traffic control signs shall be installed after roads are paved and prior to being opened up to traffic, including construction traffic.
10. All off-tract drainage and flood control facilities and installations shall be installed and completed prior to grading of subject development.
11. Developer shall offer for dedication as easement to the County, at no cost to the County, all road rights of way shown within the boundaries of subject development map, except roads proposed to be private roads. All road rights of way offered for dedication to the County shall be free and clear of any easements prior to recordation of the Final Map, unless approved otherwise by the Department of Public Works.
12. A denied access strip one foot wide shall be offered for dedication in fee to the County as a separate parcel of land, not part of the road right of way, and standard Public Works Department road barricades constructed across the end of all public roads extending to the tract boundaries of any unit of the tract, except where they are extensions of existing improved public roads.
13. Prior to approval of plan and profile drawings by the Public Works Department, the following utilities shall be shown on the plans and approved by an authorized representative of the utility:
 1. Sewer System
 2. Water Distribution System
 3. Gas Distribution System
 4. Storm Drains required by Flood Control

Additionally, a preliminary plan showing underground electrical, telephone and Cable T.V. service shall be submitted by each agency.

14. All plan and profile drawings presented to the Public Works Department for approval shall be in conformance with the requirements of the Engineering Design Standards Manual. All road widths shall be as specified in this Manual. Roadway classifications are as specified in the Circulation Element of the General Plan.
15. Water for compaction and dust control shall be made available within the boundaries of the development prior to starting any earth moving operations other than necessary for the installation of subject water source. Applicant shall provide a water availability letter from the appropriate water supply agency.
16. Prior to start of any earth moving or improvements within the development the Developer shall obtain a Road Excavation and Encroachment Permit from the Public Works Department as required by Board of Supervisors Ordinance No. 1491, dated November 26, 1963, and/or shall obtain a County Grading Permit per Santa Barbara County Ordinance No. 1795 dated May 20, 1967.
17. The program for reconstruction of any existing County road being used by public traffic shall be presented in writing to the Public Works Department a minimum of 4 working days ahead of the proposed starting date. The Progress Schedule of proposed work shall be approved prior to start of construction. After construction on any existing County road commences, the project shall be pursued continuously to completion. Any delay will provide good cause for issuance of a stop order on all other portions of the development.

18. The following utilities and services, both existing and proposed, shall be installed underground in the roads pursuant to Resolution No. 24416 and connected to each dwelling unit where housed are built, or stubbed out to each lot where lots only are sold: Gas, Water, Cable T.V., Telephone, Sanitary Sewer and Electrical Power.
19. After Sign-off by the Public Works Department Inspector, and prior to release of final security, the Developer's Engineer shall add "Record Drawing" information to the original tracings in red or orange ink and sign them as "RECORD DRAWING".
20. On any proposed streets where curbs, gutters and sidewalks are required, the sidewalks shall have a total distance from curb face to back of sidewalk as prescribed in the Standard Details contained in Appendix 3 and 4 of the Engineering Design Standards Manual. Existing streetlights or fire hydrants within the sidewalk area shall be relocated behind the sidewalk, and any proposed streetlights or fire hydrants placed behind the sidewalk.
21. Any double frontage lot (lots having a street both front and rear) shall have denied access to the rear street.
22. Concrete masonry block walls, if required by the Resource Management Department shall be constructed to the design and standards of the Building and Safety Division of the Public Works Department. Walls adjacent to road rights of way shall be shown on the Department of Public Works plan and profile drawings. A Building Permit may be required for such walls.
23. Developer shall comply with the Department of Public Works policy relating to Subdivision Street Trees and Utility Service Laterals on all subdivision streets.
24. Chain link fences, if required by the Resource Management Department of Flood Control, shall be constructed to Cal Trans Standard Plans. Subject fences shall be shown on the Department of Public Works plan and profile drawings if adjacent to County road rights of way.
25. Developer shall post Security and provide plan-checking fees in amounts to be determined by the Public Works Department to insure proper construction of all private streets within the development. Security will be released upon certification of a Civil Engineer registered in the State of California that subject streets have been constructed to approved standards.
26. Occupancy of any building within the development will be denied until all street improvements and drainage facilities are completed.
27. The developer's engineer of record, as specified in these conditions, shall certify to the Public Works Department prior to release of any securities that all private streets within the subject development are constructed according to approved plans prior to occupancy of any dwelling unit within the tract, and that all rough grading has been completed in substantial conformance with the tract grading plan.
28. Upon completion of construction and prior to occupancy, the entire road right of way abutting this project will be cleaned to allow Public Works Department Inspectors to check for damage to curbs, gutters, or sidewalks caused by construction traffic. Any damage will be repaired by the Developer prior to occupancy.
29. The Developer shall comply with the current Bikeway Element of the General Plan as to the dedication and construction of bikeways.
30. All roads shall be kept clear of mud and/or other construction debris during construction.
31. The Developer will be responsible for and fees required for materials retesting.
32. The Developer may be required by the Public Works Department to overlay or chip seal a road, as determined by the Public Works Department, after construction work has been completed if it is determined by the County that local patching is insufficient to mitigate project related construction and utility trenching damage.

33. Subdivider shall submit a Grading Plan acceptable to the Public Works Department for all streets and building pads prior to submitting the Final Map for approval. The Grading Plan shall show all lots draining to the street on which they front unless otherwise approved by the Public Works Department. The Grading Plan shall also show method and degree of compaction and proposed method of stabilizing exposed slopes. Subdivider shall plant and maintain all cut and fill slopes and maintenance shall be continued until the lot is occupied.
34. A preliminary Soils Report of the area, prepared by a Civil Engineer experienced in soil mechanics and slope stability, and registered in the State of California, will be required prior to the issuance of Grading Permits. The report shall include data regarding the distribution, stability and expansive nature of existing soils and conclusions and recommendations for grading procedures and design criteria for corrective measures.
35. All grading shall comply with the provisions of County Grading Ordinance No. 1795, and to Public Works Department standards.
36. Grading shall be designed so that natural drainage from off-tract property is not obstructed.
37. Provision shall be made to prevent off-tract drainage from being received by lots. Tract drainage shall not be drained to a public street gutter that does not have storm drainage inlets and where the tract drainage could, after being carried along the road gutter for some distance, be dumped into another tract.
38. No grading can be done prior to Final Map recordation except in compliance with County Code Chapter 21-8-C4.
39. All underground utility trench backfills on private property and in private roads shall be compacted and tested to a minimum of 90%, or to the satisfaction of the Public Works Director. Compaction test reports shall be submitted before and grading is finalized.
40. The Subdivider shall furnish one copy of the Final Tract Map to the Public Works Department prior to approval.
41. All debris, litter, and other construction waste generated by this development shall be removed from the site or adjacent property. Occupancy clearance of any building will be denied until debris removal is acceptable to the Public Works

42. Since certain areas of Santa Barbara County are prone to accelerated seasonal erosion by either wind or water, and acceptable Erosion Control Plan, with timing, may be required with the project Grading Plan.
43. Any tract which is to be graded out (mass graded) and developed as a Phased Build-Out will require a detailed engineered Erosion Control Plan which will apply to all graded areas which are not built out. This plan shall be maintained until the respective tract phases are built out. This condition shall also apply to Lot Sale Subdivisions.
44. On lot sale subdivisions, no building permits shall be issued for any lot until all required utilities, rough grading, drainage facilities, and street improvements have been completed, unless otherwise approved by the Director of Public Works. This condition must be shown on the Final Map, along with the time allowed by the Subdividers Contract for the developer to complete said improvements.
45. Prior to issuance of any road construction and/or grading permits, the applicant shall verify to the Department of Public Works, in writing, that a registered civil engineer has been retained to act as the Engineer of Record during construction and testing operations. This engineer shall be responsible for any and all observation during construction, which he deems necessary to certify those aspects of construction requiring certification pursuant to these conditions. Where possible, the engineer whose signature and stamp appear on the tract plans should be retained as the Engineer of Record.
46. Regardless of all review and/or acceptance of tract plans, specifications, calculations, and reports by Public Works or other County departments, the registered civil engineer whose signature and stamp appear on the tract grading and road improvement plans is responsible for the accuracy and integrity of the design and base information relating to the plans and calculations. Design conflicts which arise during construction may result in work being stopped until discrepancies are resolved.



County of Santa Barbara Public Works Department
Project Clean Water
123 E. Anapamu Street, Suite 240, Santa Barbara, CA 93101
(805) 568-3440 FAX (805) 568-3434
Website: www.countyofsb.org/project_cleanwater



SCOTT D. MCGOLPIN
Director

THOMAS D. FAYRAM
Deputy Director

August 24, 2010

Dana Carmichael
County of Santa Barbara
Planning & Development Department
624 Foster Road
Santa Maria, CA 93455

Re: 10DVP-00000-00011, 10TRM-00000-00003 Terrace Ranch Rezone, Santa Maria
APNs 139-300-001 through 129-300-020 (TPM 14,770)

Dear Ms. Carmichael:

PLEASE NOTE THIS LETTER SUPERCEDES PRIOR LETTER DATED AUGUST 19, 2010. REVISIONS SHOWN BELOW.

The above referenced project is subject to the County of Santa Barbara's Standard Conditions for Project Plan Approval – Water Quality BMPs. The conditions apply because the project is more than 1.0 acre of residential development (and over 10 housing units). These conditions require appropriate treatment of runoff from impervious surfaces for the design storm to remove potential pollutants (see attached Standard Conditions).

Please note that the California Water Board is working with municipalities, including the County of Santa Barbara, to require Low Impact Development as mitigation for hydromodification impacts including rate, volume, and duration of storm water runoff. At this point in time, hydromodification thresholds do not apply. However, Low Impact Development does apply to this project through policy interpretative and implementation guidelines for Land Use Policy #7, Hillside and Watershed Protection.

This policy states:

A. In order of preference, the following BMPs shall be used to minimize water quality impacts associated with new development and redevelopment projects in urban and rural areas:

1. Site planning to avoid, protect, and restore sensitive areas (e.g., wetlands and riparian corridors);
2. Minimizing impervious surfaces and directly connected impervious surfaces, using existing natural features to allow for on-site infiltration of water;
3. Vegetative treatment (e.g., bio-swales, vegetative buffers, constructed or artificial wetlands);
4. Mechanical or structural treatment (e.g., storm drain filters and inserts).

B. Combinations of BMPs listed above may be required to reduce runoff and water quality impacts to achieve consistency with this policy.

C. Adequate space on each project site shall be reserved to incorporate the BMPs.

D. Provisions shall be made for maintenance of BMPs over the life of the project.

Depending on the timing of this development plan approval process, it is suggested that this project address the runoff characteristics with the goal of matching predevelopment hydrograph characteristics through a low impact development approach to avoid a potential redesign in the future. For more information on these design requirements, please contact Project Clean Water staff.

The following provisions apply to this application:

1. Prior to Map Recordation issuance of Zoning Clearance or Building or Grading Permits, the applicant shall submit to the Water Resources Division (attention: Project Clean Water) for review and approval either A) improvement plans, grading & drainage plans, landscape plans, and a drainage study or B) a Storm Water Quality Management Plan or its equivalent that includes relevant details on the location and function of treatment control BMPs.

At a minimum, the submittal(s) must:

- a. show the locations of all treatment facilities and their drainage (treatment) areas,
 - b. demonstrate how the treatment facilities comply with the conditions by treating runoff from the design storm, and
 - c. include a long-term maintenance plan appropriate for the proposed facilities.
2. Prior to Map Recordation Zoning Clearance or Building or Grading Permits, applicant shall submit the long-term maintenance plan for review and approval. The maintenance

plan must identify the party responsible for maintenance of all required storm water runoff treatment control facilities and assure perpetual maintenance of the facilities. A copy of the project's Conditions, Covenants & Restrictions for the Homeowners' Association shall be provided.

3. Prior to issuance of Occupancy Clearance, all drainage improvements required as part of the above conditions shall be constructed in accordance with the approved plans and certified by a Registered Civil Engineer. A set of As-Built plans shall be submitted to Water Resources Division. A Drainage Improvement Certificate shall be signed and stamped by the engineer of record and be submitted to the Water Resources Division.

Note that the applicant will be required to pay the current plan check fee deposit at the time the Storm Water Quality Management Plan or equivalent is submitted for review and approval. The plan check fee is payable to Project Clean Water and can be submitted along with the plans to Water Resources Division, Public Works, 123 E. Anapamu St. Santa Barbara, CA 93101.

I would be happy to work with you and the applicant on ways to meet the recommendations and conditions set forth in this letter. Please don't hesitate to contact me at (805) 568-3561.

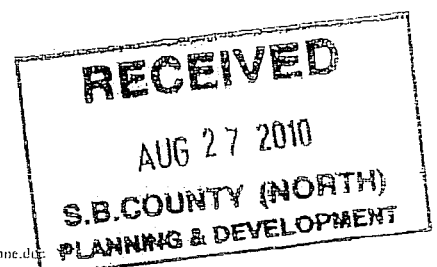
Sincerely,



Cathleen Garnand
Civil Engineering Associate

w/o Attachment Standard Conditions

cc: Eric Dias, Western Sky Development, 2255 S. Broadway Suite 9, Santa Maria 93455
Frances Romero, Urban Planning Concepts, 2624 Airpark Drive, SM CA 93455
Lenny Grant, LGA Architecture 330 James Way Suite 260, Pismo Beach, CA 93449
Russ Garrison, Bethel Engr, 2624 Airpark Drive, SM CA 93455



RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING)
TO THE BOARD OF SUPERVISORS THAT)
AN ORDINANCE BE APPROVED AMENDING)
SECTION 35-1, THE SANTA BARBARA)
COUNTY LAND USE AND DEVELOPMENT) RESOLUTION NO.: 11-11
CODE, OF CHAPTER 35 OF THE SANTA)
BARBARA COUNTY CODE, BY AMENDING) CASE NO.: 10RZN-00000-00003
THE COUNTY ZONING MAP BY CHANGING)
THE ZONING OF ASSESSOR'S PARCEL)
NUMBERS 129-300-001 THROUGH -021)
FROM DR-3.3 TO SLP.)
_____)

WITH REFERENCE TO THE FOLLOWING:

- A. All zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps", of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, are hereby repealed as they relate to Assessor's Parcel Numbers 129-300-001 through -021.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The Commission recommends that the Board of Supervisors approve an Ordinance, Exhibit 1, Amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the Santa Barbara County Code, by Amending the County Zoning Map by changing the zoning of Assessor's Parcel Numbers 129-300-001 through -021 from DR-3.3 to SLP based on the findings included as Attachment A of the Planning Commission staff report dated April 22, 2011.

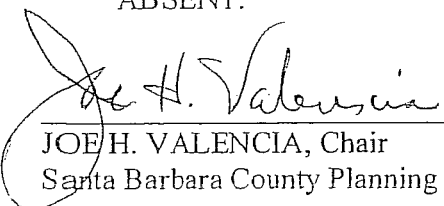
PASSED, APPROVED AND ADOPTED this July 20, 2011 by the following vote:

AYES: Cooney, Brown, Valencia, Blough

NOES: Brooks

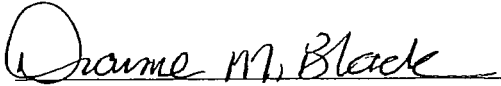
ABSTAIN:

ABSENT:



JOE H. VALENCIA, Chair
Santa Barbara County Planning Commission

ATTEST:



Dianne Black
Secretary to the Commission

APPROVED AS TO FORM:

DENNIS A. MARSHALL
COUNTY COUNSEL

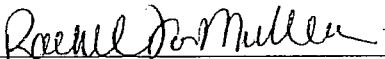
By 
Deputy County Counsel

Exhibit 1

LAND USE DEVELOPMENT CODE (ZONING MAP AMENDMENT)

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ASSESSOR PARCEL NUMBERS 129-300-001 through -021

Case No. 10RZN-00000-00003

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1

All zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps," of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, are hereby repealed as they related to Assessor's Parcel Numbers 129-300-001 through -021 shown on the map attached hereto as Exhibit A and incorporated by reference.

SECTION 2

Pursuant to the provisions of Section 35.14.020, "Adopting New Zoning Ordinances and Maps," of Land Use Development Code, of Chapter 35 of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts by reference the Zoning Map identified as Board of Supervisors Exhibit A, dated _____, which re-designates Assessor's Parcel Numbers 129-300-001 through -021, from DR-3.3 to SLP, and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit A, and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION 3

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit A to show that said map has been adopted by this Board.

SECTION 4

Except as amended by this Ordinance, Section 35.14.020 of the Land Use Development Code of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

SECTION 5

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Joni Gray, Chair, Board of Supervisors
County of Santa Barbara
State of California

DENNIS A. MARSHALL
County Counsel

By: _____
Deputy County Counsel

Exhibit A ZONING MAP

