

The SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for OASIS Meeting Center

Hearing Date: September 11, 2020

Staff Report Date: September 3, 2020

Case Nos.: 14GPA-00000-00020,
16RMM-00000-00001, 16CUP-00000-00006,
16DVP-00000-00002, 16LLA-00000-00004,
17CUP-00000-00013, 18GOV-00000-00005

Environmental Document: Environmental
Impact Report (EIR) 19EIR-00000-00003

Deputy Director: Travis Seawards

Division: Development Review

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Supervising Planner Phone #: 805-934-6297

Owner/Applicant

OASIS

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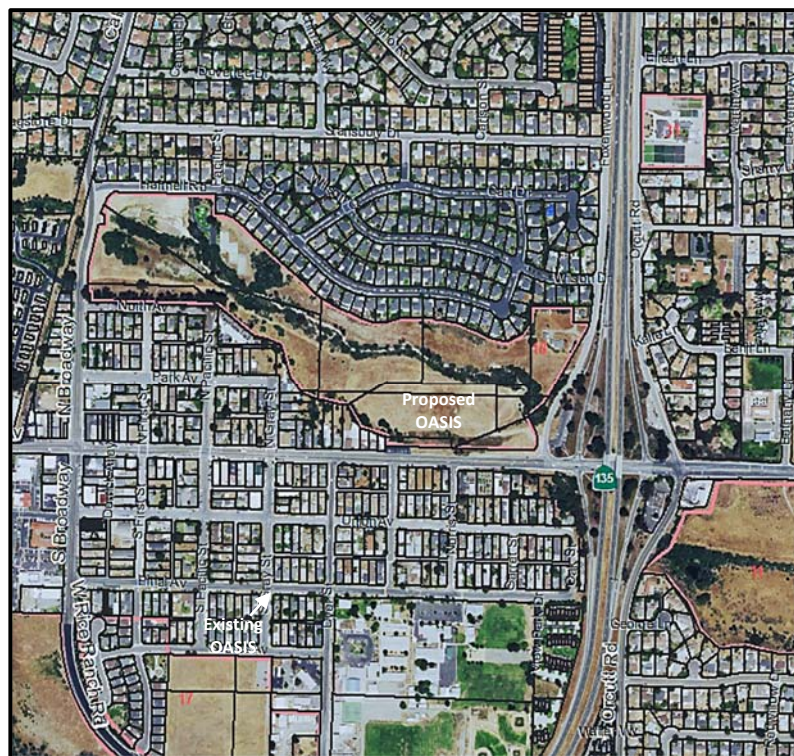
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The OASIS property (APNs 105-020-063, -064) is located in the eastern half of Orcutt Community Plan "Key Site 18/Southpoint", between Orcutt Creek, and Clark Avenue. Access would be provided by a private access easement across the adjoining parcel (APN 105-020-041) and the project would share the driveway with the approved, but not constructed, LeBard commercial project at the corner of Foxenwood Lane and Clark Avenue.

1.0 REQUEST

Hearing on the request of OASIS, applicant, to consider the following:

1. **Case No. 14GPA-00000-00020** to recommend that the Board of Supervisors adopt a General Plan Amendment involving four amendments to the Santa Barbara County Comprehensive Plan and Orcutt Community Plan (OCP) as follows:
 - a. Amend the language of OCP Development Standard KS18-1 to allow development and use of the proposed OASIS project identified in Case Nos. 16DVP-00000-00002 and 16CUP-00000-00006, which the OCP currently restricts to open space and public park uses
 - b. Amend the OCP Open Space Area Map by removing the "Open Space Area" designation from the OASIS property;
 - c. Amend the OCP Parks, Recreation and Trails (PRT) Map by removing the "Proposed Public Park" designation from the OASIS property;
 - d. Amend the Orcutt Community Plan Bikeways Map to allow an approximately 300-foot section of the proposed OCP Orcutt Creek Trail's Class I bike path to be a Class II, striped bike lane.
2. **Case No. 16RMM-00000-00001** to recommend that the Board of Supervisors approve a Recorded Map Modification to the Southpoint Estates subdivision in compliance with Section 21-15.9 of County Code Chapter 21-Land Divisions as follows:
 - a. TM 12,679 Condition No. 18/TM 13,345 Condition No. 21- Remove the requirements to dedicate development rights to the County and to limit property use to open space and noncommercial recreational uses for the OASIS property;
 - b. TM 13,345 Condition No. 8 - Remove the requirement for "Lot 89", the current OASIS property, to be labeled "NOT A BUILDING SITE OPEN SPACE" on the final map;
 - c. TM 13,345 Unit 1 Final Map (Book 125, p. 8) - Remove the "NOT A BUILDING SITE OPEN SPACE" label from Southpoint Estates open space lot 89 (the OASIS property); and
 - d. TM 13,345 Unit 2 Final Map (Book 128, p. 93) - Remove the "NOT A BUILDING SITE OPEN SPACE" label from Southpoint Estates open space lot 89 (the OASIS property);
3. **Case No. 16LLA-00000-00004** to recommend that the Board of Supervisors approve a Lot Line Adjustment between two lots of 5.28 (APN 105-020-063, -064, together one legal lot) and 1.25 acres (APN 105-020-041), to reconfigure into two lots of 5.16 and 1.37 acres, affecting property zoned OT-GC and REC, in compliance with Section 21-90 of County Code Chapter 21 and Section 35.30.110 of the County Land Use and Development Code.

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4. **Case No. 16CUP-00000-00006** to recommend that the Board of Supervisors approve a Major Conditional Use Permit for a private meeting facility use and associated development consistent with Case No. 16DVP-00000-00002 and in compliance with Section 35.82.060 of the County Land Use and Development Code, on APNs 105-020-063 and 105-020-064 (meeting facility) and APN 105-020-053 (grading for driveway), zoned REC and on APN 105-020-041 (driveway), zoned OT-GC;
5. **Case No. 16DVP-00000-00002** to recommend that the Board of Supervisors approve Development Plan to develop a new OASIS Center meeting facility in the REC zone, including 15,661 square feet of structural development, with a main building of 14,069 square feet and an ancillary BBQ/crafts building of 1,592 square feet, an access road, parking, landscaping, private trails within the development area, and a section of the Orcutt Creek Trail/Bikeway between Foxenwood Lane and the northwest portion of the OASIS property in compliance with Section 35.82.080 of the County Land Use and Development Code;
6. **Case No. 17CUP-00000-00013** to recommend that the Board of Supervisors approve a Conditional Use Permit to construct an off-site directional sign in compliance with Section 35.82.060 of the County Land Use and Development Code.
7. **Case No. 18GOV-00000-00005** to recommend that the Board of Supervisors determine that the County relinquishment of the development rights to OASIS for Southpoint Estates Subdivision TM 13,345 Lot 89, APNs 105-020-063 and 105-020-064, is in conformance with the Comprehensive Plan in compliance with Government Code Section 65402; and
8. **Case No. 19EIR-00000-00003** to recommend that the Board of Supervisors certify the Environmental Impact Report (19-EIR-00000-00003) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant and unavoidable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, Biological Resources, Land Use, Recreation and Open Space, Transportation and Circulation.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and recommend that the Board of Supervisors approve Case Nos. 14GPA-00000-00020, 16RMM-00000-00001, 16CUP-00000-00006, 16DVP-00000-00002, 16LLA-00000-00004, 17CUP-00000-00013, and 18GOV-00000-00005 marked "Officially Accepted, County of Santa Barbara September 11, 2020, County Planning Commission Attachments A-H", based upon the project's consistency with the Comprehensive Plan and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for approval of the project, including a modification to the parking requirement, specified in Attachment A of this staff report, including CEQA findings.
2. Recommend that the Board of Supervisors certify the EIR (19EIR-00000-00003, SCH# 2017041065) and adopt the mitigation monitoring program contained in the conditions of approval (Attachments B-1 through B-5). as modified by the Final SEIR Revision Letter No. 1 dated September 3, 2020 (Attachment I)
3. Adopt a resolution (Attachment E-1) recommending that the Board of Supervisors approve Case No. 14GPA-00000-00020 and adopt a resolution to amend the Orcutt Community Plan (OCP), summarized as follows:
 - a. Revise the language of OCP Key Site 18 Development Standard KS18-1 to allow development of the OASIS project consistent with the proposed OASIS site plan (Attachment H);
 - b. Remove the OASIS property (APNs 105-020-063 and 105-020-064) as open space on the OCP Open Space Map;
 - c. Remove the OASIS property (APNs 105-020-063 and 105-020-064) as proposed park land on the OCP Parks, Recreation and Trails Map;
 - d. Amend the OCP Bikeways Map to change an approximately 300-foot section of designated Class I bike path immediately west of Foxenwood Lane to a Class II bike lane (within the proposed OASIS driveway).
4. Recommend that the Board of Supervisors approve a Recorded Map Modification request (Case No. 16RMM-00000-00001) to modify two conditions and two recorded maps for the Southpoint Estates project, specifically: TM 12,679 condition #18/TM 13,345 condition #21 (identical conditions), TM 13,345 conditions #8, TM 13,345 recorded map for Unit 1, (Book 125, p. 8) and TM 13,345 recorded map for Unit 2 (Book 128, p. 93), subject to the conditions included as Attachment B-1 of this staff report.
5. Recommend that the Board of Supervisors approve a Lot Line Adjustment (Case No. 16LLA-00000-00004) subject to the conditions included as Attachment B-2 of this staff report.
6. Recommend that the Board of Supervisors approve a Development Plan (Case No. 16DVP-00000-00002) subject to the conditions included as Attachment B-3 of this staff report.

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7. Recommend that the Board of Supervisors approve a Major Conditional Use Permit (Case No. 16CUP-00000-00006) subject to the conditions included as Attachment B-4 of this staff report.
8. Recommend that the Board of Supervisors approve a Minor Conditional Use Permit for an Off-Site Directional Sign (Case No. 16CUP-00000-00013) subject to the conditions included as Attachment B-5 of this staff report.
9. Determine that County vacation, abandonment, or release of the development rights to OASIS (as identified in the Draft *Release of Development Rights document*, Attachment C) conforms with the Comprehensive Plan, including the Orcutt Community Plan (Case No. 18GPOV-00000-00005); and,
10. Direct staff to transmit the Comprehensive Plan conformity report required by Government Code Section 65402(a) to the General Services Department, Real Property Division and the Board of Supervisors. The County Planning Commission Staff Report dated September 3, 2020 and the letter reflecting the County Planning Commission's action shall constitute the required report for the County's proposed relinquishment of development rights to the APN 105-020-063 and 105-020-064 (OASIS property, TM 13,345 Lot 89) to OASIS.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

The County Planning Commission will consider all of the project applications and will provide a recommendation to the Board of Supervisors for each of these requests.

- General Plan Amendments: The OASIS project proposes to amend the Orcutt Community Plan (OCP) component of the County's General Plan (also referred to as the Comprehensive Plan). California Government Code Sections 65358– 65362 and County Land Use and Development Code (LUDC) Section 35-104 identifies procedures for amending the General Plan, which is considered a legislative action. Pursuant to these regulations, the Board of Supervisors, as the legislative body for Santa Barbara County, is the final decision-maker for amendments to the General Plan. The Planning Commission is required to review the requests at a public hearing and to send their recommendations in a resolution to the Board of Supervisors for final action.
- Highest Jurisdiction Considers Companion Requests: Santa Barbara County Code Chapter 21 Land Division Section 21-6(c) and County LUDC Section 35.080.20.B.1 address companion applications that

are within the review jurisdiction of more than one decision-maker. These sections require, that when two or more discretionary applications relate to the same project, all applications for the project shall be under the jurisdiction of the review authority with the highest jurisdiction. Therefore, in addition to OASIS' General Plan Amendment requests, the Planning Commission will make a recommendation to the Board of Supervisors regarding the companion requests for the Recorded Map Modification, Lot Line Adjustment, Development Plan, Major Conditional Use Permit, and Minor Conditional Use Permit requests.

- Planning Commission Consistency Report to Board for OASIS Acquisition of Development Rights: California Government Code Section 65402(a) requires that before the County acquires or disposes of interest in real property to which the County's general plan applies, the location, purpose, and extent of such acquisition, disposal, or construction must be submitted to and reported on by the County's "planning agency" as to conformity with the County's general plan. Under LUDC Section 35.100.020(A)(1), pursuant to the provisions of California Government Code Section 65100, and as provided by Article V, Chapter 2 of the County Code, the County Planning Commission is designated as the "planning agency" for the unincorporated portion of the County. Therefore, the Planning Commission will make the General Plan consistency determination required by Government Code Section 65402(a) for OASIS' proposed acquisition of the development rights to their property. The Planning Commission's General Plan consistency determination will be forwarded as a report to the Board of Supervisors. The Planning Commission is responsible for making the consistency determination. The Board of Supervisors would approve any action to vacate, abandon, or release the County-held development rights to the OASIS property.

4.0 ISSUE SUMMARY

The proposed project consists of the construction of a new, 15,661-square-foot Orcutt Area Seniors in Service (OASIS) facility, which includes a 14,069-square-foot main building and a 1,592-square-foot ancillary BBQ/crafts building. The project also includes the construction of a related access road, 143 parking spaces, landscaping, and private trails within the development area. The project includes associated development consisting of the construction of a section of the multi-use Orcutt Creek Trail, and a request to modify the required number of parking spaces from 229 required spaces to 143 spaces.

The OASIS facility currently serves approximately 1,500 adult (senior) memberships, and over 5,000 local individuals and families on an ongoing basis. Based on monthly tracking, most members attend a class, lunch, or health service once a week, with about 300 members currently using the facility throughout each day, mainly during the midday hours for lunch and related services. Normal operating hours are proposed to be

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seven (7) days of the week, from 8:30 AM to 9:00 PM, and will include ongoing programmed activities such as lunches, education and recreational classes, and medical appointments. In addition to continuing existing programs that OASIS currently conducts at another location, the OASIS Center also proposes allowance for weekend programs from 9:00 AM to 9:30 PM. The OASIS Center is proposing to allow Special Events for members and non-members up to 12 times a year. OASIS member events would occur up to five (5) times a year. Non-OASIS member events would occur up to seven (7) times a year. The maximum attendance would be 200 persons, with up to 15 OASIS or catering staff included as part of this maximum.

The project site is approximately 5 acres and is located within the Orcutt Community Plan (OCP), identified as “Key Site 18/Southpoint” (KS18). The OASIS property is comprised of two APNs (105-020-063, -064), which together are one legal lot. The OASIS property is part of an approximately 33-acre common open space lot (Lot 165) of the original Southpoint Estates subdivision (see Figure F-1, 1979 Approved Tentative Map for TM 12,679).

An Environmental Impact Report (EIR) was completed for the project. The Draft EIR was circulated for public review from September 6 to October 21, 2019, and a public hearing to accept comments on the Draft EIR was held on October 3, 2019. In addition to comments relayed at the public hearing, 30 comments (letters and emails) were submitted during the public review period. The comments, responses to comments, and a summary of the October 3, 2019 hearing are included in OASIS EIR Section 9.0. The EIR, summarized in detail in Section 6.1, identifies the following Class I impacts:

- Aesthetics/Visual Resources - Project Specific and Cumulative
- Biological Resources - Project Specific and Cumulative
- Land Use -Compatibility/Quality of Life
- Recreational Opportunities/Loss of Open Space – Project Specific and Cumulative
- Transportation - OCP Buildout

5.0 PROJECT INFORMATION

5.1 Site Information

Table 5-1 Site Information Key Site 18 and OASIS Property	
<p>General Plan, Orcutt Community Plan (OCP)</p> <p>Land Use Designation Etc.</p>	<p><i>OCP Area - Central Urban Core</i></p> <p><i>OCP Parks, Recreation & Trails Map</i> –Orcutt Crk Trail south of creek between Foxenwood Ln and Broadway; future public park (8.5 acres south of creek, includes 5.28-acre OASIS property);</p> <p><i>OCP Bikeways Map</i> – Class I Bike Path (part of the Orcutt Creek Trail, south of creek)</p> <p><i>Flood Hazard Zone</i> – (Along creek, widens to west, only N/E corner of OASIS property)</p> <p><u>Key Site 18 Land Use Designations:</u></p> <ul style="list-style-type: none"> • Gen. Commercial (~1.85 ac along Clark Ave, APNs 105-020-041, -038, & -063 southern tip • Residential 3.3 units/acre (~2.77 acres in N/E corner, APNs 105-020-018, -022); • Existing Public/Private Recreation and/or Open Space (~35.11 acres, APNs 105-020-052, -053, -060, -061, -062, -063 except southern tip, -064, -065, -068, -069, -070) <p><u>OASIS Property Land Use Designation:</u></p> <ul style="list-style-type: none"> • General Commercial (~0.12 acres, southern tip of 105-020-063) • Existing Public/Private Recreation and/or Open Space (5.16 acres, APNs 105-020-064 and -063 except southern tip) <p><u>Southpoint Estates Residential Lots (North of KS18)</u></p> <ul style="list-style-type: none"> • Residential lots 3.3 units/acre (north of KS 18), 10-R-1 Zoning • Open Space lots (including OASIS property), Existing Public or Private Recreation and/or Open Space.
<p>Zoning Ordinance/ Zone District</p>	<p><u>Ordinance-</u> County Inland Area Land Use and Development Code (LUDC)</p> <p><u>OASIS Site Zone Districts:</u></p> <ul style="list-style-type: none"> • Recreation REC (~5.16 acres, APNs 105-020-064 and 105-020-063 except southern tip) • Old Town General Commercial OT-GC (~0.12 acres, southern tip of 105-020-063) <p><u>Adjacent Key Site 18 Zone Districts:</u></p> <ul style="list-style-type: none"> • Old Town General Commercial OT-GC (~1.85 acres along Clark Ave, APNs 105-020-041, -038, and southern tip of -063) • Residential 3.3 units/acre DR-3.3 (~2.77 acres in N/E corner, APNs 105-020-018, -022); Recreation REC (~35.11 acres, APNs 105-020-052, -053, -060, -061, -062, -063 except southern tip, -064, -065, -068, -069, -070) <p><u>Southpoint Estates Subdivision (TM 12,679/TM 13,345)</u></p> <ul style="list-style-type: none"> • Residential lots 10-R-1 zoning (north of KS 18) • Open Space lots including OASIS property, REC zoning;

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Site Size	<i>Key Site 18</i> : - 39.73 acres; <i>OASIS</i> : 5.28 acres (gross/net)
Present Use & Development	<i>Key Site 18</i> : Undeveloped open space, Southpoint Estates tennis courts/picnic area and Flood Control retention basin (west end), 1 residence (northeast corner), dirt driveway from Foxenwood Lane; <i>OASIS</i> - Undeveloped open space
Surrounding Uses/Zoning	<u>Surrounding Key Site 18</u> <i>North</i> : Southpoint Estates Single Family Residential lots (10-R-1); <i>South</i> : Undeveloped, Commercial, Residential, Mixed Use; Zoning: Old Town Commercial (OT-GC); Highway Commercial (CH); Commercial and Residential 14 units/acre (OT-R-14), Single Family Residential 7,000 sf/parcel (7-R-1) <i>East</i> : Foxenwood Lane, Hwy 135 <i>West</i> : Residential (OT-R-14), Commercial (OT-GC), Mobile Home Park (MHP) <u>Surrounding OASIS property</u> <i>North</i> : Undeveloped open space (REC) <i>South/Southeast</i> : Undeveloped land w/ approved, but not constructed, (~7,770 SF) commercial development proposed at Clark/Foxenwood Lane (OT-GC); commercial/mixed use development on north side of Clark, west of Norris (OT-R-14/GC) <i>East</i> : Undeveloped Open Space/Oil Drilling lot (never used for oil drilling);(REC); Orcutt Creek; Undeveloped Open Space (DR 3.3), Foxenwood Lane, Hwy 135; <i>West</i> : Restricted open space/part of proposed KS18 park (REC); Commercial (OT-GC); Residential (OT-R-14/GC),
Access	Proposed access from Foxenwood Lane via shared private driveway with approved, not constructed, commercial project at the corner of Foxenwood Lane/Clark Avenue. Driveway to include Class II bike lanes in each direction between Foxenwood Lane and OASIS eastern property line. Bike lanes to convert to Class I bike path component of Orcutt Creek Trail at OASIS' eastern property line, to generally continue along OASIS' eastern and northern property lines. A separated pedestrian path will parallel the driveway to the south.
Public Services	<i>Water Supply</i> : Golden State Water (City of Santa Maria supplemental groundwater) <i>Sewage</i> : Laguna County Sanitation District <i>Fire</i> : Santa Barbara County Fire Station #21 <i>Sheriff</i> : Santa Barbara County Sheriff <i>Other</i> : Orcutt Union Elementary, Santa Maria Joint Union High School

5.2 Existing Setting

The OASIS property is approximately five (5) acres and is located within the Orcutt Community Plan (OCP), identified as “Key Site 18/Southpoint” (KS18). Key Site 18 contains 15 parcels and is located northwest of the corner of Foxenwood Lane and Clark Avenue. Key Site 18 is bounded by Foxenwood Lane on the east, Clark Avenue and existing residential and commercial development on the south, California Boulevard on the west, and Hartnell Road and existing residential development on the north. The majority of the 39.73-acre Key Site

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18 site is currently vacant, with the exception of a single family residence near the northeast corner of the site, and private recreational facilities.

The project site is located at level lower areas of the property, with steep slopes on all sides. Orcutt Creek and its floodplain extend across the site from east to west with the floodplain covering a significant area of the lower portions of the site. At the west end, near California Boulevard, a large in-stream retention basin has been constructed by the Santa Barbara County Fire Control District. Vegetation on the site primarily consists of non-native grasslands, and riparian vegetation is spread intermittently along Orcutt Creek, with the densest concentrations located near the eastern site boundary.

5.3 Project Description Summary

OASIS proposes to construct a new facility that consists of indoor and outdoor amenities. The project is designed to better support existing members and improve services to accommodate increased demand as the community ages, and to provide expanded programs that cannot be accommodated at their existing location. The project includes:

- Construction of two buildings: Main Building 14,069 square feet (SF), BBQ/Crafts Building 1,592 SF;
- Grading for an improved access road from Foxenwood Lane, with striped bike lanes and a separated, parallel pedestrian path;
- Construction of a segment of the Orcutt Creek Trail, including bikeway, generally following OASIS' east and northern property lines;
- Provision of 143 parking spaces provided in a parking lot on the east side of the property and along the access road;
- Landscaping along the road, parking areas, and throughout the development, including incorporation of bio-swales to reduce storm water runoff;

The first floor of the main building includes a large meeting hall with adjacent kitchen facilities. This room is designed accommodate over 300 people for a variety of activities, including the weekday lunches. The west side of this building opens to the landscaped area adjacent to the BBQ/Craft building on the west. Other specialized rooms on the first floor include a library, craft room, large, medium and small meeting rooms, a small storage/meeting room, restrooms, and storage rooms. The second floor includes offices for identified for events, files, and staff. The BBQ/crafts building is located west of the main building and adjacent to a lawn area and walking paths to accommodate outdoor meals and gatherings.

OASIS proposes to use the indoor and outdoor areas of the new facility to accommodate and expand OASIS existing programs and activity offerings, and to provide space for additional classes and community groups.

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OASIS proposes a 200-person maximum attendance cap for all activities and events, with up to 15 OASIS or catering staff included as part of this maximum. The maximum allowed attendance applies to regular OASIS activities and to any special events. Special events are limited to 12 times per year.

The OASIS Center's primary hours are weekdays, Monday through Friday. Staff arrives at 7:30 A.M. and the first programs start at 8:30 A.M. The peak period of the day is expected to continue to be from 11:00 A.M. to 2:00 P.M., before and after lunch service is provided. The primary OASIS services and classes directed to senior members of the community are completed by 4:00 P.M.

Use of the new OASIS Meeting Center for rental by non-OASIS programs is proposed outside of regular OASIS weekday program hours and outside of the evening peak commute period, which is 4:00 P.M. to 6:00 P.M. Therefore, the OASIS Meeting Center will be available for non-OASIS use from 6:30 P.M. to 9:00 P.M., with the facility closed by 9:30 P.M. after cleanup. On weekends, OASIS proposes that the facility could be used/rented for non-OASIS use from 9:00 A.M. to dusk for any outdoor use and from 9:00 A.M. to 9:00 P.M. for indoor use, with the building closed at 9:30 P.M.

5.4 Required Project Approvals

The project requires the following approvals:

1. **General Plan Amendment**, Case No. 14GPA-00000-00020: The project requires four general plan amendments, summarized as follows:
 - **Amendment #1:** Amend Orcutt Community Plan (OCP) DevStd KS18-1 to allow development of the OASIS project, consistent with the proposed OASIS site plan, on land currently restricted to park/recreation/open spaces uses, as follows:
 - **DevStd KS18-1:** *The entire site, with exception of the residential and commercial areas noted in Policy KS18-1 above, and the portions of APNs 105-020-063 and 105-020-064 which may be developed for non-profit meeting facilities (per approved OASIS Center site plan, Attachment H) under the REC zone, shall remain in natural, undeveloped open space. On APN 105-020-022, the open space shall include the area extending 50 feet from the top of the northern bank of Orcutt Creek. No development other than the proposed park, retention basin, and Class I bike path/multi-use trail shall be permitted within the open space.*
 - **Amendment #2:** Amend the OCP Open Space Area Map so the OASIS property is not designated as open space.

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- **Amendment #3:** Amend the OCP Parks, Recreation and Trails (PRT) Map to remove the OASIS property as part of the “Proposed Public Park” for KS-18.
 - **Amendment #4:** Amend the OCP Bikeways Map to allow Class II striped bike lanes within the OASIS driveway, between Foxenwood Lane and OASIS’ eastern property line.
2. **Recorded Map Modification**, Case No. 16RMM-00000-00001: The project requires modifications to two Southpoint Estates subdivision recorded maps, as follows:
- **Modification #1: Modify TM 12,679 Condition No. 18 / TM 13,345 Condition No. 21** (same language) to remove the restrictions related to ownership of the property and conveyance of property’s development rights to the County. The proposed modified condition language is identified below:
 - *Title to the common Open Space shall be held by a non-profit association of property owners or by any other individual or entity of such reasonable terms and conditions as the Board of Supervisors may prescribe subject to conveying to the County of Santa Barbara the rights to develop such property with anything except Open Space or non-commercial recreation. This condition no longer applies to the OASIS property, APNs 105-020-063 and 105-020-064 (together one legal lot).*
 - **Modification #2: Modify TM 13,345 Condition No. 8** to no longer apply to the OASIS property, Lot 89.
 - *Lots 87, 88, ~~89~~, 92 and 93 shall be labeled "OPEN SPACE NOT A BUILDING SITE" on the Final Map.*
 - **Modification #3: Modify TM 13,345 Unit 1 Recorded Final Map (Book 125, p. 8)** to remove the “NOT A BUILDING SITE” OPEN SPACE label from Southpoint Estates open space lot 89 (the current OASIS property) on this recorded Final Map (see Attachment F, Figure 6);
 - **Modification #4: Modify TM 13,345 Unit 2 Recorded Final Map (Book 128, p. 93)** - Remove the “NOT A BUILDING SITE” OPEN SPACE label from Southpoint Estates open space lot 89 (the current OASIS property) on this recorded Final Map (see Attachment F, Figure 6);
3. **Lot Line Adjustment**, Case No. 16LLA-00000-00004: A minor Lot Line Adjustment is proposed between the OASIS property, identified below (APNs 105-020-063 and 105-020-064, together one legal lot), and the LeBard corner commercial parcel, identified below (APN 105-020-041). The property boundaries would be adjusted as follows:

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Existing	Proposed
APN 105-020-041 1.25 acres gross/net	Parcel 1 1.37 acres gross/net (9.6% increase)
APN 105-020-064 1.12 acres gross/net	Parcel 2 5.16 acres gross/net (2.3% decrease)
APN 105-020-063 4.16 acres gross/net	
Total: 6.53 acres/gross net	Total: 6.53 acres gross/net

4. **Development Plan**, Case No. 16DVP-00000-00002: The project proposes 15,661 square feet of structural development, with a main building of 14,069 square feet and an ancillary BBQ/crafts building of 1,592 square feet. The project would also include a related access road, parking, landscaping, trails within the development area, a section of the multi-use Orcutt Creek Trail including a bikeway, and a modification to LUDC parking requirements (described below).

Parking Modification Request

Community Center Building	Area	LUDC Parking Standard	Required Spaces
First Floor Office	520 SF	1 space/300 SF	1.73
Second Floor Office	722 SF	1 space/300 SF	2.41
Education Area	1,825 SF	1 space/300 SF	6.08
Assembly Area	6,470 SF	1 space/30 SF	215.67
Storage Rooms	490 SF	1 space/1,000 SF	0.49
BBQ/Storage Building			
Education Area	503 SF	1 space/30 SF	1.67
Storage Room	189 SF	1 space/1,000 SF	0.19
TOTAL PARKING REQUIRED			228.24 (229) Spaces
TOTAL PARKING PROPOSED			143 Spaces
PARKING REDUCTION MODIFICATION REQUEST			86 Spaces

OASIS proposes a modification to the LUDC parking requirements, to reduce LUDC required parking by 86 spaces as part of the development plan request. Based on the LUDC requirements, the project would be required to provide 229 parking spaces, while the project includes a total of 143 spaces. OASIS also proposes that onsite parking areas will be reserved strictly for parking (e.g., the parking areas will not be used for events, sales, storage sheds, activities, etc.) and the OASIS parking lot will not be used to accommodate parking demand for other projects or events.

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Landscaping

The landscape plan includes maintenance of existing trees and non-native grassland species along the north, south and western perimeters of the property. Bioswale compatible plants are identified for the retention basin and planter islands in the parking lot east of the main building. A lawn area is included to the west of the BBQ building, which will be used for outdoor classes and celebrations. Trees are scattered throughout the development area including the parking lot, as are areas of shrubs and bushes and groundcovers and flowers. The majority of plant species on the plant palette are native, drought tolerant species. The final landscape plan will be refined in response to project conditions, particularly regarding areas restricted to compatible native species and areas where non-native, but non-invasive species are acceptable (e.g., the proposed lawn area).

Grading

The Preliminary Grading Plan identify approximately 4,400 cubic yards (CY) of cut and approximately 5,202 CY of fill. Earthwork would be balanced onsite within the development/landscape areas of the OASIS property. A majority of the project site is relatively flat. However, only a segment of the proposed access road, bike lanes and pedestrian path would involve earthwork on slopes of more than 30%. Retaining walls are identified on the south side of the access road and on both sides of the pedestrian path. The project engineer has indicated that the final grading plan would only include a retaining wall(s) on the north side of the access road, if needed, to ensure earthwork would not extend into the banks of Orcutt Creek.

Access

Vehicular, bicycle (Class II striped bike lanes within the driveway), and Americans with Disabilities Act (ADA) pedestrian access would be provided from Foxenwood Lane via an access easement across the adjacent commercial parcel (APN 105-020-041), which is located on the northwest corner of the Foxenwood/Clark intersection. The project driveway and project road improvements on Foxenwood Lane and Clark Avenue are depicted on project plans (Attachment H).

Project Plans

Project plans are included with the applicable permit conditions of approval in Attachments B-1 through B-5 for the Recorded Map Modification, Lot Line Adjustment, Development Plan, Conditional Use Permit and Minor Conditional Use Permit (Sign), respectively. The General Plan Amendment exhibits are included in the proposed Board Resolution in Attachment E.

5. **CONDITIONAL USE PERMIT**, Case No. 16CUP-00000-00006: The proposed project includes a request for a Major Conditional Use Permit to authorize the use of the Oasis building as a private meeting facility. The Oasis facility would continue to offer existing programs as well as a variety of special events and programs for members and non-members. The Special Events would occur up to 12 times a year (five

events for OASIS member and seven events for non-member). The maximum attendance at OASIS and non-OASIS events would be 200 persons, with up to 15 OASIS or catering staff included as part of this maximum. Please see condition No. 1 of Attachment B-4 for a detailed list of proposed programs and events. All OASIS programs are required to comply with Santa Barbara County regulations, including the requirement that noise (from indoor or outdoor activities) would not result in noise levels of 60 dBA at the OASIS property line. Amplification (e.g., for spoken voice, music) would be permitted for both indoor and outdoor OASIS activities. Amplified music and amplification/sound equipment (including for the spoken voice) for Non-OASIS activities would be restricted to use inside the building.

6. **MINOR CUP FOR DIRECTIONAL SIGN**, Case No. 17CUP-00000-00013: A Minor Conditional Use Permit is requested for an off-site directional sign near the driveway entrance on Foxenwood Lane. The proposed sign is a combination of rock and wood with the OASIS logo placed on a portion of the wood (See project plans, Attachment H)
7. **GOVERNMENT CODE 65402 CONSISTENCY**, Case No. 18GOV-00000-00005: The Southpoint Estates conditions of approval (TM 12,679 Condition No.18 and TM 13,345 Condition No. 21) required the development rights to the subdivision's open space be conveyed to the County. To complete the proposed project, OASIS must first acquire the development rights, which are currently held by (deeded to) the County. OASIS requests the County vacate, abandon, or release the development rights to their property. Pursuant to California Government Code Section 65402(a), if the County wishes to relinquish the OASIS property development rights to OASIS, the County must find that vacating, abandoning, or releasing these development rights would be in conformance with the County's General Plan, including the Orcutt Community Plan.

5.5 Background Information

OASIS Property

In 1979, the Southpoint Estates rezone and subdivision project were approved. The OASIS property is part of the common open space identified for this subdivision (approximately 34 total acres of open space and an approximately one-acre resource recovery/oil drilling lot). In 1997, the Orcutt Community Plan (OCP) was adopted. The OCP evaluated a number of "key sites" in the Orcutt Planning Area at a greater level of detail, including preparation of mini-EIRs for each key site. The OASIS property is located within OCP "Key Site 18/Southpoint" (KS18). Consistent with the Southpoint Estates tract conditions, the OCP identifies approximately 35 acres of open space (including the old resource recovery lot) as open space, with approximately 8.5 acres of this area also identified as the site for a future public park. The future park is identified in the OCP as Orcutt Creek Park. The OCP also identifies an additional two acres of creek restoration for the adjacent Orcutt Creek riparian corridor as part of the future park as well as a segment of the Orcutt Creek Trail, a multi-use trail with a parallel Class I bikeway traversing the Orcutt community between Highway

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101 and Highway 1 along the south side of Orcutt Creek. Please see Appendix B or the Oasis EIR, which is available for review on the Planning and Development OASIS project webpage at <https://www.countyofsb.org/plndev/projects/oasiscenter.sbc> for a detailed historical chronology of the Oasis property.

Orcutt Area Seniors in Service (OASIS) Background

The existing OASIS center is currently operating out of mobile structures on a portion of Key Site 17 located in Old Town Orcutt. There are approximately 1,500 adult (senior) memberships, although OASIS serves over 5,000 local individuals and families on an ongoing basis (<https://oasisorcutt.org/about/>). Based on monthly tracking, most members attend a class, lunch, or health service once a week, with about 300 members currently using the facility throughout each day, mainly during the midday hours for lunch and related services.

The OASIS Center currently has approximately five (5) employees. The existing OASIS Center is used predominately for day use to serve the senior members, however, the facility also has evening and weekend programs and classes. Daytime programs and services are currently provided Monday through Friday from 7:30 A.M. to 4:00 P.M. Between the hours of 11:00 A.M. and 2:00 P.M., lunch service is provided for up to 100 members. Weekday evening programs are currently scheduled between the hours of 6:30 P.M. to 9:30 P.M.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

6.1.1 PREVIOUS ENVIRONMENTAL REVIEW

Orcutt Community Plan EIR (95-EIR-1)

The Orcutt Community Plan (OCP) EIR evaluated the impacts of development under OCP buildout at a program level, with site-specific impact analysis limited to Volume II of the OCP EIR. Volume II includes Mini-EIRs prepared for the OCP “Key Sites” including Key Site 18/Southpoint (KS18). The OCP assumed land uses on the OASIS portion of KS18 would be limited to open space or part of a future public park. The Mini-EIR states that the park “*could include picnic areas, informal recreational facilities, tot-lots and potentially some active recreational facilities such as a volleyball court or outdoor basketball court. It is also possible that a small public rest-room facility may be provided within the park.*” The Mini-EIR also assumed a Class I bike path and parallel hiking/equestrian path traversing KS18 on the south side of Orcutt Creek between California Boulevard and Foxenwood Lane. The individual issue area sections of the OASIS EIR (Sections 4.1-4.13) include a “*Previous OCP EIR Review*” discussion, which summarizes the conclusions of the OCP EIR for each environmental issue area, as applicable to the project site.

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Oasis Facility EIR

The Oasis Draft EIR was circulated for public review from September 6 to October 21, 2019. A public hearing to accept comments on the Draft EIR was held on October 3, 2019. In addition to comments relayed at the public hearing, 30 comments (letters and emails) were submitted during the public review period. The comments, responses to comments, and a summary of the October 3, 2019, hearing are included in OASIS EIR Section 9.0.

EIR Revision Letter

The proposed Final EIR also includes an EIR Revision Letter No. 1 (included as Attachment I to this staff report). The Revision Letter summarizes the impacts of a proposed additional trail segment located east of the project site and provides a project level of environmental analysis for impacts, and documents that the trail segment: would: (1) not result in any additional significant and unavoidable Class I environmental impacts; and, (2) would not increase any Class I or Class II impacts that were previously identified in the EIR.

6.1.2 Class I, Significant and Unavoidable Impacts

The EIR identifies the following Class I impacts:

- Aesthetics/Visual Resources - Project Specific and Cumulative
- Biological Resources - Project Specific and Cumulative
- Land Use -Compatibility/Quality of Life
- Recreational Opportunities/Loss of Open Space – Project Specific and Cumulative
- Transportation - OCP Buildout

The EIR concluded that even with application of feasible mitigation measures, these impacts cannot be entirely avoided or reduced to less than significant levels. Adoption of a Statement of Overriding Considerations would be necessary to approve the proposed project. The Class I impacts are summarized below.

Aesthetics/Visual Resources (Open Space Views) – Class I Project Specific and Cumulative Impacts

Impact VIS-1 (Scenic Views, Project Specific): The proposed project would result in the loss of unobstructed scenic views of the Key Site 18 contiguous natural open space setting along Orcutt Creek and the visual character of the eastern gateway to Old Town Orcutt. (MMs VIS-1 – VIS-9).

Cumulative Aesthetics/Visual Resources: The project would result in the loss of open space views by allowing development on property specifically set aside to partially mitigate significant loss of open space views from

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development of the Southpoint Estates project, cumulative development in 1979 when Southpoint Estates was approved, and from OCP buildout.

Mitigation Measures: The above impacts would be partially mitigated by OASIS EIR Mitigation Measures VIS-1 through VIS-9, which include specific criteria and requirements for lighting, temporary structures (e.g., used for party rentals), landscaping for the access road, steep slopes and retaining walls along the proposed access and pedestrian path, screening for rooftop mechanical equipment, and NBAR review (in conjunction with P&D) of final grading, development, landscaping, and sign plan details for consistency with approved project mitigation/conditions. Residual impacts after mitigation would remain significant and unavoidable, given permanent conversion of this contiguous scenic natural open space to development and related infrastructure.

Biological Resources (Increased Development/Human Activities on/adjacent to Open Space/Wildlife Habitat) – Class I Project Specific and Cumulative Impacts

Impact BIO-5 (Project Specific): The project would increase development and human activities into a large urban open space/wildlife corridor in the central urban core of Orcutt. (MMs BIO-1 and BIO-3 – BIO-19)

Cumulative Biological Resources Impact: The project would develop an area set aside, in part, to reduce identified impacts to biological resources by preserving and protecting a contiguous band of open space. The project would increase habitat fragmentation of the KS18 open space.

Mitigation Measures: The above impacts would be partially mitigated by OASIS EIR Mitigation Measures BIO-1 and BIO-3 – BIO-19, which require:

- Measures to minimize impacts to biological resources during the construction period;
- Preparation of specific wildlife surveys and worker orientation regarding biological protection measures prior to initiation of construction;
- Biological monitoring for earthwork activities;
- Tree protection and replacement;
- Visual (long-term) and physical (construction period) delineation of approved setbacks from riparian habitat and native trees;
- Implementation of stormwater best management practices;
- Habitat restoration;
- Use of native plants, except non-invasive drought tolerant plants allowed near the buildings and lawn area;
- Designation/use/maintenance of equipment wash-out area(s);
- Trail design criteria to minimize native vegetation removal and require restoration plantings between trail/bikeway and Orcutt Creek;

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- Wildlife-compatible fence design;
- Lighting design to reduce light pollution in the open space/habitat areas; and
- Acquisition of resource agency permits/approvals for project work affecting the creek channel or sensitive species.

Residual biological resource impacts after mitigation would remain significant and unavoidable.

Land Use - Compatibility/Quality of Life-Class I Impacts

Impact LU-1 Compatibility (Project Specific): The project would result in a change in character of the site and the scale of development on the site.

Mitigation Measures: The above impact would be partially mitigated by OASIS EIR mitigation measures identified in EIR Sections 4.1 (Aesthetics/Visual Resources), 4.9 (Noise), 4.11 (Recreation/Open Space), and 4.12 (Transportation and Circulation). Residual impacts after mitigation would remain significant and unavoidable.

Recreational Opportunities and Loss of Open Space – Class I Project Specific and Cumulative Impacts

Impact REC-1 (Project Specific): The project would amend the OCP to allow the OASIS development on property that is otherwise restricted to open space and potential public park uses. The land use restrictions were adopted as partial mitigation for significant unavoidable impacts to recreation, loss of open space/open space views for the earlier Southpoint Estates project. The proposed conversion of open space/parkland to development would increase the previously identified significant unavoidable loss of open space, scenic open space views, and recreation impacts identified in the OCP EIR and Southpoint Estates' Orcutt 13 EIR, 79-EIR-1. (MMs Rec-1, Rec-2, Rec-3, and Rec-4).

Cumulative Recreation/Loss of Open Space: The project would result in the loss of open space and recreational opportunities identified in the OCP by removing high priority open space/parkland. (MMs Rec-1, Rec-2, and Rec-3)

Mitigation Measures: The above impacts would be partially mitigated by OASIS EIR Mitigation Measures Rec-1 – Rec-4, which include specific changes and requirements for the proposed segment of the OCP Orcutt Creek Trail/Bikeway from Foxenwood Lane and across the OASIS property. Residual impacts after mitigation would remain significant and unavoidable.

Transportation – Increased Traffic/Safety/Turning Movements at OCP Buildout-Class I Impacts

Impact TC-7: Foxenwood/ Clark Intersection at OCP buildout: The project would contribute additional vehicle trips to OCP buildout conditions that would result in increased congestion, and turning movement and safety

impacts at the Foxenwood Lane/Clark Avenue Intersection. This cumulative impact would be significant and unavoidable (MMs TC-1 and TC-2).

Mitigation Measures: The above impact would be partially mitigated by Mitigation Measures TC-1 and TC-2, which require Public Works approval of driveway and roadway improvements prior to zoning clearance, and the completion of all improvements pursuant to approved plans prior to Final Building Inspection Clearance. Residual impacts after mitigation would remain significant and unavoidable.

6.1.3 Class II, Significant and Unavoidable Impacts

The EIR identifies 27 Class II impacts that would result from the proposed project. The impacts would be mitigated to less than significant levels with the implementation of specified mitigation measures. The Class II impacts and associated mitigation measures are summarized in the Table below. Additional details regarding potential impacts and mitigation measures are provided in the issue area discussions in the EIR.

Class II – Significant Impacts that Can Be Mitigated to Less than Significant Levels

Class II Project (Potentially Significant but Mitigable Impacts)		
Issue Area	Impact	Mitigation Measures
Aesthetics/ Visual Resources	<p>VIS-2: Off-Site Directional Sign. Design and obstruction of open space views.</p> <p>VIS-3: Retention Basin. Long-term maintenance of landscaping.</p> <p>VIS-5: Temporary Structures. Tents/Bounce Houses, etc. used for outdoor gatherings, rentals, special events inconsistent with character of the area if not promptly removed after use.</p>	<p>VIS-2: Directional Sign Plan Review.</p> <p>VIS-3: Retention Basin Landscape and Maintenance.</p> <p>VIS-4: Temporary Structures Prompt Removal:</p>
Air Quality	<p>AQ-3: Project Increase in Vehicle Emission/Lack of Access to Transit: Potential conflict with implementation of 2016 Ozone Plan.</p> <p>Cumulative Air Quality: Cumulative impacts from increased emissions.</p>	<p>AQ-2: Transportation Demand Management Program</p>
Biological Resources	<p>BIO-2: Sensitive Riparian Habitat and Oaks Trees. Short and Long-Term Impacts. (MM BIO-1, -3-19)</p> <p>BIO-3: Special Status Wildlife. Direct and Indirect Impacts. (MM BIO-2, -4, -6, 18, -19)</p>	<p>BIO-1: General Biological Resource Protection.</p> <p>BIO-2: Special Status Species Preconstruction Survey.</p> <p>BIO-3: Worker Orientation.</p> <p>BIO-4: Biological Monitor.</p> <p>BIO-5: Tree Protection.</p>

Class II Project (Potentially Significant but Mitigable Impacts)		
Issue Area	Impact	Mitigation Measures
	BIO-4: Nesting Birds. Direct and Indirect Impacts (MM BIO-2, -4, -6, 18, -19) Impact BIO-6: Trail. Orcutt Creek Trail/Class I Bikeway Construction and Use (BIO-1 through BIO-19)	BIO-6: Nesting Bird Preconstruction Survey. BIO-7: Tree Planting. BIO-8: Habitat Setback. BIO-9: Stormwater BMPs. BIO-10: Compliance with VIS-7 (Restoration Plan). BIO-11: Eliminated (Before Draft EIR) BIO-12: Habitat Restoration. BIO-13: Native Plants. BIO-14: Equipment Washout. BIO-15: Trails. BIO-16: Fence Design. BIO-17: Lighting Plan BIO-18: Fish & Wildlife Authorization. BIO-19: Threatened and Endangered Species Approvals.
Cultural Resources	CR-2: Undiscovered Resources: Potential to Encounter Sensitive Resources	CR-1: Stop Work at Encounter
Fire and Police Services	FP-2: Increased Demand on Sheriff Services: Proposed activities including facility use as rental venue could increase demand on Sheriff's services.	FP-1: Special Event Security and Traffic Control.
Geologic Processes	GEO-1: Siltation/Sedimentation of Orcutt Creek. Impacts from Short-term construction and long-term operations. GEO-2: Slopes. Steep slopes north of Clark Avenue and north of access driveway. (MM GEO-2) GEO-3: Soil Blowing: Short-term construction period soil blowing. (MM GEO-3, SBAPCD fugitive dust measures)	GEO-1: Erosion and Sediment Control Plan. GEO-2: Grading Plan to Address Steep Slopes. W-3: Storm Water Pollution Prevention Plan. W-5: Low Impact Development Measures. W-6: Operational Erosion Control Measures Compliance with: Flood Control District condition letter; Project Clean Water condition letter; and SB County Air Pollution Control District fugitive dust control measures.
Greenhouse Gases/Climate Change	GHG-2: Conflict with County Energy and Climate Action Plan. Project vehicle emissions and lack of accessible options to single vehicles would conflict with the County's greenhouse gas reduction strategies.	AQ-2: Transportation Demand Management Program
Land Use	LU-2: Land Use. <i>Consistency with Policies adopted to Avoid or Mitigate Significant Impacts.</i>	All mitigation measures identified in this table of Class II impacts.

Class II Project (Potentially Significant but Mitigable Impacts)		
Issue Area	Impact	Mitigation Measures
Noise	<p>NS-1: Short-Term Noise: Noise from grading and construction. (MM NS-1, NS-2).</p> <p>NS-3: Sensitive Receptors: Change in noise levels from open space to proposed project. (MM NS-3 through NS-8)</p>	<p>NS-1: Construction Hours.</p> <p>NS-2: Equipment Shielding Construction.</p> <p>NS-3: Noise Limiters for Amplification.</p> <p>NS-4: Amplification Limits.</p> <p>NS-5: Acoustical Leaks</p> <p>NS-6: North and West Window/Door Closure during Loud Activities.</p> <p>NS-7: Designate Noise Contact.</p> <p>NS-8: Delivery Vehicle Back-Up Beeping Reduction</p>
Recreation	<p>REC-2: Trail Feasibility. Easement conflict with existing recorded easements and remaining designated park land.</p>	<p>REC-1: Trail/Bikeway Location.</p> <p>REC-2: Trail/Bikeway Plans.</p> <p>REC-3: Financial Surety for Improvements.</p>
Transportation / Circulation	<p>TC-1: Roadways Project Specific. (MM TC-1)</p> <p>TC-2: Intersections Project Specific. (MM TC-1)</p> <p>TC-3: Roadways Cumulative. (MM TC-1)</p> <p>TC-4: Intersections Cumulative. Project traffic exceeds cumulative threshold at Clark/Foxenwood (MM TC-1, TC-1 and payment of transportation development impact fees (DIF).</p> <p>TC-5: Driveway Design. Driveway does not meet design standards. (MM TC-2)</p> <p>TC-7: Exacerbate Foxenwood/Clark Intersection Impacts at OCP Buildout: Project traffic was not accounted for in OCP. Project traffic would exacerbate OCP identified Class I impacts at this intersection. (MM TC-1, TC-1, DIF fee)</p>	<p>TC-1: Roadway Improvements.</p> <p>TC-2: Driveway Design.</p> <p>Payment of Transportation Development Impact Fees</p>

Class II Project (Potentially Significant but Mitigable Impacts)		
Issue Area	Impact	Mitigation Measures
Water Resources	<p>W-1: Impacts to Water Supply/Santa Maria Groundwater Basin. Net increase in water demand would impact groundwater basin without purchase of supplemental water. (MM WS-1, WS-2)</p> <p>W-2: Construction Related Impacts to Water Resources: Grading more than 1 acre and proximate to Orcutt Creek and degraded water quality from increased erosion and sedimentation. (MM W-3, W-4, W-6, GEO-1, BIO-1.</p> <p>W-3: Degraded water quality: Increased impervious surfaces. (MM W-3, W-4, Bio-9)</p>	<p>WS-1: Outdoor Water Conservation.</p> <p>WS-2: Purchase Supplemental Water to offset increased demand on groundwater basin. Can and Will Serve letter from Golden State Water Co.</p> <p>W-3: Stormwater Pollution Prevention Plan</p> <p>W-4: Construction Equipment Washout.</p> <p>W-5: Low Impact Development Measures.</p> <p>W-6: Operational Erosion Control Measures.</p> <p>GEO-1: Erosion and Sediment Control Plan</p> <p>BIO-1: General Biological Resource Protection.</p> <p>BIO-9: Stormwater BMPs</p>

6.1.4 Alternatives

Section 7 of the OASIS EIR examines a range of alternatives to the proposed project and compares the merits of the various alternatives to the proposed project (Table 7-1 Project Alternatives – Impact Classification and Comparison with Proposed Project Impacts). Alternatives were chosen that could:

- Feasibly attain most of the basic project objectives;
- Avoid or substantially lessen the identified significant effects of the proposed project, and,
- Comply with applicable land use and zoning requirements.

The following nine project alternatives were evaluated:

1. The “No Project” Alternative
2. Off-Site Alternative - Existing OASIS Location at Orcutt Union School District/Key Site 17
3. Off-Site Alternative – Aqua-Center Location
4. Reduced OASIS Facility with Public Park Alternative and Wider Trail Easement
5. Alternative Access Route from Clark Avenue at Norris Street
6. Alternative Access Route from Broadway/California Boulevard
7. Alternative Access Route from Park Avenue
8. Alternative Access Route from Foxenwood Lane North of Proposed Driveway

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9. Previously Proposed Off-Site Alternative OASIS Project at 400 West Foster Road, Foster Road County Complex (City of Santa Maria)

Alternative #1 No Project

This alternative assumes the project is not approved. There would be no changes to the existing land use restrictions within the KS18 open space, no modifications to the Southpoint Estates conditions of approval, OASIS would not acquire the development rights deeded to the County of Santa Barbara, and no portion of the OASIS KS18 property would be added to the adjacent LeBard corner commercial parcel.

Alternative #2 Current OASIS Location OUSD Property

This alternative assumes development of a new OASIS facility at the existing OASIS site on Soares Avenue location. Development would involve either a long-term lease or land exchange with OASIS, and would involve a new building in the area of the current building on the same parcel (APN 105-134-002). This alternative could also include a portion of OUSD KS17 to accommodate parking in conjunction with the senior housing project. A new OASIS facility could be developed in coordination with the senior housing project at KS17, however, Alternative #2 assumes the OASIS project would be developed as a separate project, with only a potential shared parking component. Parking could also be provided within existing parking areas on the OUSD property.

Alternative #3 Aqua Center

This alternative assumes development of a new OASIS facility at the formerly proposed Aqua-Center site near the southeast corner of Union Valley Parkway and Hummel Drive.

Alternative #4 Reduced Project

This alternative assumes a reduced project of approximately 8,500 square feet, with a one-acre park on the OASIS property.

Alternatives #5-#8

There are four project alternatives that consider alternate access points, given the project driveway's proximity to the Foxenwood Lane/Clark Avenue intersection and to reduce traffic at this intersection. The alternative access alternatives (Alternatives #5 - #8) considered, include:

- Alternative #5 Clark Avenue opposite Norris Street
- Alternative #6 Broadway/California Boulevard
- Alternative #7 Park Avenue
- Alternative #8 Foxenwood Lane driveway moved north further from the intersection

Alternative #9 Off-Site Alternative on Foster Road

This alternative is the previously approved OASIS project in the City of Santa Maria, on County property on Foster Road adjacent to the Foodbank. This project was approved by the City of Santa Maria before OASIS acquired the property at Key Site 18.

Environmentally Superior Alternative(s)

The OASIS EIR identifies the Foster Road Off-Site Alternative as the Environmentally Superior Alternative. This alternative was previously proposed for the OASIS project and was approved by the City of Santa Maria. This alternative would result in the greatest reduction in impacts on the environment compared to the proposed project at KS18. As identified in the findings, this alternative was determined to be infeasible as discussed in Finding 1.6.9.

6.2 Comprehensive Plan Consistency

ORCUTT COMMUNITY PLAN (OCP)	
LAND USE - GENERAL	
<p>GOAL: <i>Accommodate growth within available resources and service capacity, provide a range of housing types affordable to all Orcutt residents, provide a range of commercial and industrial uses which promote orderly economic development, improve the balance between jobs and housing, protect agriculture, provide recreation and open space, protect natural resources, preserve Orcutt's "semi-rural" character, balance the needs of the future with the needs of existing residents, and provide fiscal balance in public infrastructure.</i></p> <p>Policy LU-O-2: <i>The Development Standards contained within this Plan shall be utilized to implement the policies of the Plan. Each of these standards shall be applied to the project under review unless the standard would be inapplicable, ineffective or preclude reasonable development and/or other equivalent standards have been developed as part of project approval which implement the goals and policies of this plan.</i></p> <p>Policy LU-O-3: <i>The County shall require that adequate resources and service capacity are available to accommodate the growth identified within this Plan.</i></p>	<p>The discussion of applicable OCP policies and development standards below addresses the direction of this OCP Land Use Goal and Policy LU-O-2. The policy consistency discussion which follows evaluates the effects of growth and specifically applies to the OCP development standards in evaluation of the proposed OASIS project requests. A determination of consistency is included with each discussion.</p> <p>The GPA, Recorded Map Modification, Government Code Consistency finding and Lot Line Adjustment cases do not propose and would not result in approval of additional development beyond that identified in the DP/CUP requests, and any additional development enabled by these requests would be subject to separate environmental review and policy consistency analysis specific to such future requests. The proposed project also provides a meeting facility that will provide services to Orcutt community members, with trails and open space amenities for the community.</p> <p>Consistent: The project will be served by adequate resources, would be available to accommodate the project. The Laguna County Sanitation District has provided an availability letter indicating adequate</p>

	<p>wastewater disposal and treatment capacity. Golden State Water Company has provided a preliminary can and will serve letter for water service and purchase of supplemental water is available from the City of Santa Maria to ensure no increased groundwater extractions from the adjudicated Santa Maria Groundwater Basin. Project conditions require final can and will serve letters for water and sewer service prior to recordation of documents for the Recorded Map Modification. Public Works conditions require construction of required road improvements to address the Foxenwood/Clark intersection and project entrance on Foxenwood Lane as well as payment of development impact fees (DIF) to ensure the project contributes its fair share to address road improvements needed to accommodate traffic from cumulative development. DIMF fees are also required to fund project fair share contribution toward cumulative County Sheriff and County Fire services.</p>
<p>Policy LU-O-8: <i>In order to preserve the semi-rural character of Orcutt, protect natural resources, and avoid development in hazardous areas, the County shall provide for large useable areas of (public or private) open space within the community. Appropriate planning tools should be explored and adopted which provide for the clustering or relocation of development from hazardous, environmentally sensitive or visually prominent areas, or other sites which are deemed unsuitable for development, to areas appropriate for development.</i></p>	<p>Consistent: The project is consistent with the policy to preserve the semi-rural character of Orcutt, and to protect natural resources and avoid development in hazard areas. The open space portion of Key Site KS18 totals approximately 35 acres. The proposed project includes amendments to the OCP to remove the development restrictions on 5.28 acres of the area currently designated for park and open space uses. Approximately 30 of the 35 acres designated for open space on KS18 would remain designated for open space (~86%), providing a sufficient large area of open space within the community. Therefore the project is consistent with this Policy.</p>

<p>Policy LUC-O-5: <i>All commercial and industrial projects shall minimize impacts to adjoining residences, businesses and open space areas.</i></p>	<p>Consistent: The project is consistent with the policy to minimize impacts to adjoining residences, businesses and open space areas. In order to minimize impacts to adjoining residences and future businesses, the project includes landscaping to soften the visual appearance of the project, and noise reduction measures during construction and operation of the project. Rooftop mechanical equipment would be shielded from surrounding roadways and residences through architectural design per the conditions of approval. The project has been conditioned to reduce long-term operational noise exposure to residents by limiting the hours of operation. All proposed exterior light fixtures are dark sky compliant, fully shielded and will be directed downwards on to the project site and away from the adjacent residential areas.</p>
<p>DevStd LUC-O-5.1: <i>Rooftop mechanical structures shall be minimized. Where they cannot be avoided (e.g., vents, air conditioning, etc.), they shall be shielded from view from surrounding roadways and residences through architectural design, camouflage housing, or other appropriate methods.</i></p>	<p>Consistent: The project is consistent with the policy to minimize rooftop mechanical structures. Mechanical equipment would be located in a “well” on both buildings’ roofs to provide shielding, and the solar panels would lay relatively flat on the roofs of both buildings. Due to the site’s elevation in the valley along Orcutt Creek, the property sits well below the elevation of surrounding developed properties and public roadways. The design and location of the mechanical equipment in “wells”, near the center of the roof, and the distance between the flat rooftop solar panels and adjoining residences/businesses would also reduce visibility of the rooftop mechanical equipment from surrounding roadways and residences, consistent with the intent of this Development Standard.</p>
<p>DevStd LUC-O-5.2: <i>Project design shall minimize long-term operational noise exposure to residences in close proximity to the site through limited, posted delivery hours (between 6 am to 8 pm) and soundwall(s) along site boundaries where appropriate, or through other measures which provide equivalent noise reduction. Additional noise reduction measures such as loading only on sides of buildings not adjacent to residences or below-grade delivery bays shall be considered. All noise-generating equipment (including delivery trucks) shall be enclosed and/or shielded to the maximum extent feasible to reduce noise levels.</i></p>	<p>Consistent: The project, as mitigated, is consistent with requirements to minimize long-term noise exposure to residences. EIR section 4.9 includes mitigation measures to minimize exposure of sensitive receptors, including residential neighbors, to noise from deliveries, outdoor barbeques, weddings, music, amplification of the human voice and musical instruments, as well as other large group activities. The FEIR also identified mitigation measures that include timing restrictions for certain noise generating activities and maximum noise levels, including but not limited to timing restrictions for specific activities. All of the mitigation measures have been incorporated as conditions</p>

Oasis Meeting Center

Case Nos. 14GPA-00000-0000, 16RMM-00000-00001, 16CUP-00000-00006, 16DVP-00000-00002, 16LLA-00000-00004, 17CUP-00000-00013, 18GOV-00000-00005

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	of approval.
<p>DevStd LUC-O-5.3: <i>All exterior lighting features used within 100 feet of residential areas, designated Open Space areas and surrounding biologically sensitive areas shall be directed away from adjacent units and habitat. Hoods shall be installed on lighting fixtures to prevent "spill-over" into adjacent residences and habitat areas when deemed necessary by P&D. Decorative lighting shall utilize low intensity sources.</i></p>	<p>Consistent: The project, as mitigated, is consistent with requirements for exterior lighting. Exterior lighting features are not proposed within 100 feet of residential areas but may be proposed within 100 feet of designated Open Space and biologically sensitive areas. The OASIS property is surrounded by designated open space and biologically sensitive areas (including Orcutt Creek riparian habitat and oak trees along the southern property line). EIR Section 4.3, includes mitigation measures requiring exterior lighting within 100 feet of open space and biologically sensitive areas to be hooded and directed away from adjacent habitat. To ensure consistency with this Development Standard, this mitigation measure have been incorporated as condition of approval.</p>

Oasis Meeting Center

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KEY SITE 18	
<p>Policy KS18-1: Key Site 18 is designated Res 3.3 and zoned DR 3.3 on APNs 105-020-18 and -22; designated General Commercial and zoned OT-GC along Park Avenue (APNs 105-020-38 and -41 and the southernmost 1/3 acre of APN 105-020-63); and designated Open Space and zoned REC on the remaining parcels, as shown on Figure KS18-1 Any proposed development on Key Site 18 shall comply with the following development standards,</p> <p>DevStd KS18-1: The entire site, with exception of the residential and commercial areas noted in Policy KS18-1 above, shall remain in natural, undeveloped open space. On parcel 105-020-22, the open space shall include the area extending 50 feet from the top of the northern bank of Orcutt Creek. No development other than the proposed park, retention basin, and Class I bikepath/multi-use trail shall be permitted within the open space.</p>	<p>Consistent: The project would be consistent with this Policy and Development Standard, subject to approval of the GPA by the Board of Supervisors. The project would retain the Open Space land use designation and REC zoning, consistent with Policy KS18-1. With regard to DevStd KS18-1, the project includes a General Plan Amendment (GPA) to amend this development standard to accommodate the proposed project, as follows:</p> <p><i>The entire site, with exception of the residential and commercial areas noted in Policy KS18-1 above, and the portions of APNs 105-020-063 and 105-020-064 proposed for non-profit meeting facilities under the REC zone (see OASIS Center site plan), shall remain in natural, undeveloped open space. On parcel 105-020-22, the open space shall include the area extending 50 feet from the top of the northern bank of Orcutt Creek. No development other than the proposed park, retention basin, and Class I bikepath/multi-use trail shall be permitted within the open space.</i></p>
<p>DevStd KS18-2: All development allowed on APNs 105-020-18 and -22 shall occur only on APN 105-020-22; an Open Space easement shall be placed on APN 105-020-18 for the benefit of the residents of APN 105-020-22 to ensure that no development will be allowed on this parcel in the future.</p>	<p>Consistent: The project, as conditioned, is consistent with this development standard because it does not include development on APN 105-020-018. However, the Preliminary Grading Plan indicates that grading would abut, but not extend onto the southern tip of this parcel. The parcel is located within the Orcutt Creek riparian corridor and DevStd KS18-2 directs that no development be permitted on this parcel. Project conditions require the final grading plan exclude all grading, equipment, and materials from this parcel and require the erosion control plan to specifically address earthwork in proximity to the parcel to ensure no erosion/sedimentation or transport of degraded runoff onto APN 105-020-018 during grading operations or from long-term use of the proposed road.</p>
<p>DevStd KS18-4: The route for the multi-use public trail/bikepath shall be sited south of Orcutt Creek and designed to minimize the loss of significant vegetation. The northern side of the path should be revegetated with appropriate riparian vegetation and the southern side shall</p>	<p>Consistent: The project, as conditioned, is consistent with this development standard because the proposed trail route, as conditioned, minimizes loss of significant vegetation with most of the trail/bikeway located in areas of level terrain with non-native grassland. Project</p>

Oasis Meeting Center

Case Nos. 14GPA-00000-0000, 16RMM-00000-00001, 16CUP-00000-00006, 16DVP-00000-00002, 16LLA-00000-00004, 17CUP-00000-00013, 18GOV-00000-00005

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<p><i>be planted with oaks throughout the segment which crosses the proposed park.</i></p>	<p>conditions incorporate EIR mitigation measures, including MM# VIS-3 – Landscape and Irrigation Plan) which requires plantings consistent with this development standard. With implementation of project conditions addressing biological resources and recreation, including conditions requiring planting of oaks along the trail.</p>
<p>DevStd KS18-6: <i>The developer of commercial uses shall construct a raised center median and planter on Clark Avenue between Foxenwood Lane and Dyer Street which includes left- hand tum pockets serving commercial development along Clark Avenue, Foxenwood Lane, Norris Street, and Twitchell Street. The entire length of the center median shall be landscaped with drought tolerant street trees, shrubs, groundcover and decorative flatwork acceptable to County Public Works and P&D, or shall be consistent with the standard established by the landscape/median maintenance district. Trees shall be of sufficient height at maturity and spacing to provide a partial canopy over Clark Avenue. The developer shall be responsible through a bond for maintaining the new landscaping for a period of 3 years or until such time as the County determines it is "established" or adopts a landscape maintenance district, whichever occurs first.</i></p>	<p>Consistent: The project is consistent with this development standard because road improvement plans include a median that is designed to match the median approved for the LeBard commercial project. The proposed median does not include landscaping, and the Public Works has confirmed that trees in the median just east of Norris could interfere with line of sight for vehicles turning left onto Clark Avenue from Norris. However, the project is conditioned to incorporate drought tolerant plantings to the extent feasible, with species acceptable to Public Works, as well as decorative flatwork. Public Works requires financial securities for road improvements consistent with this policy.</p>
<p>DevStd KS18-7: <i>Development on the eastern portions and the Clark Avenue frontage of this site shall adhere to the "gateway" policies found in the Visual Resources section of this Plan. This gateway treatment shall include landscaping on the perimeter of parcel 105-020-41 sufficient to screen any development on this parcel from the westbound travel lanes along Clark Avenue at the Hwy 135 off-ramp.</i></p>	<p>Consistent: The project is consistent with this development standard because the OASIS project development is proposed at an elevation below Clark Avenue and Foxenwood Lane, within the Orcutt Creek valley. Project components that would be located near the Clark Avenue frontage would be limited to the off-site directional sign and the improved access driveway. Landscaping would be provided on both sides of the access road and Section 4.1 (Aesthetics/Visual Resources) includes mitigation to minimize any adverse visual impacts associated with the proposed sign.</p>
<p>DevStd KS18-8: <i>The area on the north facing slope immediately south and east of the park access road and parking area shall be landscaped with native shrubs of sufficient height to block views of the paved area from the north.</i></p>	<p>Consistent: The project, as mitigated in Section 4.1 (Aesthetics/Visual Resources) requires review and approval of a landscape plan which addresses the road and parking areas, which is consistent with DevStd KS18-8.</p>

FIRE	
<p>Policy FIRE-O-1: <i>The County shall strive to provide adequate fire protection service for the residents of Orcutt.</i></p> <p>Action FIRE-O-1.1: <i>As funds become available, the County shall maintain the fire fighter/ population ratio as set by the Board of Supervisors.</i></p> <p>Policy FIRE-O-2: <i>Fire hazards in Orcutt shall be minimized in order to reduce the cost of/need for increased fire protection services and to protect the natural resources in undeveloped open space areas.</i></p> <p>DevStd FIRE-O-2.2: <i>The County shall require two routes of ingress and egress for development unless the Fire Department waives this requirement based upon substantial evidence that public safety will not be compromised. Emergency access and egress routes are not required to be paved or meet width standards for normal roadways. (Amended by Res. 01226, 7/10/01)</i></p>	<p>Consistent: The project is consistent with all required fire protection policies and standards. Santa Barbara County Fire Department (SBCFD) has reviewed the project and determined that the project is located in an urban area, not located within or near a high fire hazard area, and the project does not generate significant hazards. The fire fighter to population ratio set by the Board of Supervisors (1 firefighter to 4,000 residents served) is currently exceeded. However, the project is required to pay development impact fees to SBCFD to ensure the project contributes its fair share contribution toward meeting cumulative increases in demand for fire protection services.</p> <p>SBCFD has also determined that the single point of vehicle access is acceptable given the project location in an urban area and in close proximity to a public road. The project driveway would be conditioned to meet SBCFD standards and the driveway is relatively short, straight and not surrounded by dense vegetation, facilitating emergency vehicle ingress and egress in the event of a fire emergency.</p>
<p>Policy FIRE-O-3: <i>The use of fuelbreaks in Orcutt shall be minimized, and where fuelbreaks are necessary they shall be sited to minimize disruption of significant natural resources.</i></p> <p>DevStd FIRE-3.1: <i>Fuelbreaks should incorporate perimeter roads and yards to the greatest extent feasible. (See Section IV.B (Biology) for additional firebreak standards)</i></p> <p>DevStd FIRE-3.2: <i>To the maximum extent feasible, fuelbreaks shall not be constructed through riparian or wetland areas or result in the removal of healthy specimen oaks. Within fuelbreaks, treatment of oak trees shall be limited to limbing the branches up to a height of 6 feet, removing dead wood, and mowing the understory. Where specimen oaks have multiple trunks, all trunks shall remain.</i></p>	<p>Consistent: The project is consistent with these fire protection standards. SBCFD requires vegetation management within 100 feet of onsite structures. Part of this management zone would include the proposed Class I Bike Path/Orcutt Creek Trail, which would serve as a fuel break. Because the structures would be located more than 100 feet from the riparian corridor and existing oak trees, vegetation management/fuel breaks would not intrude into the riparian area nor would vegetation management impact existing oak trees.</p>

PARKS/RECREATION/TRAILS/OPEN SPACE	
Parks	
<p>Policy PRT-O-1: <i>Diverse passive and active recreational activities shall be developed in Orcutt.</i></p> <p>DevStd PRT-O-1.1: <i>To the maximum extent feasible and consistent with applicable law, development on sites with identified proposed public parks shall dedicate and, where appropriate, construct such facilities.</i></p>	<p>Consistent: The project is consistent with policies and development standards for recreational activities and park facilities. The project requests would allow for development/use of a new OASIS Senior Center on 5.28 acres of the total 8.5 acres identified in the OCP for a future Orcutt Creek Park. Consistent with PRT-O-1 and PRT-O-1.1, the project would provide passive and active recreational activities/facilities, including onsite senior exercise classes and provision of a segment of the Orcutt Creek Trail, including Class I Bike Path that would be available to the public.</p>
<p>DevStd PRT-O-2.1: <i>Except for active recreation areas and other essential lawn space, park landscaping should consist of drought tolerant species. Appropriate native plants shall be utilized along park boundaries adjacent to passive undeveloped open space areas.</i></p>	<p>Consistent: The project, as mitigated, is consistent with the development standard to require drought tolerant landscaping. Implementation of Mitigation in Section 4.3 (Biological Resources) as project conditions of approval would ensure that landscaping would consist of drought tolerant, native plants, except for compatible non-invasive species near the buildings (including lawn areas) consistent with this Development Standard.</p>

Trails

Policy PRT-O-4: *The County Park Department and other agencies or groups pursuing implementation of the trail system shall use the Orcutt Multiple Use Trails Plan and its Trail Siting and Design Guidelines to guide future trail development and implementation.*

Prog PRT-O-4.1: *Planning & Development and the County Park Department shall implement the Orcutt Multiple Use Trails Plan, including the Trail Siting Guidelines, by requiring, to the maximum extent feasible, development projects to dedicate, and where appropriate, construct designated trails. The County shall also pursue other methods to acquire and construct the trail system, including the use of grants and community volunteers.*

DevStd PRT-O-4.2: *Development shall comply with the Trail Siting Guidelines as set forth in the Orcutt Multiple Use Trails Plan.*

DevStd PRT-O-4.3: *Development on sites with identified trail corridors (PRT-6 map) shall include, where appropriate, the construction and assurance of the fitness of designated trails for two years, at which time the County Park Department would assume maintenance responsibility. Where immediate construction is not required, a construction bond shall be required.*

Policy OS-O-5: *The County shall encourage public use of trails and recreation facilities within designated open space areas consistent with protection of natural resources. Such public trails and recreation facilities shall be sited and designed to reduce conflicts with adjacent private property through use of unobtrusive fencing, landscape screening, appropriate setbacks, signage, etc.*

Consistent: The project is consistent with the policies and Development Standards for trails. The project proposes to construct a segment of the proposed Class I Bikeway/Orcutt Creek Trail, between the west side of Foxenwood Lane near the project driveway entrance and the northwest corner of the OASIS property. Due to the site topography, a separated pedestrian path would be located south of the proposed driveway, and Class II bike lanes would be located within the paved access driveway (4' bike lanes on each side of the driveway). Where the driveway reaches OASIS's eastern property line, the trail would cross the driveway and be located within a proposed 12-foot Class I Bikeway easement, with the pedestrian component of the Orcutt Creek Trail proposed as two-foot shoulders on either side of the proposed 8-foot Class I Bikeway (the minimum allowed width). The route traverses along the eastern and northern property line and terminates at the OASIS' western property line boundary.

Conditions of approval have been included that would ensure restoration plantings and creek setback are consistent with the *Orcutt Multiple Use Trails Plan* and its Trail Siting and Design Guidelines, and that conflicts between the final location of the proposed trail and easements is adequately resolved. The project is also conditioned to ensure that the proposed plant palette is consistent with the Fire Department's vegetation fuel management requirements.

Implementation of mitigation measures identified in Section 4.11 of the Final EIR would ensure feasibility of the OCP Class I Bike Path/Orcutt Creek Trail segment in a location that would be accessible to the public in the long-term. In order to minimize conflicts with adjacent property owners, the Class I bike-path/ trail has been sited on the Oasis property (along the Orcutt Creek corridor) or immediately adjacent to the primary access driveway on the abutting property.

OPEN SPACE	
<p>Policy OS-O-1: <i>When considering approval of development projects within or adjacent to areas identified for potential public open space (see Table 21), the County shall review the appropriate mix of public and/or private open space, and to the maximum extent feasible require dedication of contiguous areas identified as a priority for public acquisition as public open space based on the following criteria: location within designated open space corridors and proximity of adjacent open space; the criteria and intent of the PRD zone district; demonstration of rough proportionality between the level of permitted development, its associated impact, and the open space dedication, consistent with applicable laws.</i></p> <p>Policy OS-O-2: <i>The County's priority for acquisition of public open space is on PRD sites within and adjacent to areas identified for potential public open space (see Table 21). The County should consider acceptance or acquisition of public open space in other zone districts based on the criteria in Policy OS-O-1, the importance of the site's natural resources and recreation potential, and the level of public and property owner interest.</i></p>	<p>Consistent: The project is consistent with these policies. The proposed General Plan Amendment includes a request to modify the Key Site 18 development standards to allow a portion of the site to be developed for a senior meeting center. If approved, the project would result in the removal of land that is currently identified as open space in the Orcutt Community Plan. However, the proposed project is clustered on the eastern portion of Key Site 18 and 85% of the site would continue to remain as open space. Approval of the requested General Plan Amendments to the Orcutt Community Plan, including amending the Open Space Map and the existing KS18 land use restrictions (to open space /park), would allow the project to be consistent with these policies.</p>
<p>Policy OS-O-3: <i>Private open space within designated open space corridors shall be sited, designed, and managed to protect the natural resources and/or recreation potential of these corridors, consistent with the Open Space, Park, Recreation & Trails, and Biological Resource policies of this Plan.</i></p> <p>DevStd OS-O-3.1: <i>Where lands within open space corridors remain in private open space, at the time of discretionary development approval the County should consider acquiring open space easements or using other mechanisms to ensure management of the natural resources in these corridors consistent with the goals of the Open Space Plan.</i></p>	<p>Consistent: The project, as mitigated, is consistent with the policies and development standards for open space corridors. The Implementation of mitigation measures identified in EIR sections 4.3 (Biological Resources) and 4.11 (Recreation and Open Space), requiring compatible native species/no invasive species in the landscape plan, lighting directed away from habitat areas, rental activities limited to building and outdoor landscaped areas, parking limited to parking spaces, etc. would ensure that the undeveloped portions of the proposed OASIS facility/grounds would be consistent with Policy OS-O-3 and DevStd OS-O-3.1.</p>

<p>Policy OS-O-4: <i>Development adjacent to, or within designated open space areas, shall be sited and designed to protect and enhance the natural resources of these areas, and accommodate appropriate recreation opportunities as identified in the Parks, Recreation & Trails section of this Plan.</i></p> <p>DevStd OS-O-4.1: <i>Prior to project approval for any development within or adjacent to an open space area, a determination must be made that the proposed development is consistent with all applicable open space policies of the Orcutt Community Plan, the OCP Open Space Map, as well as the regulations of the base zone district.</i></p>	<p>Consistent: The project, as mitigated, is consistent with the policies and development standards for open space areas. Mitigation identified in Section 4.11 (Recreation and Open Space) is required to ensure a segment of the OCP Orcutt Creek Trail with a paved Class I Bike Path would be provided between Foxenwood Lane and across the OASIS property, ensuring no conflict with the existing access easement granted to adjacent APNs 105-020-060, -061, and -062, with sufficient area to also provide restoration plantings between the trail and the creek as required by the OCP. Thus, the project would be sited and designed to protect and enhance natural resources in the area and accommodate the trail/bikeway envisioned for this site. Approval of the requested General Plan Amendments to the Orcutt Community Plan, including amending the Open Space Map and the existing KS18 land use restrictions (to open space /park), would allow the project to be consistent with Policy OS-O-4 and DevStd OS-O-4.1.</p>
<p>Policy OS-O-9: <i>The County shall encourage restoration and enhancement of degraded habitats within natural undeveloped open space areas.</i></p>	<p>Consistent: The project, as mitigated, is consistent with the policy to encourage restoration and enhancement of degraded habitats within open space areas. Mitigation measures in Section 4.11 (Recreation and Open Space) and Section 4.3 (Biological Resources) require restoration plantings to reduce project impacts, consistent with mitigation identified in the OCP EIR and the <i>Multi-Use Trails Plan & Trails Siting Guidelines</i>. These mitigation measures have been included as project conditions. Restoration plantings are required to reduce direct effects of access road grading within the riparian canopy of Orcutt Creek/wildlife corridor and to reduce indirect effects of increased human activities, noise, lighting etc. on the existing wildlife habitat/corridor on KS18 from project grading/construction and long-term use. (Restoration is also consistent with required restoration of approximately 2 acres of Orcutt Creek to reduce impacts of developing 8.5 acres of KS18 with a future park, of which OASIS includes 5.28 acres)</p>
POLICE	
<p>Policy PP-O-1: <i>The County shall strive to provide adequate police protection for residents within the OPA.</i></p> <p>Action PP-O-1.5: <i>The Sheriff Department shall strive to maintain a 5-minute response time to all urban areas of Orcutt and should consider retaining the sub-station in</i></p>	<p>Consistent: The project is consistent with the policy to provide adequate police protection services. The County Sheriff's Office has reviewed the proposed project and provided input regarding safety and security, particularly with regard to use of the property for rental activities. Mitigation has been included in response to their input, as</p>

<p><i>Orcutt.</i></p> <p>Action PP-O-1.6: <i>P&D shall give the Sheriff Department the opportunity to review development projects with substantial open space to determine the adequacy of public safety measures.</i></p>	<p>discussed in EIR Section 4.5 (Fire and Police Services), which requires security/traffic control for activities involving more than 100 people onsite. In addition, the project would be subject to payment of development impact fees to address the project's fair-share contribution toward provision of adequate police protection, including striving to maintain a 5- minute response time in the Orcutt Planning Area.</p>
RESOURCE RECOVERY	
<p>Policy RR-O-1: <i>Resource conservation and recovery shall be implemented in Orcutt to divert the waste stream from area landfills to the maximum extent feasible.</i></p> <p>DevStd RR-O-1.3: <i>All multi-family residential areas and commercial/industrial projects shall establish a recyclable material pickup area (i.e., recycling bins, loading dock) where collection of currently accepted recyclable materials could be accommodated.</i></p> <p>DevStd RR-O-1.4: <i>Developers shall provide recycling bins at all construction sites, where collection of currently accepted recyclable construction materials could be accommodated.</i></p> <p>Action RR-O-1.5: <i>The County shall encourage developers to use recycled building materials such as composites, metals, and plastics, to the greatest extent feasible.</i></p>	<p>Consistent: The project is consistent with policies and development standards for resource conservation. The project would not exceed solid waste thresholds and therefore the EIR does not require solid waste mitigation measures. However, adherence to conditions of approval that require the proposed project to incorporate recyclable material pickup into the design of the development trash area and recycling bins be located onsite during the construction period ensures consistency with this development standard. In addition, the applicant is proposing use of recycled building materials where financially feasible.</p> <p>Health Sanitation Services (HSS) currently provides curbside recycling and separate green waste pick-up to the project site. Additionally, the County ensures compliance with the goals set forth by AB 939 by requiring a reduction in solid waste generation for all new development projects in the County. The County estimates that implementation of a source reduction and recycling program reduces the total volume of waste generated by new development projects by approximately 50%.</p>

SEWER/WASTEWATER	
<p>Policy WW-O-2: <i>Prior to discretionary approval of new development, the County shall make a finding that there will be adequate capacity and availability for LCSD to serve the new development. (Amended by Res. 01-226, 7/10/01)</i></p> <p>DevStd WW-O-2.1: <i>Prior to the discretionary approval of new development, the developer shall identify all additional facilities required to adequately collect, convey, treat and dispose of the sewage effluent from the development. (Added by Res. 01-226, 7/10/01)</i></p> <p>DevStd WW-O-2.3: <i>A “Can and Will Serve Letter” from LCSD will be found adequate for recording of maps or issuance of land use permits (including permits for development of preexisting lots) only if the letter demonstrates:</i></p> <p><i>LCSD’s effluent, including the effluent from the proposed project, will not exceed the discharge standards established by the Regional Water Quality Control Board;</i></p> <p><i>Adequate disposal capabilities exist at the plant or through agreement with the City of Santa Maria (providing that treatment and disposal by the City does not further degrade the underlying groundwater quality) to serve the project(s); and</i></p> <p><i>Existing or planned and funded transmission lines have available capacity to serve the project(s).</i></p> <p>DevStd WW-O-2.4: <i>At the time of discretionary approval, the County shall condition the recordation of the final map or issuance of LUP’s on provision of an adequate “Can and Will Serve” letter from LCSD. (Added by Res. 01-226, 7/10/01)</i></p>	<p>Consistent: The proposed project is consistent with all applicable policies and development standards related to wastewater facilities and service. The Laguna County Sanitation District (LCSD) provided a condition letter for the proposed project (Attachment B-6), and indicated that adequate capacity and availability exists within the existing collection system and treatment facilities to accommodate the proposed project.</p> <p>As part of the standard development review regulatory process, the applicant would be required to obtain a final “can and will” serve letter from LCSD prior to zoning clearance by demonstrating compliance with the requirements listed in Development Standard WW-O-2.3.</p>
<p>DevStd WW-O-3.1: <i>All new commercial and industrial development which will contribute grease, oils, and/or chemicals to wastewater flows shall be fitted with onsite filtration consisting of charcoal filters or other methods approved by the LCSD to reduce site-specific discharge of these substances.</i></p>	<p>Consistent: The project is consistent with these policies because to reduce TDS levels, LCSD adopted an ordinance prohibiting self-regenerating (salt load) water softeners (County Code Chapter 29 Article III (Sec. 29-26.1), and as a result, the OASIS facility would be prohibited from using self-generating water softeners. The OASIS buildings would have kitchen facilities and would therefore be subject to enrollment and compliance with the LCSD’s fats, oils, and grease (FOG) control program, including all requirements applicable to their specific facility.</p>

TRANSPORTATION	
<p>Policy CIRC-O-3: <i>The County shall maintain a minimum LOS (LOS) C or better on roadways and intersections within the Orcutt Planning Area, except that the minimum LOS shall be "D" for the following roadway segments and intersections:</i></p> <ul style="list-style-type: none"> • Foster Road and Highway 135 intersection • Lakeview Road and Skyway Drive intersection • Stillwell Road and Lakeview Road intersection • All the Clark Avenue roadway segments and intersections between Blosser Road on the west and Foxenwood Lane on the east. 	<p>Consistent: The project is consistent with policies to maintain roadways at acceptable levels of service. Orcutt area roadways and intersections would maintain acceptable levels of service (LOS D or better along Clark Avenue) with the existing + project + approved projects' traffic, consistent with this Policy.</p>
<p>Policy CIRC-O-6: <i>The County shall encourage development of all feasible forms of alternative transportation in the Orcutt/Santa Maria area.</i></p>	<p>Consistent: The project is consistent with the policy to encourage alternative transportation options. OASIS has indicated that many of their clients would use a local dial-a-ride service. Sections 4.1 (Air Quality) and 4.7 (GHG/Climate Change) of the Final EIR, identified mitigation measures that would require shuttle service to reduce vehicle miles traveled and related greenhouse gas emissions. The mitigation measures have been incorporated as conditions of approval on the project. Provision of shuttle service is consistent with Policy CIRC-O-6.</p>
<p>Policy CIRC-O-10: <i>Developers should be encouraged to pursue innovative measures to fully mitigate the transportation impacts associated with their projects</i></p>	<p>Consistent: The project, as conditioned, is incorporating road improvements to Clark Avenue and Foxenwood Lane to reduce project transportation impacts. Also, as discussed above in Policy CIRC-O-6 incorporated herein by reference, the project is conditioned to provide shuttle service to reduce project related traffic impacts.</p>
<p>Policy CIRC-O-11: <i>If it is determined that a project may cause significant traffic impacts which generate the need for offsite traffic improvements that are not identified in the then current OTIP, the County shall condition any approval of the project to ensure that those improvements are funded and completed before issuance of final inspection.</i></p>	<p>Consistent: The project, as mitigated in Section 4.12 (Transportation) of the Final EIR, ensures consistency with this policy because it requires implementation of the identified improvements (Clark median, eastbound left turn lane, restripe southbound Foxenwood Lane approach for left and right turn lanes, etc.) to reduce project traffic impacts before occupancy clearance.</p>
<p>Signalized Intersection Consistency Standards <i>Intersection capacity is stated in terms of the proportion of the volume of traffic carried (V) to its design capacity (C); with a volume to capacity ratio (v/c) of 1.00 equal to LOS F, a v/c ratio of .90 equal to LOS E, on down to a v/c ratio of .70 equal to LOS C and a v/c ratio of .50 equal to LOS A.</i></p> <p>1) <i>Projects contributing Peak Hour Trips to intersections that operate at an Estimated Future LOS A shall be found</i></p>	<p>Consistent: The project is consistent with these standards because according to the traffic and circulation impact analysis in the Final EIR, all project area roadway volumes would remain within their acceptable capacities with cumulative project traffic. In addition, the project would be consistent with the signalized intersection standards as the project would not exceed the standards at the Clark Avenue/Highway 135 ramps signalized intersection. With regard to unsignalized intersections, the project would not trigger signal warrants at any unsignalized intersections and</p>

<p><i>consistent with this section of the Community Plan unless the project results in a change in v/c ratio greater than 0.20.</i></p> <p><i>For intersections operating at an Estimated Future LOS B, no project shall result in a change in v/c ratio greater than 0.15.</i></p> <p><i>For intersections operating at an Estimated Future LOS C, no ... change of v/c ratio greater than 0.10.</i></p> <p><i>For intersections operating at an Estimated Future LOS D, no ... change of v/c ratio greater than 0.03.</i></p> <p><i>For intersections operating at an Estimated Future LOS E, no change of v/c ratio greater than 0.02.</i></p> <p><i>For intersections operating at an Estimated Future LOS F, no ... change of v/c ratio greater than 0.01.</i></p> <p><i>2) Where a project's traffic contribution does result in a measurable change in v/c ratio and also results in a finding of inconsistency with the above intersection standards, intersection improvements that are sufficient to offset project changes in v/c ratio, in excess of the applicable intersection standards above shall be required in order to make a finding of consistency with the Community Plan.</i></p> <p><i>3) These intersection standards shall also apply to projects which generate Peak Hour Trips to intersections within incorporated cities that are operating at LOS worse than those allowed by the city's Circulation Element.</i></p> <p><u><i>Unsignalized Intersection Consistency Standards</i></u></p> <p><i>1) Projects contributing peak hour trips to unsignalized intersections that operate at an Estimated Future LOS A shall be found consistent ... unless the project results in a change of two levels of service or an equivalent amount of delay.</i></p> <p><i>2) Projects contributing peak hour trips to intersections that operate better than Estimated Future LOS C shall be found consistent ...</i></p> <p><i>3) Unsignalized intersections that do not trigger traffic signal warrant criteria shall be found consistent</i></p>	<p>would therefore be consistent with these standards.</p> <p>The project involves amendments to the OCP to allow for the proposed OASIS development (and use) on a portion of the Key Site 18 open space (APNs 105-020-063 and -064). The OCP Key Site 18 Mini EIR in OCP EIR Volume II and the findings for adoption of the Orcutt Community Plan (OCP) identify significant traffic impacts from buildout of the OCP, including at the Foxenwood/Clark intersection (OCP EIR Impacts CIRC-15 and CIRC-26), which are discussed in OASIS EIR Section 4.12 (Transportation and Circulation), incorporated herein by reference. County Public Works has determined that project road improvements, including a new median in Clark Avenue and new eastbound Clark Avenue left-turn lane (providing left turn onto northbound Foxenwood Lane) as well as payment of transportation development impact mitigation fees would ensure project traffic is consistent with these Development Standards.</p>
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<p>Special Standards for Projects Involving Comprehensive Plan Amendments</p> <p>1) <i>Comprehensive Plan Amendments submitted by private applicants ... shall be required to demonstrate that the proposed change in land use would not potentially result in traffic levels higher than those anticipated for that parcel by the Community Plan and its associated environmental documents. If higher traffic levels could potentially result from such an amendment, then the following findings must be made ... to approve the amendment:</i></p> <ul style="list-style-type: none">• <i>The increase is not large enough to cause the affected roadways and/or intersections to exceed their designated acceptable capacity levels at buildout of the Community Plan, or</i>• <i>Road improvements included as part of the project description are consistent with the Community Plan and are adequate to fully offset the identified potential increase in traffic, or</i>• <i>Alternative transportation improvements included as part of the project description, that are consistent with the Community Plan, have a reasonable relationship to the project, and substantially enhance the alternative transportation system consistent with the OTIP.</i>	<p>The Project’s proposed road improvements are consistent with the OCP, and other development in the immediate area of the project site. In addition, the proposed road improvements are adequate to offset increased project traffic in the existing plus project setting. The project would be required to pay peak hour development impact fees to provide its fair share contribution toward OTIP improvements, including improvements needed to address cumulative intersection operations at the Foxenwood Lane/Clark Avenue intersection.</p> <p>The project involves amendments to the General Plan and the project would result in traffic levels higher than those anticipated for the parcel in the OCP and OCP EIR. However, the project would be consistent with the <i>Special Standards for Projects Involving Comprehensive Plan Amendments</i>, as the mitigation identified in Section.4.1 (Air Quality) of the Final EIR, incorporated herein by reference, requires a Traffic Demand Management Plan that reduces vehicle trips and vehicle miles traveled. The Management Plan, which has been incorporated as a project condition of approval, includes provisions for enhancing the alternative transportation system.</p>
WATER	
<p>Policy WAT-O-2: <i>In order to be found consistent with ... (LUDP#4), the water demand of new discretionary development must be offset by long-term* supplemental** water supplies that do not result in further overdraft of the local groundwater basin and that are adequate to meet the project’s net water demand as determined by the County considering appropriate reliability factors as determined by County Water Agency. To demonstrate an adequate long- term supplemental water supply, projects must comply with the following development standards:</i></p> <p><i>*“long-term” means permanent source of water for development.</i></p> <p><i>**“supplemental” water means a source of water other than groundwater, unless:</i></p> <p><i>The groundwater basin has been determined to be no</i></p>	<p>Consistent: The project is consistent with the policy to offset long-term water supply. The project has received a “can and will serve” letter from Golden State Water Company. In addition, Section 4.10 includes mitigation requiring the applicant provide proof of purchase of 1.32 AFY of supplemental water from the City of Santa Maria prior to zoning clearance to address the project’s estimated net water demand. Additionally, outdoor water use will be required to comply with the State Model Water Efficient Landscape Ordinance (WELO) and California Green Building Code.</p>

<p><i>longer in overdraft, or</i> <i>The use of groundwater is consistent with the final water rights judgment entered in the Santa Maria Groundwater Basin adjudication (Santa Maria Valley Water Conservation District v. City of Santa Maria, et al., Santa Clara County Superior Court Case No. CV 770214). (Amended by Res. 01- 226, 7/10/01)</i></p> <p>DevStd WAT-O-2.3: <i>Prior to map recordation or land use clearance, the developer must provide a Can and Will Serve letter and necessary final contract(s) consistent with the conditions of the discretionary permits and terms of the draft contract(s). (Added by Res. 01-225, 7/10/01)</i></p> <p>DevStd WAT-O-2.1: <i>Prior to discretionary action by any County decision-maker on new development, the applicant shall provide one of the following:</i> <i>A "Can and Will Serve" letter from California Cities Water Company dated before July 1997;</i> <i>An "Intent to Serve" letter from California Cities Water Company or other water purveyor(s) including draft contract(s), if any, demonstrating to the County's satisfaction that the development's net water demand will be offset by a long-term supplemental water supply and that the development will have a continuing right to obtain water equal to that of the water purveyor's other customers. Contract(s), if any, must include terms consistent with the requirements of DevStd WAT-O-2.2. (Amended by Res. 01-225, 7/10/01)</i></p> <p>DevStd WAT-O-2.2: <i>Prior to discretionary action on new development, the applicant must demonstrate adequacy of the water supply proposed to serve the project, unless the applicant has satisfied DevStd WAT-O-2.1 #1 above. ...</i></p>	
<p>Policy WAT-O-3: <i>Development in Orcutt shall incorporate water efficient design and technology.</i></p>	<p>Consistent: The project is consistent with the policy to incorporate water efficient designs because the project proposes incorporation of rainwater storage to offset irrigation demand and use of drought tolerant plants in the landscape plan. Interior fixtures would be required to meet current building code requirements, which include installation of water saving fixtures.</p>

<p>Policy AQ-O-1: <i>The County shall encourage land use planning and development design which reduces air pollution through development of transportation infrastructure supportive of alternative modes of transportation and pedestrian oriented developments.</i></p>	<p>Consistent: The project is consistent with the policy to encourage land use planning and design to reduce air pollution because the facility would be primarily accessed via personal vehicles and a local Dial-a-Ride Service. A segment of the Orcutt Creek Trail/Class I Bikeway would be provided between the project’s Foxenwood Lane driveway and across the OASIS property but would not extend to the west. Mitigation included in Section 4.7 GHG/Climate Change would require provision of shuttle service to reduce vehicle miles traveled and associated reduction in GHG emissions. Provision of shuttle service would be supportive of alternative modes of transportation and would be consistent with this Policy.</p>
<p>Policy AQ-O-2: <i>Significant fugitive dust and PM₁₀ emissions shall be reduced through implementation of appropriate construction restrictions and control measures, consistent with standards adopted by the Board.</i></p>	<p>Consistent: The project is consistent with the policy to reduce fugitive dust and PM emissions because Santa Barbara County is a nonattainment area for PM10, and control measures to reduce construction related fugitive dust emissions are required for all construction projects involving earthmoving activities. In accordance with the County’ standard regulatory practices, construction emission control measures are required to be shown on grading and building plans and implemented throughout the construction period.</p>
<p>Policy AQ-O-3: <i>The County should promote the use of alternative fuels, solar energy systems, and the use of construction techniques which are designed to conserve energy and minimize pollution in Orcutt, consistent with, but not limited to the provisions of the CA Building Code.</i></p>	<p>Consistent: The project is consistent with this policy because it proposes rooftop solar panels consistent with the AQ-O-3’s promotion of alternative fuels/solar energy systems. In addition, project construction would be subject to all applicable provisions of the CA Building Code, including but not limited to criteria for energy conserving windows, and insulation.</p>
<p>BIOLOGICAL HABITATS</p>	
<p>Policy BIO-O-1: <i>Important natural resources in Orcutt, including sandhill chaparral, central dune scrub, wetlands, oak trees and woodland, Bishop pine forest, specimen trees, and central sage scrub shall be protected, consistent with the Open Space Plan and the standards below, unless this would prevent reasonable development of a property.</i></p> <p>DevStd BIO-O-1.1: <i>Development shall be sited and designed to avoid disruption and fragmentation of significant natural resources within and adjacent to designated undeveloped natural open space areas, minimize removal of significant native vegetation and trees, preserve wildlife corridors and provide reasonable levels of habitat restoration. Where</i></p>	<p>Consistent: The project would be consistent with Policy BIO-O-1 and Development Standards BIO-O-1.1 and BIO-O-1.2 with implementation of mitigation identified in Section 4.3 (Biological Resources) and 4.11 (Recreation and Open Space) of the Final EIR, incorporated herein by reference. All mitigation measures have also been incorporated as conditions of approval. Biological protection measures/conditions include, but not limited to requirements for:</p> <ul style="list-style-type: none"> • Preconstruction surveys for sensitive species and nesting birds; Protection of oak trees; • Protection of Orcutt Creek riparian habitat during construction, design and installation of the

<p><i>possible, significant natural resources, such as specimen trees, adjacent to designated, natural undeveloped open space corridors should be preserved.</i></p> <p>DevStd BIO-O-1.2: <i>Development within or adjacent to designated natural open space areas shall be reviewed for, and required to implement, habitat restoration where site-specific impacts require restoration. If restoration on or near the site is not feasible, acquisition and preservation of additional habitat acreage should be considered, or as a last resort if no other like-kind habitat mitigation options are available, payment into a mitigation bank program acceptable to the County as provided for by DevStd BIO-O-1.8. Mitigation and restoration plans should identify acreage impacted, replacement ratios, success criteria, remedial measures, and funding and responsibility for long-term maintenance and monitoring. All such restoration projects shall utilize native plants derived from local (Orcutt) seed and cutting stock, or as deemed biologically acceptable by a County qualified biologist. Wildlife relocation should be avoided. However, any wildlife relocation should be coordinated with Fish and Game and be consistent with applicable State standards. (Amended by Res 01-226, 7/10/01)</i></p> <p>DevStd BIO-O-1.3: <i>Landscaping for development on the edge of designated natural undeveloped open space areas shall include native trees and shrubs, with habitat restoration efforts focused on buffers. Planting of highly invasive weedy plants (e.g., iceplant, pampas grass, veldt grass, monterey pine, eucalyptus, spiny clotbur, and Australian fireweed) shall be prohibited within 500 feet of natural undeveloped open space areas as designated on the Open Space map (Fig. 20).</i></p>	<p>trail/bikeway;</p> <ul style="list-style-type: none">• Trail design based on adopted trails siting and design criteria and including biologist input on location;• Biological monitoring during construction; and,• Orcutt Creek riparian habitat restoration <p>Restoration of Orcutt Creek is identified in the OCP <i>Open Space Plan</i> (~2 acres north of the park site) and in the OCP <i>Multi-Use Trails Plan & Trails Siting Guidelines</i> criteria. The FEIR mitigation measures/conditions of approval identify restoration consistent with the OCP to offset direct and indirect impacts associated with access road grading within the riparian corridor, indirect impacts to wildlife and riparian habitat from grading and construction activities. Mitigation measures were also identified to offset impacts associated with the introduction of permanent development and use of the project improvements with increased human activities, noise, and night-lighting, within the existing contiguous open space along the Orcutt Creek valley. In addition, mitigation identified in Section 4.3 (Biological Resources) of the FEIR prohibits use of invasive plants in the project landscape and restoration plans, consistent with DevStd BIO-O-1.3. Implementation of these mitigation measure as conditions of approval would ensure consistency with these provisions of the OCP.</p>
<p>DevStd BIO-O-1.5: <i>The edges of designated undeveloped natural open space areas shall be clearly delineated and fenced where necessary to protect resources both during construction and, when appropriate, over the life of the project. Long term fencing shall be designed to accommodate wildlife passage where appropriate.</i></p>	<p>Consistent: The project, as mitigated, complies with this development standards because mitigation identified in Section 4.3 (Biological Resources) of the Final EIR requires delineation/fencing where needed to protect biological resources (e.g., oak trees, riparian habitat) during construction.</p>

<p>DevStd BIO-O-1.8 <i>Where new development eliminates important onsite habitat (e.g. coastal sage scrub grasslands, riparian habitat and wetlands), County shall require development to restore or enhance like kind habitat either onsite or off site. If restoration sites are limited or unavailable, County shall require payment of adequate fees into a mitigation bank program acceptable to County to permanently protect a comparable or greater amount of created or restored habitat elsewhere within the OPA. (Added by Res. 01-226, 7/10/01)</i></p>	<p>Consistent: The project, as mitigated, is consistent with this development standard because the preliminary grading plan indicates grading on the slope north of the proposed driveway (to implement the driveway improvements) would occur within the riparian canopy of Orcutt Creek, just west of Foxenwood Lane, and mitigation is identified in Section 4.3 (Biological Resources) which requires restoration in the area of disturbance, consistent with this Development Standard.</p>
<p>Policy BIO-O-2: <i>Consistent with necessary flood control practices, natural stream channels and riparian vegetation in Orcutt shall be maintained in an undisturbed state in order to protect banks from erosion, enhance wildlife passageways, and provide natural greenbelts, unless this would prevent reasonable development of a property.</i></p>	<p>Consistent: The project is consistent with the policy to protect natural stream channels and riparian vegetation because although the project would result in temporary disturbance within the Orcutt Creek riparian corridor outside of the creek banks, restoration and erosion/sediment control would be required as identified in Section 4.3 (Biological Resources), Section 4.6 (Geologic Processes) and Section 4.13 (Water: Flooding/Drainage & Water Quality) of the Final EIR. The project would not otherwise disturb the stream channel or riparian vegetation as other project components, including structural development, bikeway/trail, retention basin, parking areas, and landscaping would be setback from the riparian canopy consistent with this policy. Flood Control District maintenance activities along Orcutt Creek and the Key Site 18 retention basin would not be altered as a result of the project. In addition, without the ability to develop the project as conditioned, there is no reasonable way to develop the property.</p>
<p>DevStd BIO-O-2.1: <i>Development shall include: a minimum setback of 50 feet from the outside edge of riparian vegetation or the top of creek bank (whichever is further) which may be adjusted upward depending on slopes, biological resources and erosion potential; hooding and directing lights away from the creek; drainage plans shall direct polluting drainage away from the creek or include appropriate filters; and erosion and sedimentation control plans shall be implemented during construction.</i></p>	<p>Consistent: The project is consistent with riparian setback requirements because the development area would be located outside of the 50-foot setback from the outer edge of riparian vegetation and top of bank consistent with this development standard. As identified on the Preliminary Grading Plan (April 2019, EIR Figure 2-32), temporary grading associated with construction of a portion of the access road would be located within the Orcutt Creek riparian canopy. These construction related impacts are considered temporary. Mitigation measures identified in Sections 4.3 (Biological Resources), 4.6 (Geologic Processes), 4.11 (Recreation and Open Space) and 4.13 (Water: Flooding/Drainage & Water Quality) of the Final EIR require erosion/sediment/stormwater control measures to protect short-term and long-term water quality, habitat</p>

	<p>restoration, and other measures to protect Orcutt Creek and biological sensitive resources within Key Site 18. Implementation of these mitigation measures as project conditions would ensure the project is consistent with DevStd BIO-O-2.1.</p>
<p>DevStd BIO-O-2.3: <i>Setbacks shall be sufficient to allow and maintain natural stream channel processes (e.g. erosion, meanders) and to protect all new structures and development from such processes. Hardbank protection (including riprap, boulders, concrete) shall be prohibited unless necessary to protect an existing structure or facilities of a public works nature, whether existing or proposed (e.g. energy dissipaters, upstream fact of retention basins, high flow diversion structures, bridges, roads, trails, necessary private access, etc.), subject to Public Works and Planning and Development Department review. (Added by Res 01-226, 7/10/01)</i></p>	<p>Consistent: The project is consistent with this policy because the proposed development area is located outside of the buffer area of Orcutt Creek. Immediately west of Foxenwood Lane, grading on the slope north of the existing dirt road to accommodate improvements for the project access and Orcutt Creek Trail components would extend into the riparian canopy but is not proposed to extend into the banks of Orcutt Creek, and natural stream processes would be protected. According to the applicant, if necessary retaining walls will be incorporated to ensure no grading would occur within the creek banks (B Hain, Stantec, 08/26/19).</p> <p>Hard bank protection is not proposed in the creek. However, installation of features such as energy dissipaters may be included in the final grading and drainage plan and/or erosion control plan if this is determined appropriate to stabilize creek banks/reduce erosion and sedimentation and maintain the natural stream channel processes. As proposed, natural stream processes would be maintained, and new development would be protected from such processes.</p>
<p>Policy BIO-O-3: <i>Established native trees in designated open space areas shall be protected. Established native trees in developable areas shall be incorporated into the site landscaping plan to the greatest degree feasible except where it would interfere with reasonable development of a property. Native trees shall be considered established if they are six feet in height.</i></p> <p>DevStd BIO-O-3.1: <i>To the maximum extent feasible, development shall be designed to avoid damage to established native trees (e.g., oaks) by incorporating setbacks, clustering, or other appropriate methods. Areas protected from grading, paving, and other disturbances shall include the area 6 feet outside of established native tree driplines, unless this distance would interfere with reasonable development of a property. Where native trees are removed, they shall be replaced in a manner consistent</i></p>	<p>Consistent: The project is consistent with policies and development standards to protect trees because the project has been designed to avoid impacts to native trees. Where avoidance is infeasible due to access requirements, replacement trees have been included in the landscape plan and project conditions of approval require additional native trees to be included in the restoration plan. In addition, mitigation measures identified in Section 4.3 (Biological Resources) of the Final EIR, and incorporated as conditions of approval, require implementation of tree protection measures during construction and replacement at a 10:1 ratio.</p>

<p><i>with County standards.</i></p>	
<p>Policy BIO-O-4: <i>Non-native trees (e.g., eucalyptus groves and windrows) that provide known raptor nesting or key roosting sites shall be protected; non-native specimen trees shall be protected to the greatest degree feasible except where it would interfere with reasonable development of a property. Non-native trees of less than 25 inches in diameter at breast height do not qualify as specimens for this Policy.</i></p> <p>DevStd BIO-O-4.1: <i>Where non-native specimen trees are removed for development the County should consider replacement with native trees.</i></p> <p>Policy BIO-O-5: <i>New facilities in Orcutt, including roads, bikepaths/trails, sewer lines and retention basins, shall to the maximum extent feasible be sited and designed to avoid disruption of significant natural resources within designated natural undeveloped open space areas, minimize removal of significant native vegetation and trees and provide for reasonable levels of habitat restoration for significant habitats disrupted by construction.</i></p> <p>DevStd BIO-O-5.1: <i>Road construction shall minimize filling within creeks, stream corridors and wetlands and avoid or minimize removal of riparian vegetation...</i></p> <p>DevStd BIO-O-5.2: <i>In designated open space areas, roadway segments (e.g., Union Valley Parkway and E Street) shall be designed in consultation with P&D, the Park Department, and appropriate federal and state agencies to allow wildlife passage through provision of appropriately placed bridges and/or culverts, and shall prohibit all night lighting in designated open space corridors except as necessary for public safety (e.g., intersections, trailheads or crossings). Light "spill over" should be minimized by directing lighting away from the open space area, the use of hoods, and landscape screening (with native species) along the road.</i></p>	<p>Consistent: The project is consistent with these policies because no non-native trees are proposed for removal on the OASIS or LeBard parcels and no trees have been identified as raptor nesting or key roosting sites. Section 4.3 (Biological Resources) of the Final EIR, includes mitigation measures that have been incorporated as conditions of approval which require pre- construction surveys for nesting birds to ensure native or non- native trees on or near project grading/construction activities (e.g., in the riparian canopy affected by access road grading) are not being used by nesting birds.</p> <p>Project improvements have been sited and designed to minimize impacts to native vegetation. In addition, no bridges or culverts are proposed for Orcutt Creek and the proposed driveway would not inhibit wildlife passage along the creek corridor, with the possible exception of the short-term construction period. Section 4.3 of the Final EIR includes mitigation measures that require habitat restoration and requirements to minimize night-lighting near open space areas consistent with these standards</p>
<p>DevStd BIO-O-5.3: <i>Multi-use trail construction should avoid removal of riparian vegetation to the maximum extent feasible. The Orcutt Creek multi-use trail shall be set back a minimum of 50 feet from the outside edge of riparian vegetation or the top-of-bank (whichever is further) unless</i></p>	<p>Consistent: The project is consistent with trail development standards because with the exception of a short section of the multi-use trail/bikeway along the easternmost part of the improved access driveway, the trail/bikeway would be setback a minimum of 50 feet from the outside of riparian</p>

<p><i>this would make the multi-use trail link infeasible. Trail construction shall include riparian restoration between the edge of existing native vegetation and the bicycle path. Trail lighting should be directed away from the creek.</i></p> <p>DevStd BIO-O-5.4: <i>Trails should follow existing dirt road and trail alignments and utilize existing bridges where feasible. Where this is not possible, prior to final trail alignment proposed trail routes should be surveyed and rerouted where necessary to avoid sensitive species, subject to final approval by P&D and the Park Department. All trails shall be sited and designed to avoid or minimize impacts to sensitive resources, areas of steep slopes and/or highly erosive/sandy soils, where feasible. Developers shall fund sign installation along certain trails (as identified in the Multi Use Trail Guidelines) providing educational and interpretive information and advising dog owners to keep their dogs out of sensitive habitats.</i></p>	<p>canopy. The small section of the trail/bikeway is located along an existing dirt road, consistent with BIO-O-5.4. This dirt road would be improved to accommodate both the project driveway and the trail/bikeway.</p> <p>The Final EIR discusses the feasibility of the proposed 12-foot trail/bikeway easement within the same location as an existing, recorded access easement to adjacent properties. Section 4.11 of the Final EIR includes mitigation measures that identify design options to resolve the conflict between easements. Implementation of these measures as project conditions of approval would ensure that the proposed OCP Orcutt Creek Multi-use Trail, including Class I Bike Path is developed in a manner that would be consistent with these Development Standards.</p>
<p>DevStd BIO-O-5.6: <i>Excavated fill for retention basin construction shall not be placed within important natural resource areas. Areas adjacent to or within habitats which are disturbed during construction shall be revegetated with appropriate native species. All sensitive habitat areas adjacent to proposed retention basins shall be fenced before grading begins to prevent disturbance and stockpiling in these areas.</i></p>	<p>Consistent: The project is consistent with this development standard because fill would be balanced onsite within the road or development area and not within the Orcutt Creek riparian area or under native trees. Mitigation measures requiring delineation/fencing of sensitive habitat areas have been incorporated as project conditions and would ensure consistency with this Development Standard.</p>
FLOODING AND DRAINAGE	
<p>Policy FLD-O-1: <i>Flood risks in the Orcutt planning area shall be minimized through appropriate design and land use controls.</i></p>	<p>Consistent: The project is consistent with this policy because project development would be located outside of mapped flood hazard zones, as confirmed by County Flood Control.</p>
<p>DevStd FLD-O-1.2: <i>No structures or other development (except for bridges, culverts and flood control requirements) shall be allowed within creek channels.</i></p> <p>DevStd FLD-O-1.3: <i>No development shall be permitted within the floodplain of Orcutt, Pine Canyon or Graciosa Creeks unless such development would either be necessary to: Permit reasonable development of the site and would not lead to disturbance or removal of significant riparian/wetland vegetation; or Accomplish a major public policy goal of the Orcutt Community Plan.</i></p>	<p>Consistent: The project is consistent with development standards pertaining to flood control requirements because grading for the access road, west of Foxenwood Lane and north of the access road is proposed within the riparian corridor but outside of the creek channel and floodplain. No other development or structures is proposed to be located within the creek channel or the 100-year floodplain.</p>

<p>Policy FLD-O-2: <i>Off-site runoff associated with development should be minimized.</i></p> <p>DevStd FLD-O-2.1: <i>Pervious construction materials, such as turf block, non-grouted brick, and gravel, shall be used where feasible.</i></p>	<p>Consistent: The project is consistent with the policy and development standards for runoff because the eastern parking lot and western section of the access road are proposed to be pervious paving. In addition, a French drain system is proposed to convey runoff from the main building to the onsite retention basin. These and other drainage features identified on the project plans in EIR Section 2 (including the Overall Site Plan, Preliminary Grading Plan, Landscape Plan) are designed to minimize off-site runoff, including during peak stormwater events consistent with Policy FLD-O-2 and DevStd FLD-O-2.1. Flood Control District and Project Clean Water have reviewed the preliminary stormwater plan calculations and design and determined the design is adequate for this stage in the development review process. Project conditions will require that pervious paving be used in the additional hardscape areas of the development (e.g., driveway, all parking areas) unless the applicant provides information to support infeasibility of additional pervious paving, and final review and approval will be required prior to zoning clearance.</p>
<p>Policy FLD-O-3: <i>Short-term and long-term erosion associated with development shall be minimized.</i></p> <p>DevStd FLD-O-3.1: <i>Development projects shall incorporate sedimentation traps to minimize the erosion of soils into natural and manmade flood control drainages, where feasible. All development adjacent to stream channels shall be required to install check dams as deemed appropriate by Flood Control and Planning & Development to minimize channel down-cutting and erosion. To the maximum extent feasible, all such structures shall be designed to avoid impacts to creek vegetation.</i></p> <p>DevStd FLD-O-3.2: <i>Silt fencing, straw bales, sand bags, and sediment basins shall be used in conjunction with other methods to prevent erosion on slopes and siltation of the stream channel.</i></p>	<p>Consistent: The project is consistent with requirements to address erosion because Sections 4.3 (Biological Resources), 4.6 (Geology) and 4.13 (Water: Flooding/Drainage and Water Quality) include mitigation measures to reduce short-term and long-term erosion consistent with these requirements. The project conditions in Attachment B-3 require implementation of an Erosion and Sediment Control Plan, Stormwater Pollution Prevention Plan, submittal of a grading plan to specifically address steep slopes that will be graded for the project driveway, operational erosion control measures required to be built into the project design (impervious hardscapes, runoff directed to landscaping, etc.), construction equipment washout areas during construction, Low Impact Development (LID) design features and other measures to reduce pollutants impacting downstream water bodies and habitats, and compliance with Project Clean Water, Flood Control District, and APCD standard conditions identified in their condition letters included in Attachment B-6.</p>

<p>DevStd FLD-O-3.3: <i>Drainage outlets into natural creek channels shall be constructed in a manner which causes outlet flow to approximate the general direction of natural stream flow. Energy dissipators beneath outlet points shall be incorporated where appropriate, and designed to minimize damage to creek vegetation.</i></p>	<p>Consistent: The project is consistent with this development standards because the project engineer has confirmed that drainage from the access road would be conveyed along the access road toward the development area and away from the creek. In addition, runoff from impervious surfaces associated with the development area would be directed to onsite landscaped areas, a French drain, and an onsite retention basin. In addition, the retention basin would not outlet to the creek but to the upland, grassland area west of the basin. No other development areas, would outlet directly to Orcutt Creek as site drainage is directed to proposed landscaped areas and the proposed retention basin. Finally, as no permanent site drainage would outlet to the creek, the project would be consistent with this Development Standard.</p>
<p>GEOLOGY/TOPOGRAPHY/SOILS</p>	
<p>Policy GEO-O-1: <i>Development shall be sited to avoid geologically hazardous areas.</i></p> <p>DevStd GEO-O-1.1: <i>New construction shall be set back a minimum of 50 feet from all known active or potentially active faults which have been mapped.</i></p>	<p>Consistent: The project is consistent with requirements to avoid geologically hazardous areas. All of the proposed structural development is located on level land. However, only grading for the access road and pedestrian path would involve grading on slopes. Mitigation measures identified in Section 4.6 of the Final EIR, incorporated into conditions of approval would mitigation geologic hazards associated with steep slopes north of the access road, south of the pedestrian path/access road and south of the building site. Finally, there are no known active or potentially active faults in proximity to the project nor are there other geologic hazards associated with the proposed building site.</p>
<p>Policy GEO-O-3: <i>No grading in excess of 50 cubic yards (combined cut and fill) shall be permitted within areas designated open space in the Orcutt Community Plan without an approved Grading Permit. This requirement applies to all grading activity (including activities otherwise exempted under County Grading Ordinance 3937, Sections 14-6 and 14-8). This requirement shall not apply to the emergency activities of a public agency, including but not limited to wildfire and/or flood control.</i></p>	<p>Consistent: The project is consistent with this policy because grading required for the access road and OASIS facility would exceed 50 cubic yards and would require a grading permit.</p>

<p>Policy GEO-O-2: <i>In areas of high erosion potential, development shall be sited and designed to minimize increased erosion.</i></p> <p>DevStd GEO-O-2.1: <i>Consistent with Hillside and Watershed Policy #1, excessive grading for creation or enhancement of views shall not be permitted. Where new roads and driveways would require substantial grading, development shall be sited close to existing access roads.</i></p> <p>DevStd GEO-O-2.4: <i>All surface water runoff shall be culverted and diverted to avoid erosion of exposed slopes and shall be directed to the nearest natural drainage channel. Where such measures are feasible and would not substantially increase erosion, vegetated earthen channels should be substituted for culverts. Crib walls or other methods should only be used where necessary to retain slopes.</i></p> <p>DevStd GEO-O-2.6: <i>All landscape plans shall be reviewed by P&D to ensure revegetation of graded areas in areas of sandy soils. Landscape securities shall be required unless expressly waived by P&D.</i></p>	<p>Consistent: The project is consistent with these policies and development standards because the proposed project would not result in the degradation of the water quality of the groundwater basin or adjacent tributary to Orcutt Creek. Grading and construction for the project including fencing and retaining walls would not occur within stream corridors. The proposed driveway is located in the same location as the existing driveway/access. The project would include the use of LID technologies, which would also contribute to minimizing sediment loads and other contaminants. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, would not be discharged into or alongside coastal streams or wetlands either during or after construction. The project would include Best Management Practices such as the installation of oil/water separators and sediment traps. Implementation of mitigation measures incorporated as project conditions that require landscaping would ensure revegetation of graded areas throughout the site. In addition, landscape sureties would be required for installation and maintenance.</p>
<p>DevStd GEO-O-2.2: <i>Development shall be prohibited on slopes greater than 30% unless this would prevent reasonable development of a property. In areas of unstable soils, highly erosive soils or on slopes between 20% and 30% development shall not be allowed, unless an evaluation by a qualified professional (e.g., soils engineer, geologist, etc.) establishes that the proposed project will not result in unstable slopes or severe erosion or this would prevent reasonable development of a property.</i></p> <p>DevStd GEO-O-2.3: <i>To aid in erosion control, existing hillside topography, large stands of trees, and natural flood channels shall be preserved, unless this would prevent reasonable development of a property.</i></p>	<p>Consistent: The project is consistent these policies because the proposed building site is located on level topography with no known geologic hazards. However, immediately south of the building site is a steep slope (between Clark Avenue and the proposed access road) and there are steep slopes on both the north and south sides of the proposed access road from Foxenwood Lane. Approximately 400 feet of retaining walls ranging in height from 1-5 feet are proposed south of the access road, on both sides of the pedestrian path. Retaining walls would also be incorporated on the slope north of the access road if determined necessary in final grading and drainage plans to ensure no grading would occur within the banks of Orcutt Creek. In addition, the proposed project is subject to the standard County erosion control measures as well as standard Flood Control District regulations regarding sediment control.</p>

HISTORY AND ARCHAEOLOGY	
<p>Policy HA-O-1: <i>Archaeological and historic resources in the Orcutt Planning Area shall be protected and preserved to the maximum extent possible.</i></p> <p>DevStd HA-O-1.1: <i>Development on Key Sites that have not been surveyed by a County-qualified archaeologist should be surveyed and mitigated in accordance with State and County archaeological and historic guidelines.</i></p>	<p>Consistent: The project is consistent with the policies and standards to protect archaeological and historic resources because as discussed in Section 4.4 of the Final EIR (Cultural Resources), the OASIS property, has been surveyed and no potentially significant cultural resources have been identified on, or are known to be associated with, the project site. Mitigation is however included to stop or redirect work immediately in the event potential archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. This mitigation measure, which has been incorporated as a condition of approval, also requires the Owner/Applicant retain an archaeologist and Native American representative to evaluate the significance of any find in compliance with the provisions of Phase 2 and Phase 3 investigations of the County Archaeological Guidelines.</p>
NOISE	
<p>Policy NSE-O-2: <i>Construction noise in Orcutt shall be minimized during non-standard work hours.</i></p> <p>DevStd NSE-O-2.1: <i>Standard construction working hours (i.e., 7 a.m. to 4:00 p.m., Monday-Friday) shall be required for development activities. Flexibility to allow extended hours on weekdays and/or occasional working hours on Saturdays should be determined on a case-by-case basis.</i></p> <p>DevStd NSE-O-2.2: <i>Noise attenuation barriers, muffling of grading equipment and additional mitigation where deemed appropriate should be required for development where construction equipment generates noise levels in excess of 95 dB(A).</i></p>	<p>Consistent: The project is consistent with noise policies and development standards because the Final EIR includes mitigation measures (which have been incorporated as conditions of approval) that limit the days and hours of noise generating construction activities to 7:00 a.m. to 4:00 p.m. Monday through Friday, and requires acoustic shielding of stationary construction equipment.</p>
RISK OF UPSET	
<p>Oil Hazards</p> <p>Policy RISK-O-1: <i>The County shall minimize the risk to public safety associated with oil and gas activity.</i></p> <p>DevStd RISK-O-1.2: <i>In the event that past oil activity or potential hazardous substances are uncovered during grading or construction-related activity, such activity should be suspended immediately until a Phase II Environmental Site Assessment and appropriate remedial action has been completed.</i></p>	<p>Consistent: The project is consistent with policies and development standards related to oil hazards because as discussed in Section 5 of the Final EIR (Effects Not Significant), although portions of Key Site 18 were historically identified as future sites for oil wells (including in the Southpoint Estates subdivision documents), there is no evidence of past or current oil and gas activities onsite. The standard regulatory process requires suspension of construction activity, site assessment and appropriate remediation activities, in the event that any type of</p>

	hazardous substances are encountered during grading or construction.
VISUAL/AESTHETIC RESOURCES	
<p>Policy VIS-O-1: Significant scenic and visual natural resources in Orcutt shall be protected in order to preserve the semi-rural character of the OPA.</p> <p>Policy VIS-O-2: Prominent public view corridors (U.S. 101, State Routes 1 & 135, Clark Ave., Santa Maria Way, and Union Valley Parkway) and public viewsheds (Orcutt/Solomon Hills, Casmalia Hills, and Orcutt Creek) should be protected.</p>	<p>Consistent: The project is consistent with policies to protect scenic and visual resources because the project would involve less than 20,000 square feet of structural development and would retain approximately 85% of the KS18 open space. In addition, the proposed OASIS development includes requirements for landscaping to break up the massing of structural development and to blend development into the existing setting. The project conditions include specific requirements to minimize night-lighting illumination of open space areas would reduce impacts to visual resources onsite, including scenic views from surrounding roadways. Finally, the project site is located at a lower elevation and has minimal visibility from Clark Avenue.</p>
<p>DevStd VIS-O-1.1: All development including buildings, understories, fences, water tanks and retaining walls adjacent to designated natural open space areas shall be sited and designed to protect the visual character of these areas and blend in with natural landforms through the use of such methods as setbacks, building orientation, materials and colors (earth tones and non-reflective paints), landscape buffers, shielded exterior lighting, screening of parking areas and inclusion of perimeter roads to allow maintenance of open space corridors.</p> <p>DevStd VIS-O-2.1: Development shall be sited and designed to minimize disruption of important public view corridors and viewsheds through building orientation, minimization of grading on slopes, landscaping and minimization of sound walls.</p> <p>DevStd VIS-O-3.4: Trash enclosures shall be located outside of public view to the maximum extent feasible.</p> <p>DevStd VIS-O-3.5: Rural-type design signs (e.g., wooden, natural colors) shall mark the entrance/exit to Orcutt, and where appropriate, shall identify the route to Old Town Orcutt.</p>	<p>Consistent: The project is consistent these development standards because the site is located within the urban area of Orcutt, and the proposed structures are designed with architectural elements that support and enhance the semi-rural character of Orcutt. Mitigation measures identified in Section 4.1 (Aesthetics/Visual Resources) of the Final EIR include requirements for landscaping, to break up the massing of structural development, and minimize night-lighting illumination of open space areas. The proposed project has been reviewed conceptually by the North Board of Architectural Review (NBAR). The NBAR is supportive of the project design. With regard to the proposed trash enclosure, the proposed location would be screened and is not visible from public views.</p>

<p>DevStd VIS-O-3.6: <i>Developers of gateway parcels shall fund and construct median strips along designated gateway roads (i.e., Clark Ave., Santa Maria Way, Union Valley Parkway) that include landscaping with low maintenance trees, shrubs, and groundcover designed to minimize obstruction of views by motorists, bicyclists, and pedestrians. The developer shall be reimbursed by other benefitted owners in accord with the Infrastructure Fee Study.</i></p> <p>DevStd VIS-O-3.7: <i>Development on gateway parcels shall be subject to review by the County Board of Architectural Review and/or the Orcutt BAR.</i></p>	<p>Consistent: The project is consistent with these development standards because the OASIS project median was designed to be consistent with the median approved for the LeBard commercial project that abuts the Oasis project site. The proposed median design currently does not include landscaping and the limited width is constrained for accommodating planting of trees. The project is conditioned to revise the proposed median to incorporate feasible plantings acceptable to Public Works (e.g., no plantings permitted that would interfere with line of sight) as well as decorative flatwork consistent with DevStd VIS-O-3.6.</p> <p>The project has been reviewed by the NBAR (see NBAR minutes in Appendix D-1). In addition, mitigation in Section 4.1 (Aesthetics and Visual Resources) includes requirements for lighting, landscaping, rooftop equipment, the directional sign, colors, materials, etc. Further P&D and NBAR’s review of associated final plans are consistent with requirements for OCP gateway developments thereby ensuring consistency with this development standard.</p>
<p>Policy VIS-O-4: <i>Public and private stormwater systems (recharge, retention, and retardation basins, culverts, channels, etc.) shall be designed and maintained to be visually attractive.</i></p> <p>DevStd VIS-O-4.1: <i>Basins shall be engineered so that perimeter fencing is minimized. Where required, perimeter fencing shall be unobtrusive (while minimizing interference with wildlife movement on rural parcels). Perimeter landscaping of basins shall consist of low maintenance trees, shrubs, turf, etc., and on public basins should be designed to accommodate recreational uses where appropriate. Landscaping and fencing within basins should be maintained through a Landscape-Open Space Maintenance District.</i></p>	<p>Consistent: The project is consistent with retention basin policies and development standards because the proposed retention basin is attractively incorporated into the project landscape plan and no fencing is required or included around the basin (the shallow design does not trigger fencing requirements). Flood Control requirements include long-term maintenance of the basin. In addition, the retention basin would be maintained as part of the overall landscape plan for the development.</p>

<p>Policy VIS-O-6: <i>Outdoor lighting in Orcutt shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.</i></p> <p>DevStd VIS-O-6.3: <i>Night lighting fixtures adjacent to residential areas shall be of the minimum height and intensity required for security/safety.</i></p>	<p>Consistent: The project is consistent with outdoor lighting requirements because there is currently no lighting within this open space area and therefore any night-lighting will be noticeable from residential properties to the north, south and west. Mitigation measures included in Section 4.1 (Aesthetics) and Section 4.3 (Biological Resources) of the Final EIR requires lighting to be minimized (hooded, limited hours, etc.) given the proposed development’s location within an open space and visible from public roads and residential properties. Mitigation also requires lighting to be directed away from Orcutt Creek. With incorporation of these mitigation measures as project conditions, the project would be consistent with this Policy and Development Standard.</p>
FISCAL	
<p>Devstd-FSCL-O-2.2: <i>All development should be required to pay its fair share of the cost of operation and maintenance of public facilities.</i></p>	<p>Consistent: The project is consistent with this development standard because the project would be required to pay development impact fees, adopted by the Board of Supervisors, to cover the project’s fair share contribution toward the operation and maintenance of public facilities. In addition, the project is conditioned to require the site to be annexed into the Orcutt Community Facilities District No. 2002-1 and the North County Lighting District.</p>
LAND USE ELEMENT	
<p>Land Use Development Policy (LUDP) #4: <i>Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan...</i></p>	<p>Consistent: The project is consistent with these policies because as discussed in Sections 4.10 (Public Services), 4.12 (Traffic), and 4.5 (Fire and Police Services) of the Final EIR, adequate services and resources are available to serve the proposed project. Also see discussion of Policy CIRC-O-4 (consistency with OCP Circulation policies and standards) and Policy WAT-O-2 (water supplies), incorporated herein by referenced, as consistency with these two policies is required to determine a project’s consistency with LUDP #4 with regard to roads and water, respectively.</p>
<p>Land Use Development Policy #5: <i>Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district or an existing mutual water company, if such service is available.</i></p>	<p>Consistent: The project is consistent with this policy because the project site is located within an urban area and would be serviced by public water (Golden State Water Company) and public sewer (Laguna County Sanitation District).</p>

ENERGY AND CLIMATE ACTION PLAN (ECAP)	
<p>Energy and Climate Action Plan (ECAP) The ECAP is a plan to reduce greenhouse gas emissions and includes a variety of strategies for reducing emissions, including but not limited to the following:</p> <ul style="list-style-type: none"> • Sustainable Communities Strategy (e.g., goal of a zero net increase per capita in GHG emissions from passenger vehicles by 2020, etc.) • Land Use Design (e.g., reduce dependency on automobiles, decrease vehicle miles traveled (VMT), increase access to transit, include electric vehicle charging stations, include walking/bike paths, etc.) • Built Environment (increase energy efficiency through location, design, construction, and system, green building standards, cool pavements, awnings to shade windows, incorporate landscaping to cool buildings, etc.); • Renewable Energy (solar, etc.); • Waste Reduction (use of recycled materials in building design, pavement, recycle program for operations, construction); and • Water Efficiency (water conservation, dual plumbing for grey water, etc.) 	<p>Consistent: The project is consistent with the ECAP because it incorporates several strategies for reducing GHGs, including incorporation of solar panels on the roof, onsite storage of roof runoff for landscape irrigation, construction of a bikeway/trail segment, and the project’s location is in general proximity to project visitors (mostly Orcutt area seniors). The ECAP includes a variety of strategies to encourage alternative forms of transportation. The project would primarily serve area seniors, a population with reduced ability to bicycle or walk long distances and/or up and down hills. According to the applicant, most members of Oasis who do not drive themselves or carpool would be expected to utilize the SMOOTH Dial-a-Ride service to access OASIS activities onsite. Implementation of a Transportation Demand Management Plan would reduce project-related vehicle emissions consistent with the provisions of the ECAP.</p>

6.3 Zoning: Land use and Development Code Compliance

COMPLIANCE WITH LAND USE AND DEVELOPMENT CODE REQUIREMENTS	
<p>RECREATION (REC) ZONE DISTRICT: (OASIS Property)</p> <p><i>Purpose of REC Zone: The REC zone is applied to provide public or private open space areas appropriate for various forms of outdoor recreation. The intent is to encourage outdoor recreational uses that will protect and enhance areas with the potential to accommodate both active and passive recreation because of their beauty and natural features. Proposed recreational uses should complement and be appropriate to the area because of the natural features.</i></p> <p>Setbacks Front- 50 ft from road centerline; 20 ft from right of way</p>	<p>Consistent: The project is consistent with LUDC requirements for the REC Zone. The project includes a request to develop a meeting facility and associated open space areas and trails. Development associated with the project for this analysis is limited to OASIS’ proposed grading, development, and uses, as described in the Development Plan and Conditional Use Permit applications (e.g., grading, 15,661 SF structural development, parking, access driveway from Foxenwood Lane and related grading/installation of retaining walls, retention basin, trail/bikeway, landscaping, etc.). The discussion below addresses “development” associated with the Development Plan and Conditional Use Permit project requests.</p>

<p>Side- 10 ft Rear- 10 ft</p> <p>Maximum % of net area covered by Structure- 20% Height Limit- 25 ft</p> <p>Minimum Parcel Size Recreation Zoning (5.16 acres of OASIS property) 1 acre minimum</p>	<p><u>Setbacks, Coverage, Height Limit:</u> Structural development is located near the center of the OASIS property and complies with the LUDC front, side and rear setbacks. Building coverage would be approximately 7% (less than the 20% maximum) and maximum height of proposed structures would be 24 ft., 6 in.</p> <p><u>Zoning Minimum Parcel Size</u> The proposed project is consistent with the LUDC for minimum parcel size. The OASIS property comprises 5.28 acres of the Southpoint Estates subdivision's approximately 33 acres of designated open space. Like the rest of the open space lots, most of the OASIS property is zoned Recreation, which has a 1- acre minimum lot size. A small triangle of the OASIS property (0.12 acres) is zoned commercial, which is discussed further below.</p>
<p>Parking <u># of Parking Spaces by Use-</u> Assembly Area - 1 space/30 SF Office Area - 1 space/300 SF Educational Area - 1 space/300 SF Storage Area - 1 space/1,000 SF</p> <p><u>Screening requirements and authority.</u> Screening shall be provided adjacent to all lot lines consisting of a five-foot wide strip, planted with sufficient shrubbery to effectively screen the parking area, or a solid fence or wall not less than four feet in height.</p> <p><u>Uncovered parking areas exceeding 3,600 square feet.</u> Trees, shrubbery, and ground cover shall be provided at suitable intervals in order to break up the continuity of the parking area. Planting islands for these trees and shrubs shall be protected from automobile traffic by either asphalt or concrete curbs. 2. Within the Inland area, landscape islands shall be provided at the ends of all parking lanes.</p> <p><u>Allowed Use in Recreation Zone District LUDC Table 2-25</u> (Excerpt of Table 2-25 included below as Table 1.8-3)</p> <p><u>Meeting Facility (Religious/Public/Private):</u> Allowed with approval of a CUP.</p>	<p><u>Parking Spaces (#s):</u> The project would provide 143 parking spaces. The LUDC requires 229 spaces based on the square footage of various use areas in the proposed OASIS structures. Therefore, the applicant is requesting a modification to allow 86 fewer spaces than would be required per the LUDC. The modification with the LUDC parking requirements is justified because the peak parking analysis prepared by Associated Transportation Engineers (ATE) and included in EIR Section 4.12, incorporated herein by reference, identifies peak parking demand as 139 spaces. Therefore, the proposed modification to allow 143 spaces is justified by project analyses of parking needs.</p> <p><u>Parking Screening Landscaping:</u> The proposed project parking areas currently comply with the required landscaping standard for uncovered parking areas exceeding 3,600 SF. Project conditions require the final landscape plan to comply with additional requirements related to use of screening plantings, native species and planting on both sides of the multi-use trail. The Final Landscape Plan will also need to be approved by P&D and NBAR to ensure consistency with project conditions and this LUDC standard, including review of final details including specific plant species and sizes to ensure adequate screening.</p>

<p><i>Definition of a Meeting Facility: A facility for public or private meetings, including community centers, religious institutions, civic and private auditoriums, grange halls, union halls, meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that are typically used only by onsite employees and clients, and occupy less floor area on the site than the offices they support (see "Offices"). Does not include: sports or commercial facilities (see "Theater," and "Sports and Entertainment Assembly"); or convention centers (see "Conference Center"). Related onsite facilities such as day care centers and schools are separately defined, and separately regulated.</i></p>	<p><u>Allowed Use:</u> A Meeting Facility is an allowed use in the REC zone district and the OASIS project description for the CUP request is for a Meeting Facility/Meeting Center. The project is proposed as a meeting facility, which is an allowed use in the REC zone subject to approval with a CUP.</p>
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6.3.1 Requested Modification(s): Required Number of Parking Spaces

The project includes a request to modify the LUDC-required number of parking spaces from 229 required spaces to 143 proposed spaces, a reduction of 86 spaces. Parking requirements may be modified if the review authority finds the modification is justified consistent with the Comprehensive Plan (LUDC Sections 35.82.060; 35.82.090.H.1). As discussed below, staff recommends approval of the proposed modification to the number of LUDC required parking spaces, subject to OASIS' proposed maximum, any-given-time attendance limit (200 people including staff/caterers) included in the project description.

EIR Section 4.12 (Transportation and Circulation), Impact TC-6 addresses project parking demand. The project's 143 parking spaces are proposed in two general parking areas. There is a parking lot east of the main building and the parking spaces are also proposed further to the west, along the access road, as identified OASIS site plan.

LUDC parking criteria identify the need for 229 on-site parking spaces and one loading space, based the following land use parking ratios:

- Office/educational - 1 parking space per 300 SF of building area;
- Assembly - 1 parking space per 30 SF of building area; and
- Storage - 1 parking space per 1,000 SF of building space area.

The Development Plan and Conditional Use Permit conditions of approval include conditions to ensure project parking demand can be accommodated by the 143 proposed onsite parking spaces. These conditions ensure project-related vehicles do not park in locations which could increase traffic hazards (e.g., along the driveway outside of the designated spaces) or which could infringe upon the recreational opportunities (trail, bikeway, park) or biological resources within the remaining KS18 open space. As requested by Caltrans, the conditions also restrict OASIS use of the Park and Ride parking for parking demand associated with regular OASIS operations or for special events/rentals, unless specifically permitted by Caltrans.

6.4 Subdivision/Development Review Committee

The project requests were considered by the SDRC on March 17, 2016 (Development Plan, Conditional Use Permit) and July 7, 2016 (Recorded Map Modification and Lot Line Adjustment). Departmental condition letters have been submitted as follows:

- Air Pollution Control District letter dated 5/26/20
- Environmental Health Services Control District letter dated 5/27/20
- County Fire letter dated 3/22/16 (CUP) and 7/15/16 (RMM/LLA)
- County Flood Control District letter dated 5/4/16
- County Surveyor letter dated 7/21/16 (RMM), 7/21/16 (LLA)
- General Services, County Parks letter dated 8/4/20
- Project Clean Water letter dated 3/24/16
- Laguna County Sanitation District *Availability* letter dated 6/2/20
- Public Works, Transportation Division letter dated 8/12/20
- Golden State Water Company *Preliminary Can and Will Serve* letter dated 6/2/20

The above letters have been incorporated as conditions of approval and are included in Attachment B-6.

6.5 Government Code §65402 Consistency

For any County with an adopted General Plan, the acquiring and disposal of property, the abandonment of streets, and the construction of building and structures requires a Planning and Development report on the conformity of the action with applicable sections of the adopted General Plan pursuant to a Government Code §65402 Determination. The proposed project requires the applicant to acquire the development rights to the property in order to be approved. Development rights on the property were previously deeded to the County related to the Southpoint Estates project's conditions of approval, except for open space and non-commercial

recreational uses^[1]. The request does not affect County retention of deeded development rights on the adjacent open space parcels.

The applicants request for the County to vacate, abandon, or release the property's development rights is being processed with companion applications to remove development restrictions for the property, including changes to the Southpoint Estates conditions of approval, changes to the recorded maps for the subdivision, and amendments to the Orcutt Community Plan to remove the property as designated open space and park land. These requests would allow for development onsite beyond public park uses, including the specific development proposed for a new OASIS meeting facility.

6.5.1 CONFORMITY WITH APPLICABLE COMPREHENSIVE/COMMUNITY PLAN POLICIES:

The project requests have been evaluated for consistency with the Comprehensive Plan, including the Orcutt Community Plan. Section 6.2 of this staff report includes discussion of project consistency with the Comprehensive Plan, including policies related to open space lands (e.g., OS-O-1, OS-O-2, OS-O-4.2, and OS-O-4.3). The Section 6.2 consistency analysis concludes that the project is consistent with the Comprehensive Plan, subject to the Board's approval of the proposed amendments to the Orcutt Community Plan, and subject to Board of Supervisors' approval of General Plan Amendment (Case No. 14GPA-00000-00020).

6.6 Design Review

The project was considered at a "conceptual" level by the North County Board of Architectural Review (NBAR) on April 24, 2015, September 22, 2017, and December 15, 2017. In addition, the NBAR members considered the project as represented by story poles installed on the project site. The story poles are visible from surrounding public roads, including Clark Avenue and Foxenwood Lane. Photos showing the story poles as viewed from surrounding public viewing areas are included in the Final EIR, Section 4.1 (Aesthetics and Visual Resources). The NBAR recommended the project return for preliminary and final review with recommendations identified in the minutes of the December 15, 2017 hearing (included in Appendix D-1 of the EIR).

6.7 Development Impact Mitigation Fees

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment of various development impact mitigation fees. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid.

^[1] Non-Commercial- Not involving remuneration (e.g., fees for uses or services).

The developer of a project that is required to pay development impact mitigation fees may appeal to the Board of Supervisors for a reduction, adjustment or waiver of any of those fees based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted or waived. The appeal must be submitted to the director(s) of the relevant departments within 15 calendar days following the determination of the fee amount(s). For a discretionary project, the date of determination of fee amounts is the date on which the decision-maker adopts the conditions of approval and approves the project.

Estimated Orcutt Development Plan Impact Mitigation Fees			
Fee Program	Base Fee Per 1,000 SF Per Peak Hour Trip (PHT) Per Equivalent Dwelling Unit (EDU)	Estimated Fee Based on: 15,661 SF 35 PHT ¹ 11 EDU ²	Fee due at:
Recreation (Parks) Develop. Mitigation Comm. & Industrial	N/A \$1,966/1,000 sf	\$30,866	Final Inspection
Transportation Roadway Bikeways Landscape Medians	\$3,746/PHT \$362/EDU \$417/EDU	\$131,110 (35 PHT*) \$3,982 \$4,587	Final Inspection Final Inspection Final Inspection
Fire Orcutt Area	\$770/1,000 sf	\$12,059	Final Inspection
Library	\$793/1,000 sf	\$12,420	Final Inspection
Public Administration	\$443/1,000 sf	\$6,938	Final Inspection
Sheriff	\$321/1,000 sf	\$5,028	Final Inspection

7.0 APPEALS PROCEDURE

The recommendation of the Planning Commission will be sent to the Board of Supervisors. Pursuant to Government Code Sections 65354.5, any interested party may file a written request with the Clerk of the Board for a hearing by the Board of Supervisors within five (5) days after the

¹ 35 PHT based on Institute of Traffic Engineers land use code 495 (Recreational Community Center) as recommended by Public Works and used in ATE traffic analysis in OASIS EIR

² 11 EDU determined by Public Works (W. Robertson 6/29/20)

Oasis Meeting Center

Case Nos. 14GPA-00000-0000, 16RMM-00000-00001, 16CUP-00000-00006, 16DVP-00000-00002, 16LLA-00000-00004, 17CUP-00000-00013, 18GOV-00000-00005

Hearing Date: September 11, 2020

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Planning Commission acts on the proposed General Plan Amendment. Whether or not a written request is filed, a public hearing before the Board of Supervisors will be conducted to consider the Comprehensive Plan amendments.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval
 - B-1. Conditions of Approval for Case No. 16RMM-00000-00001
 - B-2. Conditions of Approval for Case No. 16LLA-00000-00004
 - B-3. Conditions of Approval for Case No. 16DVP-00000-00002
 - B-4. Conditions of Approval for Case No. 16CUP-00000-00006
 - B-5. Conditions of Approval for Case No. 17CUP-00000-00013 (Sign)
 - B-6. Department and Agency Condition Letters
- C. Existing and Proposed Oasis Locations
- D. Planning and Development link to OASIS project webpage, for OASIS EIR, including Final EIR Executive Summary: <https://www.countyofsb.org/plndev/projects/oasiscenter.sbc>
- E. Planning Commission Resolution for General Plan Amendment
 - E-1. Board Resolution for General Plan Amendment
 - a. Development Standard KS-1
 - b. OCP Open Space Map to remove open space designation
 - c. OCP Parks, Recreation and Trails Map to remove proposed park designation
 - d. OCP Bikeways Map to allow driveway section to be Class II instead of Class
- F. Background Exhibits (not final)
 - F-1. Orcutt Community Plan Land Use, Zoning and Overlays and OCP Park signs
 - F-2. Orcutt Community Plan Amendment #1 OCP DevStd KS18-1 with Figure KS18-2
 - F-3. Orcutt Community Plan Amendment #2 Open Space Map
 - F-4. Orcutt Community Plan Amendment #2 Parks, Recreation and Trails Map
 - F-5. Orcutt Community Plan Amendment #4 Bikeways Map
 - F-6. Southpoint Estates Recorded Maps to be Modified (2)
- G. APN Page
- H. Project Plans
- I. Final SEIR - Revision Letter No. 1

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 ENVIRONMENTAL IMPACT REPORTS

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:

1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (19EIR-00000-00003, SCH #2017041065) (“**FEIR**”) was presented to the Board of Supervisors and all voting members of the Board of Supervisors have reviewed and considered the information contained in the FEIR, as modified by the Final EIR Revision Letter No. 1 dated September 3, 2020, and its appendices prior to approving the project. In addition, all voting members of the Board of Supervisors have reviewed and considered testimony and additional information presented at or prior to public hearing[s] on December 15, 2020. The Final EIR reflects the independent judgment and analysis of the Board of Supervisors and is adequate for this proposal.

1.2 FULL DISCLOSURE

The Board of Supervisors finds and certifies that the FEIR constitute[s], as modified by the Final EIR Revision Letter No. 1 dated September 3, 2020, constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Board of Supervisors further finds and certifies that the Final EIR has been completed in compliance with CEQA.

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 located at 105 East Anapamu Street, Santa Barbara, CA 93101. The EIR is also available for review online at <https://cosantabarbara.app.box.com/s/o9fp2865sykaqn98s0702plaa96xi7t5/folder/72816385253>

1.4 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE (CLASS I IMPACTS)

The FEIR, as modified by the Final EIR Revision Letter No. 1 dated September 3, 2020, for the OASIS project Attachments D and I to the Staff Report dated September 3, 2020, incorporated herein by reference, identifies eight (8) environmental impacts which cannot be fully mitigated and are therefore considered unavoidable (Class I). Those impact areas are: Aesthetics/Visual Resources (Open Space Views - Project Specific and Cumulative); Biological Resources (Increased Development/Human Activities on/Adjacent to Open Space/Wildlife Habitat - Project Specific and Cumulative), Land Use -Compatibility/Quality

of Life; Recreational Opportunities/Loss of Open Space (Project Specific and Cumulative), Transportation (Increased Traffic/Safety/Turning Movements - OCP Buildout). To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of these Class I impacts identified by the FEIR, feasible changes or alterations have been required for, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

1.4.1 AESTHETICS/VISUAL RESOURCES (OPEN SPACE VIEWS)

– PROJECT SPECIFIC AND CUMULATIVE CLASS I IMPACTS

Impact VIS-1 (Scenic Views, Project Specific): The proposed project will increase development and result in loss of unobstructed scenic views of the Key Site 18 (KS18) contiguous natural open space setting along Orcutt Creek and loss to the open space visual character of the eastern gateway to Old Town Orcutt. (MMs VIS-1 – VIS-9)

Cumulative Aesthetics/Visual Resources: The project will exacerbate loss of open space views by allowing development on property currently designated as open space and parkland in the OCP to partially mitigate significant loss of open space views from OCP buildout.

The above project's specific and cumulative visual impacts will be partially mitigated by OASIS EIR Mitigation Measures VIS-1 through VIS-9, incorporated as project conditions of approval, which include specific criteria and requirements for lighting, prompt removal after use of temporary structures (e.g., used for party rentals), landscaping for the access road, steep slopes and retaining walls along the proposed access and pedestrian path, screening for rooftop mechanical equipment, development, landscaping, and sign plan details for consistency with approved project mitigation/conditions. Residual impacts after mitigation will remain significant and unavoidable, given permanent conversion to development and related infrastructure of a parcel. This area was created as an open space parcel in the Southpoint Estates subdivision (TM 12,679) and further designated for open space and parkland in the Orcutt Community Plan. No other feasible measures are known, which will further reduce the project specific and cumulative significant and unavoidable impacts from loss of scenic open space views. Aesthetic/Visual Resources impacts will be substantially reduced by the above mitigation measures, but residual impacts will remain Class I.

1.4.2 BIOLOGICAL RESOURCES (INCREASED DEVELOPMENT/HUMAN ACTIVITIES ON/ADJACENT TO OPEN SPACE/WILDLIFE HABITAT) – PROJECT SPECIFIC AND CUMULATIVE

Impact BIO-5: Increased Development/ Activity in an Open Space/ Wildlife Corridor The project will introduce development and human activities into a large urban open spaces/wildlife corridors in the central urban core of Orcutt.

Cumulative Biological Resources Impact: The project will develop an area set aside, in part, to reduce identified impacts to biological resources by preserving and protecting a contiguous band of open space along Orcutt Creek. The project will increase habitat fragmentation of the KS18 open space, compared to the open space and potential public park envisioned for the property in the OCP, without provision of offsetting open space land with biological resources elsewhere in the planning area. Therefore, the project will increase the previously identified significant impacts to biological resources from OCP buildout.

The above project specific and cumulative visual impacts will be partially mitigated by OASIS EIR Mitigation Measures BIO-1 and BIO-3 through BIO-19, incorporated as project conditions of approval. These mitigation measures require the following:

- Protection of biological resources during the construction period;
- Performance of special status wildlife and nesting bird surveys prior to commencement of construction;
- Monitoring of grading and construction activities in proximity to Orcutt Creek;
- Tree protection and replacement of native trees if trees are removed or damaged;
- Habitat setback requirements and implementation of a habitat restoration plan;
- Implementation of stormwater best management practices;
- Use of compatible native plant species in most areas with other drought tolerant, non-invasive species allowed for the lawn area and around the project structures;
- Criteria for trail and lighting design to minimize impacts to the nearby riparian habitat; and
- Requirement to obtain necessary authorizations from other agencies, including Fish and Wildlife and Regional Water Quality Control Board.

No other feasible mitigation measures are known, which will further reduce the project specific and cumulative significant and unavoidable impacts to biological resources. Biological impacts will be substantially reduced by the above mitigation measures, but residual impacts will remain Class I.

1.4.3 LAND USE -COMPATIBILITY/QUALITY OF LIFE

Impact LU-1 Compatibility The project will result in a change in character of the site and the scale of development on the site, which will present potential quality of life compatibility issues.

Compatibility impacts relate to the change from open space to development of the OASIS property. These compatibility impacts are associated with changes to the visual character, increased noise levels, loss of open space/scenic views, and changes in traffic that would result from the project development and use compared to the existing undeveloped open

space setting change from open space to the project. Therefore, compatibility impacts related to visual character, noise, loss of open space/scenic views, and traffic will be partially mitigated by OASIS EIR mitigation measures, incorporated as project conditions of approval, that are discussed in the following sections of these findings, which are incorporated herein by reference: Aesthetics/Visual Resources (see CEQA Findings Section 1.4.1), Noise (see CEQA Findings Section 1.5.10), Recreation and Open Space (see CEQA Findings Section 1.4.4) and Transportation/Circulation (see CEQA Findings Section 1.4.5). No other feasible mitigation measures are known, which will further reduce the project specific and cumulative significant and unavoidable land use compatibility and quality of life impacts. These impacts will be substantially reduced by the above referenced mitigation measures, but residual impacts will remain Class I.

1.4.4 RECREATIONAL OPPORTUNITIES AND LOSS OF OPEN SPACE – PROJECT SPECIFIC AND CUMULATIVE

Impact REC-1: The project includes a proposed amendment to the OCP to allow the OASIS development/use on property that is currently restricted to open space and potential public park uses. The land use restrictions were adopted as partial mitigation for significant unavoidable impacts to recreation and loss of open space/open space views. The proposed conversion of open space/parkland to development will increase the previously identified significant unavoidable loss of open space and recreational impacts identified in the OCP EIR and Southpoint Estates' Orcutt 13 EIR, 79-EIR-1.

Cumulative Recreation/Loss of Open Space: The project will result in significant loss of open space and recreational opportunities identified in the OCP by removing high priority open space/parkland.

The above project specific and cumulative recreation and open space impacts will be partially mitigated by Mitigation Measures Rec-1 through Rec-4, incorporated as project conditions of approval. These mitigation measures identify required resolution of conflicting recorded access easements and include specific criteria for trail and bikeway/bike lane location, design, coordination, and construction. No other feasible mitigation measures are known, which will further reduce the project specific and cumulative significant and unavoidable impacts to open space and recreation. These impacts will be substantially reduced by the above referenced mitigation measures, but residual impacts will remain Class I.

1.4.5 TRANSPORTATION – INCREASED TRAFFIC/SAFETY/TURNING MOVEMENTS -AT OCP BUILDOUT

Impact TC-7: Foxenwood/ Clark Intersection at OCP buildout: The project will contribute additional vehicle trips to OCP buildout traffic assumptions that will result in increased congestion, turning movement and safety impacts at the Foxenwood Lane/Clark Avenue Intersection. This cumulative impact will be significant and unavoidable.

The above impact to the Foxenwood Lane/Clark Avenue intersection at OCP buildout will be partially mitigated by Mitigation Measures TC-1 and TC-2, incorporated as project conditions of approval, which require submittal of final driveway and roadway improvement plans for Public Works review and approval prior to issuance of a zone clearance, including incorporation of pedestrian safety measures, as determined applicable by Public Works to improve pedestrian and bicycle safety for school children. These measures also require completion of all roadway improvements before Final Building Inspection Clearance. No other feasible mitigation measures are known, which will further reduce this traffic impact. This impact will be substantially reduced by the required roadway improvements, but residual impacts will remain Class I.

1.5 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL (CLASS II IMPACTS)

The FEIR, including the Revision Letter No. 1 dated September 3, 2020, identified several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the FEIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

1.5.1 AESTHETIC/VISUAL IMPACTS (COMPATIBLE DEVELOPMENT/ IMPROVEMENTS)

Impact VIS-2 (Off-Site Sign): The proposed directional sign on Foxenwood Lane will result in potentially significant visual/aesthetic impacts.

The above impact will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure VIS-2), incorporated as a project condition of approval, which requires submittal of sign design details (e.g., dimensions, colors, materials, lighting, location) adequate to ensure P&D and NBAR can determine the sign will not obstruct views and will be compatible with the setting and Old Town Orcutt sign criteria.

Impact VIS-3 (Retention Basin): The project includes a retention basin in the west end of the OASIS property, which, if not maintained, will result in significant visual impacts.

The above impact will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure VIS-6), incorporated as a project condition of approval, which requires adequate landscaping and long-term maintenance of retention basin plantings, with P&D and NBAR review and approval of the landscape plan, Flood Control review and approval of the long-term maintenance agreement, Permit Compliance monitoring of landscape installation and maintenance before release of financial securities.

Impact VIS-5 (Temporary Structures): Temporary structures inconsistent with visual character of the area: If outdoor gatherings/special events/rentals involve structures or features are not promptly removed after events (e.g., party tents, etc.), this could result in incompatible semi-permanent structures onsite, which are inconsistent with the visual character of the surrounding area.

The above impact will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure VIS-4), incorporated as a project condition of approval, which requires prompt removal of any temporary structures used onsite (e.g., bounce houses) after events, with this requirement included in all rental agreements.

Mitigation measures VIS-2, VIS-6 and VIS-4 have been adopted as conditions of approval and with their implementation, impacts to visual resources will be less than significant.

AIR QUALITY (2016 OZONE PLAN, CUMULATIVE)

Impact AQ-3: The project will potentially conflict with implementation of the 2016 Ozone Plan in reducing ozone precursor emissions and attainment of state and federal air quality standards for ozone.

Impact AQ-4: The project will result in potentially significant impacts associated with project generated smoke, odors, and dust (PM10) generated by onsite activities, resulting in nuisance complaints and increasing the challenge of meeting SBCAPCD attainment of PM10 standards.

Cumulative Air Quality Impact: Long-term operation of wood fired barbeques and fireplaces and lack of proximate bus stops or other transit options that reduce vehicle trips/vehicle miles travelled will be inconsistent with OCP policies/development standards, the County's Energy and Climate Action Plan, and achieving the 2016 Ozone Plan goals, which address attainment of PM10 and ozone precursor standards and provision of expanded transit opportunities, and other alternative modes of transportation (alternative to single occupant vehicle trips).

The above impacts will be reduced to less than significant levels by feasible mitigation, EIR Mitigation Measure AQ-2, incorporated as a project condition of approval, which requires implementation of an approved Transportation Demand Management Program designed to reduce single occupant vehicle trips and related emissions.

1.5.3 BIOLOGICAL RESOURCES (HABITAT, WILDLIFE, ORCUTT CREEK TRAIL/BIKEWAY)

Impact BIO-2: Sensitive Habitat and Oak Trees: The project will result in potentially significant direct (e.g., vegetation removal) and indirect/secondary impacts (e.g., erosion, degraded water quality) to sensitive habitat on Key Site 18, including the Orcutt Creek

riparian corridor as well as impacts to individual oak trees. This includes potentially significant impacts if OCP resource protective measures and restoration requirements are not adhered to, including during the construction period, post-construction restoration, and long-term use of the OASIS facility and multi-use Orcutt Creek Trail segment, including its parallel Class I Bikeway (and Class II bike lane section).

Impact BIO-2 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure BIO-1 and BIO-3 through BIO-19), incorporated as project conditions of approval. These measures require protection of biological resources during the construction period (BIO-1), performance of special status wildlife and nesting bird surveys prior to commencement of construction (BIO-2, BIO-6), worker orientation of biological protection measures (BIO-3), biological monitoring of grading and construction activities in proximity to Orcutt Creek (BIO-4), tree protection and replacement if native trees are removed or damaged (BIO-5, BIO-7), habitat setback requirements (BIO-8), implementation of a habitat restoration plan (BIO-10, BIO-12) and stormwater best management practices (BIO-9), use of compatible native plant species except in the lawn area and around the project structures (BIO-13), equipment washout areas (BIO-14) during construction, criteria for trail and lighting design to minimize impacts to the nearby riparian habitat (BIO-15, BIO-17), and requirement to obtain necessary permits or confirm exemption from permits from other agencies, including Fish and Wildlife and Regional Water Quality Control Board for work affecting stream and special status species (BIO-18, BIO-19).

Impact BIO-3: Special Status Wildlife: Direct and indirect impacts to unique, rare, threatened or endangered wildlife have the potential to occur as a result of the Project. Impacts will potentially occur from grading/ground disturbance, increased human presence (noise, lighting) and activities.

Impact BIO-4: Nesting Birds: Potentially significant impacts to nesting birds could result if construction occurs during the breeding season (February 1 through August 31) and nests are present.

Impacts BIO-3 and BIO-4 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measure BIO-2, BIO-4, BIO-6, BIO-18, and BIO-19), incorporated as project conditions of approval. These measures require performance of special status wildlife and nesting bird surveys prior to commencement of construction (BIO-2, BIO-6), biological monitoring of grading and construction activities in proximity to Orcutt Creek (BIO-4), and requirement to obtain necessary authorizations from other agencies, including Fish and Wildlife and Regional Water Quality Control Board (BIO-18, 19).

Impact BIO-6 Orcutt Creek Trail/ Bikeway: Installation/long-term use of the Orcutt Creek Trail/Class I Bikeway will result in potentially significant biological impacts.

Impact BIO-6 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measures BIO 1 through BIO-19) incorporated as project conditions of approval. These measures require protection of biological resources during the construction period, performance of special status wildlife and nesting bird surveys prior to commencement of construction, worker orientation of biological protection measures, biological monitoring of grading and construction activities in proximity to Orcutt Creek, tree protection and replacement if native trees are removed or damaged, habitat setback requirements, implementation of a habitat restoration plan and best management practices, use of compatible native plant species except in the lawn area and around the project structures, criteria for trail and lighting design to minimize impacts to the nearby riparian habitat, and requirement to obtain necessary permits or confirm exemption from permits from other agencies, including Fish and Wildlife and Regional Water Quality Control Board. With implementation of the identified mitigation measures these potential impacts to biological resources will be less than significant.

1.5.4 CULTURAL RESOURCES (DISTURB UNKNOWN RESOURCES DURING CONSTRUCTION)

Impact CR-2: Undiscovered subsurface cultural resources could reasonably be encountered during earth disturbance activities associated with the project requests (e.g., grading, construction, landscaping, etc.).

Impact CR-2 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measure CR-1) incorporated as a project conditions of approval, which requires that work immediately stop or be redirected and specific actions be taken in the event that potential archaeological/cultural resource remains are encountered during grading, construction, landscaping or other construction related activity.

1.5.6 POLICE SERVICES (INCREASED DEMAND FOR SERVICES)

Impact FP-2: Proposed activity levels (up to 200 people at any given time onsite), and use of the facilities as a rental venue, could significantly increase demand on already stretched Santa Barbara County Sheriff's Office services.

Impact FP-2 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure FP-1), incorporated as a project condition of approval, which requires specific criteria for security and traffic control for programs and/or events involving more than 100 people onsite.

1.5.7 GEOLOGIC PROCESSES (ORCUTT CREEK SEDIMENTATION, SLOPE HAZARDS, SOIL BLOWING)

Impact GEO-1: The project will result in potentially significant impacts from siltation/ sedimentation of Orcutt Creek (Short-Term Construction Period and Long-Term Operations).

Impact GEO-1 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures GEO-1, W-3, W-5, and W-6 as well as compliance with Flood Control District and Project Clean Water condition letters), all of which are incorporated as project conditions of approval. These measures and condition letters require implementation of an erosion and sediment control plan and storm water pollution prevention plan, incorporation of low impact development engineered infiltration and storage techniques to retain stormwater runoff onsite, and implementation and maintenance of operational (long-term) erosion control measures into the project grading and drainage plan designs.

Impact GEO-2: The project will result in potentially significant impacts related to unstable slopes/soil collapse due to the steep slopes, the weight of future structures on Clark Avenue above the OASIS building pad, and potential for unstable slopes along the proposed access road.

Impact GEO-2 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures GEO-2), incorporated as a project condition of approval, which requires submittal of geotechnical analysis and identification of measures to address slope stability and soils constraints prior to recordation of the recorded map modifications to the Southpoint Estates tract conditions to allow development on the OASIS property.

Impact GEO-3: The project will result in potentially significant impacts from soil blowing during the short-term construction period

Impact GEO-3 will be reduced to less than significance levels by feasible mitigation, (EIR Mitigation Measures GEO-1), incorporated as a project condition of approval, which requires implementation of an erosion and sediment control plan and compliance with SBCAPCD standard measures for control of fugitive dust. With implementation of the above mitigation measures, geologic process impacts would be reduced to less than significant levels.

1.5.8 GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE (CONFLICT WITH AND ENERGY AND CLIMATE ACTION PLAN)

Impact GHG-2: The project will potentially interfere with the goals and conflict with strategies for reducing County-wide greenhouse gas emissions (GHGs) in the County's Energy and Climate Action Plan (ECAP).

Impact GHG-2 will be reduced to less than significance levels by feasible mitigation, (EIR Mitigation Measures AQ-2), incorporated as a project condition of approval, which requires implementation of Transportation Demand Management Program, designed to reduce single occupant vehicle trips and related greenhouse gas emissions.

1.5.9 LAND USE - CONSISTENCY WITH POLICIES MITIGATING IMPACTS

Impact LU-2 Policy Consistency: The project will be consistent with the applicable policies and development standards in the OCP, which were adopted for the purpose of avoiding or mitigating significant environmental effects.

Impact LU-2 will be reduced to less than significant levels by standard conditions and feasible mitigation measures that have been incorporated as project conditions of approval. This includes all required mitigation measures included in EIR Sections 4.1 through 4.7 (Aesthetics/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Fire/Police Services, Geologic Processes, and Greenhouse Gas Emission/Climate Change) and Section 4.9 through 4.13 (Noise, Public Services, Recreation and Open Space, Transportation/Circulation, and Water Resources) that are necessary to reduce impacts to less than significant levels. The requirements of these mitigation measures are summarized in Sections 1.4 and 1.5 of these CEQA findings and are incorporated herein by reference.

1.5.10 NOISE (EXPOSE SENSITIVE RECEPTORS TO CONSTRUCTION AND OPERATIONS NOISE)

Impact N-1: *Project grading and construction will temporarily expose sensitive receptors (residential neighbors) to potentially significant short-term noise impacts.*

Impact N-1 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures N-1 and N-2), incorporated as project conditions of approval, which restrict the hours for loud construction period activities and require shielding of stationary construction equipment which exceeds 65 dBA at the closest residential property line.

Impact N-3: Sensitive receptors (surrounding residential neighbors) will be exposed to a potentially significant increase/change in noise levels during the life of the OASIS project, compared to existing noise generated from the undeveloped open space. This includes exposure to an increase in periodic peak noise levels compared to the existing setting without the project (Class II).

Impact N-3 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures N-3 through N-8), incorporated as project conditions of approval, which require use of noise limiters to restrict the maximum sound level of amplified music or voice (NS-3), maximum frequency, hours and duration for use of onsite amplification (NS-4), construction design methods to reduce acoustical leaks (NS-5), required closure of north and west facing windows and doors when indoor areas of the facility are rented and when indoor OASIS activities involve music or amplification (NS-6), designation of an OASIS noise contact to promptly respond to noise complaints, hours of operation, and attendee numbers (NS-7), and avoidance of backing up of delivery vehicles before 8:00 AM and after

7:00 PM to reduce back-up beeping (NS-8). With implementation of the above mitigation measures, noise impacts would be reduced to less than significant levels.

1.5.11 RECREATION/OPEN SPACE (PROVISION OF FEASIBLE LOCATION FOR OCP TRAIL/BIKEWAY)

Impact REC-2: The proposed Orcutt Creek Trail including bikeway easement will be potentially infeasible and potentially inconsistent with the OCP due to conflicts with existing recorded easements, adequate width and location.

Impact REC-2 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measures Rec-1, Rec-2, Rec-3 and Rec-4, summarized above in CEQA Findings Section 1.4.4 above, incorporated herein by reference). These mitigation measures are incorporated as project conditions of approval. The mitigation measures require resolution of conflicting recorded access easements and include specific criteria for trail and bikeway/bike lane location, design, coordination, and construction.

1.5.12 TRANSPORTATION/CIRCULATION (ROADWAY, INTERSECTION, DRIVEWAY IMPACTS, CUMULATIVE)

Impact TC-1 (Roadways Project Specific): The project will add new trips to the study area roadways. All roadways will continue to operate at acceptable capacity, assuming implementation of project roadway improvements, subject to Department of Public Works requirements.

Impact TC-2 (Intersections Project Specific): The project will add new trips to the study area roadways and intersections assuming implementation of project roadway improvements. If project roadway improvements are not implemented as proposed, the project will result in potentially significant impacts to local intersections

Impacts TC-1 and TC-2 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures TC-1 and TC-2), incorporated as project conditions of approval, which require submittal of final driveway and roadway improvement plans including incorporation of pedestrian safety measures, as determined applicable by Public Works to improve pedestrian and bicycle safety for school children, for Public Works review and approval prior to zoning clearance (TC-1) and approval of a design exception for the driveway prior to Planning Commission hearing (TC-2). These measures also require completion of all roadway improvements before Final Building Inspection Clearance.

Impact TC-3 (Roadways Cumulative): The project will contribute new vehicle trips to cumulative roadway conditions in the study area (based on cumulative project list in Section 3.0). The project will not result in potentially significant cumulative roadway impacts, assuming implementation of project roadway improvements. If project improvements are not implemented as proposed, the project will result in potentially significant cumulative roadway impacts.

Impact TC-3 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measure TC-1), incorporated as a project condition of approval, which requires submittal of final roadway improvement plans (Foxenwood Lane, Clark Avenue) for Public Works review and approval prior to zoning clearance, including addressing pedestrian and bicycle safety in the plans, and completion of all roadway improvements before Final Building Inspection Clearance.

Impact TC-4 (Intersections Cumulative Impact based on OASIS EIR Section 3.0 Cumulative Projects List): Cumulative Impacts to Foxenwood/ Clark Intersection (Based on Section 3.0 Cumulative Projects List): The Clark Avenue/ Foxenwood Lane intersection will operate at LOS F with or without Project generated traffic. The Project's traffic additions to this intersection will exceed the County's impact threshold (increase in V/C ratio); thus, the Project will result in a significant cumulative impact at this intersection.

Impact TC-4 will be reduced to a less than significant level by feasible mitigation, (EIR Mitigation Measures TC-1 and TC-2 and payment of development impact fees), incorporated as project conditions of approval. The mitigation requires submittal of final driveway and roadway improvement plans and design exception (Foxenwood Lane, Clark Avenue) for Public Works review and approval prior to zoning clearance, including incorporation of pedestrian safety measures, as determined applicable by Public Works to improve pedestrian and bicycle safety for school children. These measures also require completion of all roadway improvements before Final Building Inspection. Payment of the development impact fees will go toward transportation improvements identified in the Orcutt Transportation Improvement Plan to address cumulative traffic.

Impact TC-5 (Design Exception for Driveway): The proposed driveway does not meet design standards, including due to proximity to the Clark Avenue/Foxenwood Lane intersection, for which a design exception has not been approved. In addition, the driveway entrance will potentially be blocked by vehicles queuing to turn left onto Clark Avenue could impact operation of this intersection.

EIR Mitigation Measure TC-2 requires the applicant to receive approval of the driveway design exception prior to the Planning Commission hearing for the project. The design exception was approved by the Department of Public Works on May 27, 2020. Impact TC-5 will still be considered a potentially significant impact that can be reduced to a less than significant level by feasible mitigation, (EIR Mitigation Measure TC-2), incorporated as a project condition of approval. This is because this measure also requires the applicant to implement those improvements prior to Final Building Inspection Clearance that were determined necessary to receive approval of the design exception. With implementation of the above mitigation measures, traffic impacts would be reduced to less than significant levels

1.5.13 WATER RESOURCES – (SUPPLY, WATER QUALITY FROM GRADING AND IMPERVIOUS SURFACES)

Impact W-1 (Water Supply/Groundwater Basin): Impacts to water supply/Santa Maria Groundwater Basin will result in potentially significant impacts if supplemental water is not purchased to offset the project increased water demand which could result in overdraft of the adjudicated Santa Maria Groundwater Basin.

Impact W-1 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measure (WS-1 and WS-2) and standard submittal of final “can and will serve” (CAWS) letter from Golden State Water Company, incorporated as project conditions of approval. These measures and the CAWS letter require implementation of water conserving methods/features in outdoor landscape and irrigation plans and purchase of supplemental water to offset increased demand for groundwater from the Santa Maria Groundwater Basin.

Impact W-2 (Grading, Increased Erosion/Sedimentation): Grading and construction activities associated with the proposed project will result in potentially significant impacts from disturbance (grading) of more than one acre of land, grading in proximity to Orcutt Creek, and from degraded water quality through increased rates of erosion and sedimentation

Impact W-2 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measures W-3 through W-6, GEO-1, and BIO-1), incorporated as project conditions of approval. These measures require implementation of an erosion and sediment control plan (GEO-1) and storm water pollution prevention plan (W-3), designated equipment washout area(s) during the construction period (W-4), incorporation of low impact development engineered infiltration and storage techniques to retain stormwater runoff onsite (W-5), and implementation and maintenance of operational (long-term) erosion control measures into the project grading and drainage plan designs (W-6).

Impact W-3 (Water Quality): Project includes structural development and hardscape areas (e.g., parking lot, access road, etc.) resulting in new impervious surface on property that currently has none. Impervious surfaces will alter drainage patterns and increase stormwater runoff, which could result in significant increase in flooding /degraded water quality in Orcutt Creek, an impaired water body.

Impact W-3 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measures W-3, W-4, and BIO-9), incorporated as project conditions of approval. These measures require implementation of a storm water pollution prevention plan (W-3), designated equipment washout area(s) during the construction period (W-4), and implementation of best management practices to minimize pollutants impacting downstream waterbodies or habitat (e.g., Orcutt Creek) (BIO-9).

1.6 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE

The FEIR prepared for the project evaluated the following nine (9) project alternatives in EIR Section 7, incorporated herein by reference. The alternatives were evaluated as methods of reducing or eliminating potentially significant environmental impacts. The Board of Supervisors finds that the following alternatives are infeasible for the reasons stated below:

1.6.1 THE “NO PROJECT” ALTERNATIVE

This alternative assumes none of the proposed components, including the General Plan Amendments, Recorded Map Modification, Government Code Consistency Finding, Lot Line Adjustment, Development Plan and Conditional Use Permit are implemented. There will be no changes to the existing land use restrictions within the KS18 open space, no modifications to the Southpoint Estates conditions of approval or recorded final tract maps, OASIS will not acquire the development rights deeded to the County of Santa Barbara, and no portion of the OASIS KS18 property will be added to the LeBard commercial property at the northwest corner of the Clark Avenue/ Foxenwood Lane Intersection. Under this alternative, the project site will retain the existing land use designation of Open Space and 5.16 acres of the 8.5 KS18 acres identified as the site of a future Orcutt Creek public park. OASIS will not have senior or community programs at the project site and OASIS will continue to operate at its existing location at 420 Soares Avenue.

Under the No Project Alternative, the County will continue to hold the property's development rights. As identified in the OCP, the property will remain as open space with the potential for noncommercial recreational land uses, including if developed in the future as part of the 8.5 acre public park, involving 5.16 acres of the OASIS property and the portions of APNs 105-020-060, -061 and -062 (Southpoint Estates TM 13,345 open space lots 87 and 88), located south of Orcutt Creek.

The “No Project” alternative is determined to be infeasible for the following reasons because this alternative will not meet most project objectives as it will not provide an improved facility for continued and expanded services for existing and new members. Additionally, the No Project will not provide an additional rental venue available to the public which could provide revenue to support OASIS programs. Also, this alternative will not meet project objectives because it will not install the multi-use Orcutt Creek Trail including Class I Bikeway. Development impact fees, with or without combined grant monies, may fund this trail installation in the future, depending on priorities for use of such funds. However, there will be greater assurance and shorter time frame for trail installation with the OASIS project. The Board of Supervisors rejects the No Project Alternative because this alternative will not meet most of the project objectives.

1.6.2. OFF-SITE PROJECT ALTERNATIVE - EXISTING OASIS LOCATION/KS17

The Off-Site Alternative at the Existing OASIS Location is determined to be infeasible because this alternative will not meet most project objectives because one of the objectives for the project is for OASIS to own (control in the long-term) the property they will develop. This alternative involves property owned by the Orcutt Union School District (OUSD) and, unless OUSD is interested in a land swap with OASIS for the KS18 property, it is expected that the OUSD property will be subject to a long-term lease for the land, similar to the arrangement made with the developer for KS17 (for the senior living development). This does not meet most of the applicant's project objectives. Additionally, this alternative will not result in the installation of the multi-use Orcutt Creek Trail. The Board of Supervisors rejects the KS17 Off-Site Alternative because this alternative will not meet the project objectives.

1.6.3 OFF-SITE PROJECT ALTERNATIVE – AQUA-CENTER LOCATION

The Off-Site Alternative at the Aqua-Center Location is determined to be infeasible because this alternative is not under the control of the applicant and OASIS would need to purchase the property to implement this alternative. The OASIS property is currently restricted to open space and public park/other non-commercial recreation uses (no remuneration permitted so no revenue generating activities). The Board of Supervisors rejects the Aqua-Center Off-Site Alternative because this alternative will not meet most of the project objectives and is not in the control of the applicant.

1.6.4 REDUCED OASIS FACILITY WITH PUBLIC PARK ALTERNATIVE AND WIDER TRAIL EASEMENT

The Reduced Project with Park and Wider Trail Alternative is determined to be infeasible because this alternative will not meet most of the project objectives as it will not provide an adequately sized facility to meet OASIS objectives for continued and expanded services for existing and new members. Reducing the size of this building from 15,661 sf to 8,500 sf and reducing attendance from 200 to 150 members does not meet the programming needs of the OASIS center. As detailed in the project description and the project floorplans, two-thirds of the building is divided into five meeting and activity rooms along with full kitchen, six staff offices and restrooms. The proposal layout of these rooms has 24 seats in the library, 40-50 sets in the large meeting room. 24 seats in the craft room, 20 to 24 sets in the medium room and 14 in the small meeting room. This reduced project alternative will not be able to meet the objectives and the project description. This alternative will not meet project objectives because it will not provide an adequately sized facility for use as a public to rental venue to support OASIS programs.

This alternative is also economically infeasible. Reducing the size of the building by approximately one-half would not be financially infeasible and will not meet the objective

of this project. Even if the size of the building and attendance is reduced, this project is still responsible for all of the site infrastructure, including the driveway, parking lot, outdoor activity area, utilities, and multi-purpose trail. According to the project agent, Laurie Tamura, reducing the size of the building will not make that much difference in the overall cost of this project. Also, there is the added cost of an additional 1.0-acre park area in this alternative and the long-term maintenance costs of this additional park unless the county is proposing to take on this maintenance. This reduced project would be economically infeasible as it will not be able to meet the objectives and the future programming for the OASIS members. Finally, this alternative will not change the classification level of environmental impacts (Class I, II, III) compared to the proposed project.

The Board of Supervisors rejects the Reduced Project Alternative because this alternative will not meet the project objectives and is infeasible.

1.6.5 ALTERNATIVE ACCESS ROUTE FROM CLARK AVENUE AT NORRIS STREET

The Alternative Access Route from Clark Avenue at Norris is determined to be infeasible because the applicant does not control either property over which an access easement is required to implement this alternative, increasing project costs and challenging the economic feasibility of the project. Although this alternative will have similar impacts from grading on 30 percent plus slopes as the proposed project, the grading and associated cut slopes scars are expected to be more visible from properties to the north than will grading on the slope north of the proposed project driveway. While this alternative could reduce traffic impacts, it may create more severe aesthetic impacts from grading. The Board of Supervisors rejects the Alternative Access from Clark Avenue because the applicant does not control the property.

1.6.6 ALTERNATIVE ACCESS ROUTE FROM BROADWAY/CALIFORNIA BOULEVARD

The Alternative Access Route from Broadway/California Boulevard is determined to be infeasible because this alternative:

- Would require OASIS to obtain an access easement across at least two separately owned properties (APN 1050-020-070 Southpoint Estates Homeowner's Association and APN 105-020-060 Knight), increasing project costs and challenging the economic feasibility of the project;
- Would result in increased impacts from flooding and to biological resources and water quality, due to the access road location within the 100-year flood zone and in proximity to Orcutt Creek;
- May not be permissible due to setbacks required by other agencies (e.g., Flood Control, Regional Water Quality Control Board, Fish & Wildlife, etc.) from Orcutt Creek; and

- Creates conflicts with Flood Control District operation of the regional retention basin at the west end of KS18.
- Would send additional trips to the Broadway/Clark intersection and to California Boulevard intersections.

For these reasons, the Board of Supervisors rejects this Alternative as infeasible because it is not in the control of the applicant and does not reduce the significant impacts of the project.

1.6.7 ALTERNATIVE ACCESS ROUTE FROM PARK AVENUE

The Alternative Access Route from Park Avenue is determined to be infeasible because this alternative would:

- Require OASIS to obtain an access easement across at least two separately owned properties (APN 1050-020-068 Southpoint Estates Homeowner's Association and APN 105-020-060 Knight), increasing project costs and challenging the economic feasibility of the project;
- Potentially increase geologic impacts compared to the proposed project, depending on the specific route and specific grading/retaining walls needed to accommodate this access route.
- Result in greater biological and open space/recreation impacts than the proposed, as the driveway will traverse and disturb additional undeveloped, protected open space between the OASIS property and Park Lane.
- Result in new significant impacts as the vehicle trips will be redistributed into the Old Town Orcutt residential neighborhood north of Clark Avenue, onto Clark Avenue intersections between Gray Avenue and Broadway, and the intersections of Broadway/Park Avenue and Broadway/North Avenue.

For these reasons, the Board of Supervisors rejects this Alternative as infeasible because it is not in the control of the applicant and does not reduce the significant impacts of the project.

1.6.8 ALTERNATIVE ACCESS ROUTE FROM FOXENWOOD LANE NORTH OF PROPOSED DRIVEWAY

The Alternative Access Route from Foxenwood Lane, Moved North of the Proposed Project Driveway is determined to be infeasible this alternative would:

- Result in greater biological impacts than the proposed project, as this route will involve more earthwork and removal of native vegetation in the riparian habitat and banks of Orcutt Creek;

- Result in greater geologic impacts than the proposed project, as this route will require more grading, including substantial amounts of fill, on steep slopes within and along Orcutt Creek;
- Benefit circulation at the Foxenwood/Clark intersection by providing increased distance between that intersection and the project driveway. However, this alternative will be expected to send the same number of vehicle trips to the intersection.
- Increase short-term construction emissions due to increased emissions from a longer grading period and related increase in emissions from construction equipment and trucks importing fill to the site.

For these reasons, the Board of Supervisors rejects the alternative with a driveway further north on Foxenwood Lane as infeasible because it would not reduce any significant impacts.

1.6.9 PREVIOUSLY PROPOSED OFF-SITE LOCATION: FOSTER ROAD COUNTY COMPLEX (CITY OF SANTA MARIA)

This alternative will not accomplish the project objective of installing a segment of the KS18 multi-use, Orcutt Creek Trail including Class I Bikeway. Additionally, this alternative is not feasible because OASIS does not control the property. The County has not agreed to a land swap between the OASIS property and the Foster Road site. When the Foster Road site was proposed by OASIS, the County proposed only a 20-year lease, which does not meet OASIS objective of owning the property they develop. This site is owned by the County of Santa Barbara and the OASIS organization worked for over two years to negotiate a long-term lease or purchase for this property. It was only after the County would not agree to the terms that the OASIS organization gave up pursuing this site and was able to come to an agreement for the purchase of the Steve LeBard Property. This alternative site does not benefit the Orcutt Community as there are no multi-purpose trails at this location. It does not meet the objectives for the proposed project.

The Foster Road Site does not meet the objectives of the OASIS members. This site is not located in Old Town Orcutt which a majority of the members wanted for their center and it does not meet the objective #4 to help establish the KS-18 multipurpose trail. Also, this site is smaller than the proposed project site, which would mean many of the outdoor activities would have to be reduced or removed. For these reasons, the Board of Supervisors rejects the Foster Road off-site alternative as it does not meet most of the objectives of the OASIS center.

1.7 STATEMENT OF OVERRIDING CONSIDERATIONS

The FEIR including the EIR Revision Letter No. 1 for OASIS identifies significant and unavoidable project impacts to Aesthetics/Visual Resources (Open Space Views – Project

Specific and Cumulative), Biological Resources (Increased Development/Human Activities on/adjacent to Open Space/Wildlife Habitat – Project Specific and Cumulative), Land Use –Compatibility/Quality of Life, Recreational Opportunities/Loss of Open Space (Project Specific and Cumulative), and Transportation (Increased Traffic/Safety/Turning Movements at OCP Buildout). The Board of Supervisors therefore makes the following Statement of Overriding Considerations which warrants approval of the project notwithstanding that all identified effects on the environment are not fully mitigated. With respect to each of the significant environmental effects of the project listed below, the Board of Supervisors finds that the stated overriding benefits of the project outweigh the significant effects on the environment. Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092 and 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations:

- *Impact VIS-1 (Scenic Views)*
- *Cumulative Aesthetics/ Visual Resources (Loss of Open Space Views)*
- *Impact BIO-5: (Increased Development/ Activity in an Open Space/ Wildlife Corridor)*
- *Cumulative Biological Resources Impact (Habitat Fragmentation)*
- *Impact LU-1: Land Use Compatibility*
- *Impact REC-1 (Loss of Open Space/Recreation)*
- *Cumulative Recreation/Loss of Open Space*

The EIR identifies mitigation that will substantially reduce the above impacts, although residual impacts will remain significant and unavoidable.

While the project will result in eight Class I impacts to visual resources, biological resources, open space, recreation, land use compatibility and traffic, the Board of Supervisors has determined that the project benefits, on balance, outweigh and override these significant impacts.

This non-profit organization has been providing social, health, and community benefits for over 1,500 seniors in the Orcutt community at no cost to the County of Santa Barbara. In addition, this organization has provided and will continue to provide annual trash cleanup along the section of Orcutt Creek adjacent to the OASIS project

This project will provide passive park amenities, including a driveway and limited parking for the public using the multi-purpose trail. In addition, OASIS restrooms will be available for use by the public when the building is open.

The project will employ approximately 20 construction workers for about one year and 7 regular employees in the future.

The project will result in dedication of a public easement for and construction of a segment of the multi-use Orcutt Creek Trail, between Foxenwood Lane and generally following

OASIS' eastern and northern property lines. The trail includes the parallel Class I bikeway described in the Orcutt Community Plan. The exception to this is the 300-foot section of the project driveway, where striped (Class II) bike lanes are proposed, which will provide bicycle access from Foxenwood Lane to the Class I bikeway beginning near the bottom of the driveway at the southeast corner of the OASIS property.

The project will provide improved facilities for a variety of senior activities and services, from an improved arts and crafts area, barbeque and lawn areas, and walking trails within the developed area for accessible outdoor activities, improved cooking facilities for weekday senior lunches and rental uses, and more and better indoor meeting rooms for a variety of concurrent activities (e.g., computer classes, health screenings, spaces for community groups to meet, etc.).

The project will provide an improved facility for OASIS, to expand programs and activities for existing members and additional room to accommodate new members. OASIS anticipates an increase in use of approximately 30 percent over existing use levels but has proposed a maximum attendance cap, which they believe provides flexibility to expand, while ensuring the level of activities within the site remains compatible. Maximum any-given-time attendance is proposed to be capped at 200 people, which is proposed to include approximately 15 caterers/employees/volunteers. As a secondary issue, this attendance cap will ensure that all project related parking demand can be accommodated onsite.

The project's maximum attendance cap, restricted hours of operation for regular and rental activities, and compliance with project conditions of approval in Attachments B-1 through B-5 of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference, will ensure that the project provides benefits to the community which outweigh the project's significant environmental impacts.

The project will provide an additional facility available as a rental venue to the public and community groups for private parties/events, fundraisers, celebrations of life, and for community groups.

1.8 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 GENERAL PLAN AMENDMENT

Findings required for all Amendments to the Comprehensive Plan, Development Code, and the County Zoning Map. 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 Comprehensive Plan, Development Code, or Zoning Map the review authority shall first make all of the following findings as applicable:

1. *Findings for Comprehensive Plan, Development Code and Zoning Map Amendments.*
 - a. *The request is in the interests of the general community welfare.*

The Board of Supervisors finds that the project is in the interests of the general community welfare, subject to compliance with the conditions of approval, including project descriptions, included in Attachments B-1 and B-5 of the staff report dated September 3 2020. The amendments to the Orcutt Community Plan (OCP) component of the Comprehensive Plan will remove the open space and park land designations and restrictions for the property, allow for development of the proposed OASIS project, and allow a section of proposed Orcutt Creek Trail Class I bike path component to be constructed as a Class II bike lane within the proposed OASIS driveway. These amendments will allow for development and use of a portion of the KS18 property by OASIS, a local, non-profit provider of senior services. Additionally, the proposed project is in the interests of the general community welfare because the primary use of the OASIS project is for provision of services to Orcutt area seniors. Other uses proposed as part of the OASIS project will be secondary to the primary senior center use, including use of the site as a rental venue. This finding can be made because the project description and conditions of approval include, but are not limited to, restrictions and limitations on both OASIS and non-OASIS activities to avoid conflicts with neighboring residential and open space uses, including but not limited to: maximum any given time attendance onsite of 200 people (including staff, caterers, other workers), limit on the total combined number of OASIS and non-OASIS events to 12 per year, specific criteria for use of amplification for voice, instruments, and music (use of technology with auto-shutoff of amplification if maximum volume is exceeded). The project conditions also restrict the hours of operation for regular activities and rental activities/special events, and parking (e.g., no parking on adjacent open space areas/parcels or in the Caltrans park and ride commuter lot unless documented approval from Caltrans).

- b. *The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code.*

The Board of Supervisors finds, as identified in Section 6.2 and 6.3 of the staff report dated September 3, 2020, incorporated herein by reference, the project is consistent with the County Comprehensive Plan and LUDC (Development Code). In addition, as identified in these Findings, including Section 2.1 (General Plan Amendment), Section 3 (Government Code Section 65402), Section 4 (Recorded Map Modification) and Section 5 (Lot Line Adjustment), the project is consistent with the requirements of applicable State planning and zoning laws. The above staff report sections (6.2 and 6.3) and findings sections (2.1, 3, 4, and 5) are incorporated herein by reference.

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

The Board of Supervisors finds that the project is consistent with good zoning and planning practices as identified in these “Findings” (Attachment A of Planning Commission staff report, incorporated herein by reference). The project will provide a beneficial facility that provides a variety of services to local seniors (lunches, exercise classes, health clinic, etc.), as well as a new rental venue to the public that will be available to the public for community events, fairs, meetings, and other similar events, and will construct a segment Orcutt Creek Trail/Bikeway from Foxenwood Lane to the center of the OASIS property. Also, see the Statement of Overriding Considerations above, incorporated herein by reference.

2. Additional finding for Comprehensive Plan Amendments. If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.

The Board of Supervisors finds that the project is in the public interest. The project will provide a beneficial senior services facility to the Orcutt community and will construct a segment Orcutt Creek Trail/Bikeway from Foxenwood Lane to the center of the OASIS property, generally following the project driveway and the OASIS’ eastern and northern property line. Also, see the Statement of Overriding Considerations, incorporated herein by reference.

3.0 RECORDED MAP MODIFICATION

3.1 Santa Barbara County Subdivision Regulations (County Code Chapter 21) Including Subdivision Map Act (California Government Code Sections 66474)

In compliance with Section 21-15.9 of Chapter 21 (Subdivision Regulations) of the County Code, prior to the approval or conditional approval of an application for a modification to recorded final or parcel map, lot split plat or lot line adjustment the review authority shall first make all of the following findings:

- 1. There are changes in circumstances that make any or all of the conditions of such a recorded final or parcel map, lot split plat or lot line adjustment no longer appropriate or necessary;*

The Board of Supervisors finds that the property restrictions, which limit the OASIS property (TM 13,345 open space lot 89) to open space, non-commercial recreation and "Not a Building Site," are no longer necessary. The project site was previously identified as open space and a potential future location for a public park, but a park was never developed and subsequently the community identified the need for a senior-serving use/facility. The Board further finds that existing Orcutt Planning Area open space and parkland, together with anticipated future dedication of open space and development of parks and trails with new development, will provide adequate open space, open space views, and recreation for the Orcutt community. Within OCP Key Site 18/Southpoint, the remaining open space lots (current APNs 105-020-060, -061, -062, -065, -068, -069, and -070) will remain restricted to open space, public park and noncommercial recreational uses. In addition, the Southpoint Estates "oil drilling" lot immediately east of OASIS (APNs 105-020-052 and -053), is similarly development restricted by the OCP and the Southpoint Estates rezone (Ordinance 3106, Section 7).

- 2. The modification does not impose any additional burden on the present fee owner(s) of the property;*

The Board of Supervisors finds that the requested modification does not impose any additional burden on the present fee owner of the property. OASIS is the present fee owner of the property and the requested modifications remove the development restrictions applicable to the OASIS property and will therefore remove, rather impose, a burden on the OASIS, the current fee owner of the property.

- 3. The modification does not alter any right, interest or title reflected by the recorded final or parcel map, lot split plat or lot line adjustment;*

The Board of Supervisors finds that the requested modifications to the recorded maps and conditions on the maps will not alter any current right, interest, or title to the OASIS

property. The modifications will remove the requirement for a non-profit association of the homeowners or other entity conditioned by the County to hold title to the property. The property is currently owned by OASIS and this revision will not later any right, interest, or title reflected in the map. The modifications will remove the requirement that the County hold the development right interests to the property because the proposed project includes the vacation, abandonment, or release of the rights currently held by the County as to the OASIS site. While OASIS proposes to obtain the development rights held by the County, the requested modifications to the two recorded maps and conditions on the maps do not compel the County to relinquish the development rights to OASIS. The Planning Commission is making a 65402 determination related to the development rights and the Board of Supervisors will separately consider whether to vacate, abandon, or release the rights as requested by OASIS.

4. *The recorded final or parcel map, lot split plat or lot line adjustment as modified conforms to the provisions of Section 66474 of the California Government Code;*

The Board of Supervisors finds that the proposed recorded map modifications conform to the provisions of Section 66474 of the California Government Code, as identified below:

The modifications are consistent with the General Plan, including the Orcutt Community Plan as identified in Section 6.2 of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference. As identified in Section 6.2, consistency is subject to approval of the companion General Plan Amendment case (14GPA-00000-00020), which includes amendments to the Orcutt Community Plan, including to DevStd KS18-1, the Open Space Map, the Parks Recreation and Trails Map and the Bikeways Map. (§66474a)

The proposed design and improvement of the OASIS portion of TM 12,679, part of Lot 165; TM 13,345 Lot 89) is consistent with the General Plan, as identified in Section 6.2 and subject to approval of the associated General Plan Amendment case, 14GPA-00000-00020. (§66474b)

The site is physically suitable for the type and proposed density of development, subject to the Board of Supervisors determination that all findings can be made for the proposed amendments to the Orcutt Community Plan and subject to the conditions of approval included in Attachments B-1 through B-5 of the staff report dated September 3, 2020, incorporated herein by reference. (§66474c and §66747d)

EIR mitigation measures adopted as conditions of approval will substantially reduce environmental damage and wildlife impacts. In addition, the majority of the open space along Orcutt Creek will remain undeveloped open space and the EIR mitigation

measures will substantially reduce environmental damage and wildlife impacts. (§66474e)

The change in the design of the subdivision to convert one of the open space lots to development and the development design and use of the OASIS property is expected to expose neighboring residents to increased noise, odors, night-lighting and traffic. Mitigation has been identified and incorporated as conditions of approval to reduce these effects. Although residual impacts will remain adverse, nuisance impacts on nearby residents, they are not considered serious public health problems. (§66474f)

The changes to the Southpoint Estates subdivision and proposed OASIS improvements will not conflict with existing public easements. (§66474g)

5. *The recorded final or parcel map, lot split plat or lot line adjustment as modified is consistent with the applicable zoning ordinance;*

The Board of Supervisors finds that as discussed in Section 6.3 (LUDC Compliance) of the staff report dated September 3, 2020, incorporated herein by reference, the recorded final map as modified is consistent with the LUDC, subject to approval of the companion General Plan Amendment requests (Case No. 14GPA-00000-00020) and conditions of approval included in Attachments B-1 through B-5.

6. *The property for which the modification is sought is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, height and setbacks, and any other provisions applicable to the property for which the modification is sought, and such enforcement fees as established from time to time by the Board of Supervisors have been paid;*

The Board of Supervisors finds that there are no known zoning violations on the property. The Board of Supervisors further finds that upon approval of the requested modifications removing the requirement for the property to be owned by the homeowner's association or other entity, subject to conditions prescribed by the Board of Supervisors and conveyance of the property's development rights to the County, the property will be in compliance with the subdivision conditions of approval (TM 12,679 Condition 18 and identical TM 13,345 Condition 21).

7. *The recorded final or parcel map or lot line adjustment as modified does not result in an increased number of dwelling units or a greater density than the recorded final or parcel map or lot line adjustment.*

The Board of Supervisors finds that, as conditioned, the project will not result in an increased number of dwelling units or greater density of dwelling units than the recorded final map because the project includes the approval of a meeting facility and

not residential uses. The Recorded Map Modification includes a condition that prohibits construction and use of a care-taker's unit on the property because if the modifications to the Southpoint Estates conditions and recorded maps are approved, the property will not be restricted to open space and noncommercial recreation, and a caretaker dwelling would be allowed onsite (based on the site's existing Recreation zoning).

4.0 LOT LINE ADJUSTMENT

Santa Barbara County Subdivision Regulations Chapter 21-93 and County Land Use and Development Code (LUDC) §35.30.110

4.1 *Finding required for all Lot Line Adjustments. In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations) and LUDC Section 35.30.110.B, prior to the approval or conditional approval of an application for a Lot Line Adjustment the review authority shall first make all of the following findings:*

1. *The Lot Line Adjustment is in conformity with the County General Plan and purposes and policies of Chapter 35 of this Code, the Zoning Ordinance of the County of Santa Barbara.*

The Board of Supervisors finds that the Lot Line Adjustment complies with all applicable requirements of the Comprehensive Plan, including the Orcutt Community Plan (subject to approval of the requested amendments to the Orcutt Community Plan identified in Case No. 14GPA-00000-00020), as discussed in Section 6.2 of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference, and with the requirements of the Land Use and Development Code, as discussed in Section 6.3 of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference.

2. *No parcel involved in the Lot Line Adjustment that conforms to the minimum parcel size of the zone district in which it is located shall become nonconforming as to parcel size as a result of the Lot Line Adjustment.*

The Board of Supervisors finds, as discussed in the Staff Report dated September 3, 2020 and incorporated herein, that APN 105-020-041(LeBard) is zoned Old Town – General Commercial, which has no minimum parcel size. APNs 105-020-063 and 105-020-064 (together one legal parcel totaling 5.28 acres) are zoned Recreation, which has a one-acre minimum parcel size, and therefore, both parcels currently conform to the minimum parcel size of the zone district.

3. *Except as provided herein, all parcels resulting from the Lot Line Adjustment shall meet the minimum parcel size requirement of the zone district in which the parcel is located. A Lot Line Adjustment may be approved that results in nonconforming (as to size) parcels provided that it complies with Subsection a. or b. listed below:*

The Board of Supervisors finds that the two parcels are zoned Old Town – General Commercial, which has no minimum parcel size and Recreation, which has a one-acre minimum parcel size. The Recreation zoned parcel will have an adjusted parcel size of 5.16 acres. Therefore, both parcels resulting from the Lot Line Adjustment will meet the

zone district minimum parcel size. Therefore, Subsections (a) and (b) below are not applicable.

a. The Lot Line Adjustment satisfies all of the following requirements:

- (1) Four or fewer existing parcels are involved in the adjustment; and*
- (2) The Lot Line Adjustment shall not result in increased subdivision potential for any affected parcel; and,*
- (3) The Lot Line Adjustment shall not result in a greater number of residential developable parcels than existed prior to the adjustment. For the purposes of this subsection only, a parcel shall not be deemed residentially developable if the documents reflecting its approval and/or creation identify that: 1) the parcel is not a building site, or 2) the parcel is designated for a non-residential purpose including, but not limited to, well sites, reservoirs and roads. A parcel shall be deemed residentially developable for the purposes of this subsection if it has an existing single family dwelling constructed pursuant to a valid County permit.*

b. Otherwise, to be deemed a residentially developable parcel for the purposes of this subsection only, existing and proposed parcels shall satisfy all of the following criteria as set forth in the County Comprehensive Plan and zoning and building ordinances:

- (1) Water supply. The parcel shall have adequate water resources to serve the estimated interior and exterior needs for residential development as follows: 1) a letter of service from the appropriate district or company shall document that adequate water service is available to the parcel and that such service is in compliance with the Company's Domestic Water Supply Permit; or 2) a County approved onsite or offsite well or shared water system serving the parcel that meets the applicable water well requirements of the County Environmental Health Services.*
- (2) Sewage disposal. The parcel is served by a public sewer system and a letter of available service can be obtained from the appropriate public sewer district. A parcel to be served by a private sewage disposal (septic) system shall meet all applicable County requirements for permitting and installation, including percolation tests, as determined by Environmental Health Services.*
- (3) Access. The parcel is currently served by an existing private road meeting applicable fire agency roadway standards that connects to a public road or*

right-of-way easement, or can establish legal access to a public road or right-of-way easement meeting applicable fire agency roadway standards.

- (4) Slope stability. Development of the parcel including infrastructure avoids slopes of 30 percent and greater.*
- (5) Agriculture viability. Development of the parcel shall not threaten or impair agricultural viability on productive agriculture lands within or adjacent to the property.*
- (6) Environmentally sensitive habitat. Development of the parcel avoids or minimizes impacts where appropriate to environmentally sensitive habitat and buffer areas, and riparian corridor and buffer areas.*
- (7) Hazards. Development of the parcel shall not result in a hazard to life and property. Potential hazards include, but are not limited to flood, geologic and fire.*
- (8) Consistency with Comprehensive Plan and Development Code. Development of the parcel is consistent with the setback, lot coverage and parking requirements of the zoning ordinance and consistent with the Comprehensive Plan and the public health, safety and welfare of the community.*
- (9) To provide notification to existing and subsequent property owners when a finding is made that the parcel(s) is deemed not to be residentially developable, a statement of this finding shall be recorded concurrently with the deed of the parcel, pursuant to Section 21-92 (Procedures) of Chapter 21 of the Santa Barbara County Code.*

The Board of Supervisors finds, as noted above in Finding, 5.1.3, incorporated herein by reference, the resulting parcels meet the zone districts' minimum parcel size requirements, and therefore, Subsections (a) and (b) above are not applicable.

- 4. The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.*

There Board of Supervisors finds that there is currently no development on site and no identified violations of zone district requirements for either lot involved in the Lot Line Adjustment and therefore the Lot Line Adjustment will not result in any new violations of zone district requirements.

- 5. The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article*

or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective County Ordinances: Land Use and Development Code (Section 35.101.20 and 35.101.30).

The Board of Supervisors finds that both properties involved in the Lot Line Adjustment are in compliance with applicable requirements of the Land Use and Development Code and the County Subdivision regulations, both properties are currently undeveloped, and there are no zoning violations associated with either property, no grading or development is approved as part of the Lot Line Adjustment, and with approval and as conditioned, the project will be in compliance with all applicable laws and regulations.

6. Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.

The Board of Supervisors finds that no existing utilities or infrastructure will be relocated as a result of the Lot Line Adjustment. However, the project includes a proposed easement(s) across APN 105-020-041 in favor of APNs 105-020-063, -064 (together one legal lot) for public utilities from the OASIS property to water and gas utility connections along Clark Avenue. In addition, project conditions in Attachment B-2 require these easements be identified on an exhibit recorded with the Lot Line Adjustment documents.

5.0 DEVELOPMENT PLAN

5.1 *County Land Use and Development Code Section 35.82.080.E.1 - 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, as applicable:

- 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 Board of Supervisors finds that the site is adequate for the project, as conditioned in Attachment B-3 of this staff report dated September 3, 2020, in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. These parameters include many design features and conditions of approval, which take into account the property's location within the Key Site 18/Southpoint Estates, approximately 35-acre contiguous open space along Orcutt

Creek. The project's size and intensity of development is designed to ensure that the project location, near Orcutt Creek, with steep slopes on both sides of the driveway, and surrounded on the north, east and west by protected open space, is adequate. Design features and conditions of approval have been incorporated to further ensure that the density and intensity of development are compatible with this particular property. This includes development setbacks from Orcutt Creek riparian habitat, use of predominantly native plant species in landscaped areas, minimum night lighting required for safety purposes, operational limits on maximum attendance levels, the development and the location of development, parking, trails and other amenities as well as parameters for onsite operations that take into account the project's location adjacent to undeveloped open space (e.g., restricting the location, hours of operation, maximum attendance, noise regarding maximum attendance, and hours of operation).

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

The Board of Supervisors finds that adverse environmental impacts from the project will be mitigated to the maximum extent feasible. All mitigation measures identified in the OASIS EIR have been incorporated as conditions of approval for 16DVP-00000-00002 (Attachment B-4) to reduce environmental impacts, including measures required to reduce significant impacts and measures recommended to minimize adverse but less than significant impacts.

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

The Board of Supervisors finds that as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, the streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the project. The Santa Barbara County's Public Works Department reviewed the project for consistency with all applicable regulations and has determined that streets and highways are adequate and properly designed to carry the type of quantity of traffic generated by the proposed use, subject to project conditions included in Attachment B-4, and based on the traffic analysis and data in the EIR, the traffic modelling for buildout of the Orcutt Community Plan, recent Orcutt area traffic studies, including but not limited to traffic studies prepared by Stantec and ATE for the OASIS project, and recent temporary roadway changes implemented by Public Works at the Clark Avenue/Foxenwood Lane intersection.

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

The Board of Supervisors finds that as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, there will be adequate public services to serve the project, as conditioned in Attachment B-4. The project will be

served by municipal water (Golden State Water Company) and sewer (Laguna County Sanitation District). Project conditions addressing public services include, but are not limited to requirements for: 1) Recordation of a private easement for OASIS across the open space parcel to the north (APN 105-020-060, Knight) to extend a new sewer line from OASIS to the off-site sewer trunk line on the south side of Orcutt Creek; 2) Purchase of supplemental water from the City of Santa Maria to ensure the project does not result in an increase in ground water pumping and overdraft of the Santa Maria Groundwater Basin; 3) County Sheriff's Office approval of an Event Safety Plan to ensure anticipated events onsite do not overwhelm limited Sheriff personnel assigned to the area; and 4) Compliance with County Fire standard requirements for fire suppression and access design.

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 Board finds that the project, as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, 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. Project conditions, including the project description, include maximum attendance caps, limitations on use of amplified sound, hours of operation, implementation of a Transportation Demand Management Plan to reduce single occupancy vehicle trips, and other measures to address compatibility with the surrounding area. In addition, all mitigation measures identified in the OASIS EIR have been incorporated as conditions of approval for 16DVP-00000-00002 (Attachment B-4) to reduce environmental impacts, including measures required to reduce significant impacts and measures recommended to minimize adverse but less than significant impacts.

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

The Board of Supervisors finds that the project complies with all applicable requirements of the Comprehensive Plan, including the Orcutt Community Plan (subject to approval of the requested amendments to the Orcutt Community Plan identified in Case No. 14GPA-00000-00020) and with the requirements of the Land Use and Development Code, as discussed in Sections 6.2 and 6.3, respectively of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference.

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 Board of Supervisors finds that the project is located in an urban area and is therefore not subject to rural area standards.

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 Board of Supervisors finds that the project, as conditioned, will not conflict with any easements required for public access the property. The Orcutt Community Plan (OCP) identifies a proposed future public trail and future public bikeway across the OASIS property, however, there are no existing public easements in place.

5.2 ***Land Use and Development Code***
Section 35.82.080.E.2 – Final Development Plans

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.

There is not an approved Preliminary Development Plan for the OASIS project. Therefore, the OASIS Final Development Plan is considered both a Preliminary and Final Development Plan.

6.0 **CONDITIONAL USE PERMIT FINDINGS (not related to signs)**
FOR OASIS PROJECT

Land Use and Development Code
Section 35.82.060.E.1

Findings required for all Conditional Use Permits. In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

- 1. The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed;*
- 2. Environmental impacts.*
 - a. Within the Inland area significant environmental impacts will be mitigated to the maximum extent feasible.*

The Board of Supervisors finds that significant environmental impacts will be mitigated to the maximum extent feasible, and all of mitigation measures identified in the OASIS EIR have been incorporated as conditions of approval for 16CUP-00000-00006 (Attachment B-4) to reduce environmental impacts.

- 3. Streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.*

The Board of Supervisors finds that as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, the streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the project. Santa Barbara County's traffic experts in the Public Works Department have determined that streets and highways are adequate and properly designed to carry the type of quantity of traffic generated by the proposed use, subject to project conditions included in Attachment B-4, and based on the traffic analysis and data in the EIR, the traffic modelling for buildout of the Orcutt Community Plan, recent Orcutt area traffic studies, including but not limited to traffic studies prepared by Stantec and ATE for the OASIS project, and recent temporary roadway changes implemented by Public Works at the Clark Avenue/Foxenwood Lane intersection.

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

The Board of Supervisors finds that as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, there will be adequate public services to serve the project, as conditioned in Attachment B-4. The project will be served by municipal water (Golden State Water Company) and sewer (Laguna County

Sanitation District). Project conditions addressing public services include, but are not limited to requirements for: 1) Recordation of a private easement for OASIS across the open space parcel to the north (APN 105-020-060, Knight) to extend a new sewer line from OASIS to the off-site sewer trunk line on the south side of Orcutt Creek; 2) Purchase of supplemental water from the City of Santa Maria to ensure the project does not result in an increase in ground water pumping and overdraft of the Santa Maria Groundwater Basin; 3) County Sheriff's Office approval of an Event Safety Plan to ensure anticipated events onsite do not overwhelm limited Sheriff personnel assigned to the area; and 4) Compliance with Public Works requirements for access and roadway improvements on Foxenwood Lane and Clark Avenue.

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

The Board finds that the project, as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, 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. Project conditions, including the project description, include maximum attendance caps, limitations on use of amplified sound, hours of operation, implementation of a Transportation Demand Management Plan to reduce single occupancy vehicle trips, and other measures to address compatibility with the surrounding area. In addition, all mitigation measures identified in the OASIS EIR have been incorporated as conditions of approval for 16DVP-00000-00002 (Attachment B-4) to reduce environmental impacts, including measures required to reduce significant impacts and measures recommended to minimize adverse but less than significant impacts.

6. The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.

The Board of Supervisors finds that as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, the project complies with all applicable requirements of the Comprehensive Plan, including the Orcutt Community Plan (subject to approval of the requested amendments to the Orcutt Community Plan identified in Case No. 14GPA-00000-00020), as discussed in Section 6.2 of the Planning Commission staff report dated September 3, 2020 and with the requirements of the Land Use and Development Code, as discussed in Section 6.3.

- 7. Within Rural areas as designated on the Comprehensive Plan maps, the proposed use will be compatible with and subordinate to the rural and scenic character of the area.*

The Board of Supervisors finds that the project is located in an urban area and is therefore not subject to rural area standards.

6.1. CONDITIONAL USE PERMIT -OFF-SITE DIRECTIONAL SIGN

Land Use and Development Code

Section 35.38.60 Signs Allowed in All Zones

Section 35.28.060.C.2.b Directional and Informational Signs

In compliance with Subsection 35.82.060.F of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings (as applicable):

- 1. The sign is necessary to direct or inform the public as to the location or changing attraction of those uses specified in Chapter 35.38 (Sign Standards).*

The Board of Supervisors finds that the proposed off-site directional sign is necessary to direct and inform the public of the location of the proposed OASIS driveway and facility because the meeting facility will not be located immediately adjacent to a road. The sign will be located near the Foxenwood Lane driveway entrance and outside of the road right-of-way. Project conditions in Attachment B-5 ensure that the sign meets Old Town design standards and that the sign placement will not impede visibility for travelers (vehicles, bicycles, and pedestrians) using Foxenwood Lane or the OASIS driveway.

- 2. The location and size of the sign will not be detrimental to the safety, convenience, property values, and general welfare of the neighborhood.*

The Board of Supervisors finds that the proposed sign is necessary to identify the OASIS driveway and facility. The sign is conditioned to be in a location approved by Public Works that is readily visible from Foxenwood Lane and also located to avoid conflict with line of sight from Foxenwood Lane and the OASIS driveway, including for vehicles, pedestrians and bicyclists. In addition, the sign received conceptual review by the North Board of Architectural Review (NBAR) and is required to receive final approval prior to zoning clearance. With the application of County standard conditions of approval, including building and safety requirements, the sign will not be detrimental to the safety, convenience, property values or general welfare of the neighborhood.

3. *If the sign informs the public concerning service club meetings, the permittee agrees in writing, if required by the Zoning Administrator, to permit additional service club signs to be placed on the same structure.*

The Board of Supervisors finds that the sign is not proposed to inform the public of service club meetings.

"ATTACHMENT B-1: CONDITIONS OF APPROVAL"
OASIS RECORDED MAP MODIFICATION CASE NO. 16RMM-00000-00001
APNs 105-020-063, -064

1. **Proj Des-01 Project Description.** This Recorded Map Modification is based upon and limited to compliance with the project description, the hearing exhibits marked A-H, dated September 11, 2020, 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:

This Recorded Map Modification modifies two (2) Southpoint Estates subdivision conditions of approval and two (2) Southpoint Estates subdivision recorded final maps.

SOUTHPOINT ESTATES SUBDIVISION CONDITIONS OF APPROVAL:

- ***SOUTHPOINT ESTATES SUBDIVISION TM 12,679 Condition No.18/SOUTHPOINT ESTATES SUBDIVISION TM 13,345 Condition No. 21 (identical condition language) is revised to no longer apply to the OASIS property, as follows:***

Title to the common Open Space shall be held by a non-profit association of property owners or by any other individual or entity of such reasonable terms and conditions as the Board of Supervisors may prescribe subject to conveying to the County of Santa Barbara the rights to develop such property with anything except Open Space or non-commercial recreation. This condition shall no longer apply to APNs 105-020-063, -064.

- ***SOUTHPOINT ESTATES SUBDIVISION TM 13,345 Condition No. 8 is revised to no longer apply to the OASIS property (TM 13,345 Lot 89) as follows:***

Lots 87, 88, ~~89~~, 92 and 93 shall be labeled "Open Space Not a Building Site" on the Final Map.

SOUTHPOINT ESTATES SUBDIVISION RECORDED MAPS

1. ***The "NOT A BUILDING SITE" OPEN SPACE label shall be removed from Lot 89 (current APNs 105-020-063, -064) of two recorded maps:***
 - a) *SOUTHPOINT ESTATES SUBDIVISION TM 13,345 Final Map for Unit 1 (Book 125, p. 8) and*
 - b) *SOUTHPOINT ESTATES SUBDIVISION TM 13,345 Final Map for Unit 2 (Book 128, p. 93).*

The SOUTHPOINT ESTATES SUBDIVISION conditions, which include land use restrictions and required conveyance of development rights to the County continue to run with the land until the above modifications are effectuated.

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.

3. ***Visual Resources/Aesthetics Mitigation Measures***

Aest-10 Lighting. No lighting is approved as part of this recorded map modification. If lighting is proposed in the future, the Owner/Applicant shall ensure that any future night lighting is of minimum height, low glare design, dark sky compliant, including but not limited to hooded lights to direct light downward and away from open space areas and to prevent spill-over outside of the development area. Special consideration should be given to minimizing lighting that would shine into the area near Orcutt Creek, to avoid wildlife impacts along the environmentally sensitive Orcutt Creek corridor. Lighting shall be the minimum needed (both in lighting locations and lighting intensity) for security. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m.

Plan Requirements and Timing: If lighting is proposed, the Owner/Applicant shall develop a Lighting Plan 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 (photometrics). Any requirements for dimming or turning off lighting by specific hours shall be included in facility close up instructions and shall be provided to OASIS employees/janitorial services/responsible party for rentals to facilitate compliance. Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D shall review a Lighting Plan and ensure NBAR review of Lighting Plan for compliance with this measure prior to approval of Zoning Clearance for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that

exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan. The Lighting Plan shall be included on the Landscape and Building Plans. Permit Compliance shall respond to any complaints regarding lighting and any lighting installed that is in non-compliance with this condition, including after final inspection, shall be replaced with lighting consistent with this condition. (EIR MM# VIS-3)

4. Special -Temporary Structures: Temporary structures/amenities shall be limited to those accessory to the onsite non-profit meeting center or an onsite public park use. (EIR MM# VIS-4)

5. Landscap-01 Landscape and Irrigation Plan. As part of new development onsite, the Owner/Applicant shall have a licensed landscape professional prepare a Landscape and Irrigation Plan designed to provide screening for the access road, retaining walls, and retention basin, to screen and break up paved parking areas and the massing of any proposed structures and to provide a visual buffer between development/ trail/bikeway areas and the Orcutt Creek riparian corridor. Native species compatible with the specific areas of the site shall be used (e.g., French drain areas, retention basin, tall tree and shrub species strategically placed to screen structures and parking areas, plantings compatible with adjacent Orcutt Creek between bikeway/trail and riparian corridor, etc.,). Drought tolerant, noninvasive non-native species may be planted in proximity to the proposed structures. **Plan Requirements:** The plan shall include the following:

- a. An agreement by the Owner to install required landscaping & water-conserving irrigation systems prior to final clearance.
- b. An agreement by the Owner to maintain all required/approved landscaping for the life of the project.
- c. Securities posted by the Owner for installation and three-year maintenance for the development landscape plan (five-year maintenance for restoration plantings near Orcutt Creek) per requirements in the Performance Securities condition. Specify the amount and duration of installation and maintenance securities to ensure successful implementation of this plan by P&D if the Owner fails to do so.
- d. The landscaping within 100 feet of structures shall take into account County Fire vegetation fuel management requirements and shall be reviewed and approved by County Fire prior to zoning clearance.
- e. Plants used for restoration along Orcutt Creek north of access road and between the bikeway/trail and Orcutt Creek shall be with compatible native plants from seed stock from locally obtained sources.
- f. Landscaping shall be with native plants within the parking areas and between the creek and the development. Compatible, non-invasive, drought tolerant species may be used in proximity to proposed structures building.
- g. Compatible native species used in any retention basin shall be approved by Flood Control in addition to P&D.

- h. Project landscaping along the new paved access road shall adequately screen the paved road as viewed from the southbound Foxenwood Lane but shall not reduce visibility for vehicles entering or exiting the OASIS property from/to Foxenwood Lane. (OCP Dev Std KS18-VIS-2).
- i. Project landscaping species, sizes and locations shall be chosen to best screen the access road, parking areas and new buildings from public roads, including Clark Avenue and Foxenwood Lane, and to minimize loss of existing views of natural open space from surrounding land uses. Therefore, plantings shall be located to best provide screening, and plant shapes and sizes (initial and at maturity) shall be considered with regard to ability to screen the improvements and blend the overall site with the surrounding KS 18 natural open space setting.
- j. Project landscaping shall be compatible with the surrounding natural vegetation, including grassland species, oak trees, and riparian habitat along Orcutt Creek).
- k. Plan shall include clinging vines and/or vertical planting on trash enclosure walls and any other masonry walls, as determined by P&D and NBAR, to soften the visual effects of the structures & to discourage graffiti.
- l. The northern side of the bikeway/trail shall be revegetated with appropriate riparian vegetation and the southern side shall be planted with oaks throughout the segment along the length of the OASIS property.
- m. A restoration plan shall be included for the slope north of the access road to mitigate impacts from road improvements, including any vegetation removal along and within the riparian habitat of Orcutt Creek west of Foxenwood Lane and north of the proposed access road. (See separate restoration plan condition requirements).

Timing: The Owner/Applicant shall (1) submit 4 copies of the Plan to P&D processing planner for review & approval prior to zoning clearance for grading and development, (2) enter into an agreement with the County to install required landscaping/restoration plantings & water-conserving irrigation systems and maintain required landscaping for the life of the project. In addition, with regard to initial installation and maintenance, the Owner/Applicant shall successfully maintain landscape plantings for three years and restoration plantings for up to five years unless restoration plantings are established (including successfully weaned from supplemental irrigation for a minimum of two years), (3) Post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years and for five years for restoration plantings that will not receive irrigation over the long-term, (4) Install landscape and irrigation prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved plan are in place as required prior to Final Building Clearance. Compliance staff will release installation security upon satisfactory installation

of all items in approved plans. The applicant/owner shall demonstrate to compliance staff that the landscaping and associated irrigation have been established and maintained according to plans and agreements for a period of 3 years and have achieved the original goals of this condition (for a period of 5 years for restoration plantings, including successfully established and weaned from supplemental irrigation for a minimum of 2 years). Compliance staff signature is required to release the 1) installation security upon satisfactory installation of all items in the approved plans and 2) maintenance security upon satisfactory completion of maintenance, including satisfaction of success criteria. If requirements have not been met, the plants or improvements shall be replaced and/or maintained (fed, repaired, trimmed) and the security held for another year. If the applicant/owner fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property per approved plans. (EIR MM# VIS-7).

6. **Aest-07 Understories and Retaining Walls.** Any retaining walls shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. Native vegetation to screen retaining walls shall be planted. **Plan Requirements:** The Owner/Applicant shall submit retaining wall plans and vegetation screening plans to P&D and NBAR for review and approval. **Timing:** Plans shall be submitted prior to zoning clearance; vegetation shall be installed prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance. (EIR MM# VIS-8)

7. **Rooftop Equipment.** The Owner/Applicant shall submit final rooftop plans for any proposed structures, which identify mechanical equipment and associated screening, except where screening is not possible (e.g., screening would block sunlight from rooftop solar panels). If solar panels are proposed, the plans shall also identify solar panels with non-reflective materials/finishes. A long-term maintenance agreement shall also be submitted identifying required long-term maintenance of the non-reflective materials/finishes on the solar panels, including replacement as needed to retain the non-reflective characteristic of these materials/finishes. **Plan Requirements:** The Owner/Applicant shall submit to P&D (for P&D and NBAR review and approval) the rooftop plans showing equipment, any screening methods, solar panel locations and materials/finishes proposed to reduce solar panel reflection/glare. **Timing:** Plans shall be submitted prior to zoning clearance.

MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance. (EIR MM# VIS-9)

8. Air Quality / Greenhouse Gasses and Climate Change

Special – Transportation Demand Program (TDM): Given distance to closest bus stops and site topography, development plans shall include a plan to reduce single occupant vehicle trips and related emissions. **Plan Requirements and Timing:** Prior to zoning clearance, the applicant shall submit a plan with the following components for P&D review and approval:

- a. Shuttle service
 - i. At a minimum shuttle service shall provide rides to and from site development daily lunches and shall be available for activities/events involving more than 30 individuals (both OASIS and non-OASIS programs/activities);
 - ii. Proposed shuttle program (vehicle occupant size, typical pick-up/drop-off schedule);
 - iii. Rental agreement language for events/rentals shall identify required use of shuttle service;
 - iv. Proposed method to document use of shuttle program (number of riders, actual schedule, etc.).
- b. Assistance in facilitating carpooling.
- c. Priority parking and/or other opportunities to encourage carpooling;
- d. Installation of bike racks;
- e. Other vehicle trip reduction methods acceptable to County (e.g., agreement with Santa Maria Area Transit to provide shuttle services or other assistance to reduce single occupant vehicle trips). If availability of shuttle service (or other previously approved method acceptable to County) ceases, an alternative TDM plan shall be approved by the Director of Planning and Development.

Applicant shall confirm availability/ability to accommodate shuttle service (e.g., contract(s) for provision of shuttle service, consistent with the TDM requirements).

MONITORING: P&D shall review and approve adequate TDM to reduce single occupant vehicle use and related vehicle miles traveled, prior to zoning clearance, including confirmation of long-term shuttle service. Permit compliance shall receive and review annual monitoring reports to confirm implementation. Permit compliance to confirm TDM ready to implement, including shuttle(s) onsite, etc. prior to occupancy. (EIR MM# AQ-2)

- 9. Special – Gas Fireplace/Fire Pit:** Wood-fired, mobile or permanent fire pits, fireplaces, etc. shall be required to reduce smoke (PM2.5) and odors, and related nuisance complaints. Wood-fire barbeques may be permitted, subject to decision-maker finding of no significant nuisance or conflict with Clean Air Plan. **Plan Requirements and Timing:**

Prior to zoning clearance/issuance of building permits, the applicant shall ensure project plans (building plans, landscape plans, and other plans as applicable) identify all fireplace and fire pits and include a note on the plans that these amenities shall not be not wood-fired, with exception noted above. A note shall be included on the cover page of project plans for zoning clearance/building permits identifying this restriction.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. (EIR MM# AQ-1)

10. Odor Abatement Plan: The applicant shall prepare and implement an Odor Abatement Plan to minimize the potential for nuisance complaints related to use of the onsite barbeque, fireplaces, and fire pits. **Plan Requirements and Timing:** Prior to zoning clearance/issuance of building permits, the applicant shall submit an Odor Abatement Plan to P&D and Santa Barbara County Air Pollution Control District for review and approval. The plan shall include the following elements:

- a. Description of project design features to reduce potential smoke and odor impacts;
- b. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints (during and after regular OASIS hours of operation);
- c. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.
- d. Description of potential odor sources at the facility;
- e. Description of potential methods for reducing odors, including process changes, facility modifications and/or feasible add-on air pollution control equipment if other methods do not adequately reduce the nuisance issue (to the satisfaction of Santa Barbara County);
- f. Contingency measures to curtail emissions in the event County determines a complaint qualifies as a public nuisance.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. Permit Compliance will perform site visits, as needed, after project is operational. (EIR MM# AQ-3)

11. Biological Resources

Special – General Bio Protection: The following measures shall be implemented to minimize impacts to biological resources during grading and construction for new development. **Plan Requirements and Timing:** These measures shall be adhered to during site preparation and construction activities:

- a. All construction equipment shall be limited to the use of designated access roads, staging areas, and/or previously identified work areas shown on the project plans.
- b. Exclusionary fencing shall be erected at the boundaries of the Project limits of work (all earth disturbance and construction activities) to avoid equipment and human intrusion into adjacent native habitats (i.e., oak trees and the riparian corridor of Orcutt Creek). The fencing shall remain throughout the duration of construction activities.
- c. All motorized equipment used at the Project Area shall be maintained in proper working condition and shall be free of drips and leaks of coolant, hydraulic, and petroleum products. No equipment shall be used in the Project Area unless such equipment is free of leaks and drips.
- d. A spill prevention and clean-up kit (including socks, absorbent pads, kitty litter, broom, dustpan, shovel, and container for dirty absorbent material) shall be available on-site for immediate use in case of an accidental spill. Any equipment or vehicles driven and/or operated adjacent to Orcutt Creek shall be checked and maintained daily to prevent leaks of materials that if introduced to water could be deleterious to aquatic life. Service and refueling activities shall not occur within 100 feet of Orcutt Creek.
- e. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease unless mandatory drought restrictions limit use of water for this purpose. The construction area shall be wet down after work is completed for the day and whenever wind exceeds 15 mph.
- f. Erosion control measures (e.g., which may include silt fencing, jute netting, straw bales) shall be used throughout all phases of construction where sediment runoff from exposed soils could enter Orcutt Creek.
- g. Construction material shall be stockpiled in upland habitat at least 100 feet from Orcutt Creek. BMPs (e.g., silt fencing, straw wattles) shall be installed between the work area and riparian corridor of Orcutt Creek to ensure sediment runoff from the work area does not enter the creek. Unattended soil stockpiles shall be covered.
- h. Trash and food items shall be kept in closed containers and removed daily.
- i. Open excavations shall be covered at the end of each workday. If this is not feasible, escape ramps shall be installed in the pits to ensure no entrapment of animals occur.

MONITORING: P&D shall site inspect for compliance during the grading and construction period and shall respond to complaints. (EIR MM# BIO-1)

- 12. Special- Special Status Species Survey:** A County-qualified biologist shall conduct a pre-construction survey of the Project Area for CRLF, western spadefoot toad, Blainville's horned lizard, and SWPT. **Plan Requirements and Timing:** The survey shall be performed 7-10 days prior to the onset of any grubbing or grading for new development. No state or federally listed species shall be handled without the approval of the USFWS and/or CDFW. Any specimens found (with the exception of CRLF) shall be captured and relocated to suitable habitat within KS18 (per USFWS and/or CDFW direction). If CRLF is present within the work area, (considered highly unlikely) the USFWS and CDFW shall be consulted by the biologist regarding any necessary avoidance measures (e.g. morning inspections of the work area, installation of exclusion barriers around active work zones).

MONITORING: P&D Compliance staff shall ensure proof of pre-construction survey and any actions necessary based on the results of the survey. (EIR MM# BIO-2)

- 13. Special – Worker Orientation:** Worker Orientation regarding biological protection measures during site preparation and construction shall be required. **Plan Requirements and Timing:** Prior to the start of work, a County-approved biologist shall oversee worker orientation for all construction contractors (including site supervisors, equipment operators, laborers) which emphasizes the presence of special-status species within/ or adjacent to the Project Area, identification of those species, their habitat requirements, applicable regulatory policies and provisions regarding their protection, measures being implemented to avoid and/or minimize impacts, and penalties for noncompliance shall be conducted. This orientation may be done as part of the standard pre-construction meeting. If members of the crew arrive after the initial orientation meeting or have otherwise not received the orientation, they shall attend a subsequent training prior to working on the job. No staging of equipment or construction supplies shall occur prior to orientation.

MONITORING: P&D Compliance shall confirm with applicant implementation of worker orientation and procedure for all employees to receive the orientation prior to commencement of grading and construction. (EIR MM# BIO-3)

- 14. Special- Biological Monitor:** A County-approved biological monitor shall monitor earthwork activities (e.g., grading, trenching) within 100 feet of the outer edge of Orcutt Creek riparian canopy, including but not limited to, any grading on the slope north of the access road, for the trail/bikeway, and for the sewer line extension to the Laguna County Sanitation District manhole. Work shall be stopped, if necessary, or modified to protect wildlife and other biological resources, or if violations of laws or permit conditions are observed. Duties include the responsibility to ensure all aspects of the approved biological mitigation measures are carried out per County requirements and that USFWS and/or CDFW are notified of the presence of any listed species. To the extent practical,

common wildlife species entering the construction zone shall be captured and relocated to suitable habitat. Any special-status wildlife species observed in the Project Area shall not be physically relocated without permission from the CDFW or the USFWS, as appropriate. **Plan Requirements and Timing:** The applicant shall fund the biological monitor prior to zoning clearance. The biological monitor, in consultation with P&D, shall determine necessary frequency and duration of onsite monitoring during earthwork activities and shall periodically inspect the Project site during construction. The County-approved biological monitor shall oversee and survey the work areas prior to activities commencing.

MONITORING: P&D shall confirm applicant funding for biological monitor tasks prior to zoning clearance. P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-4)

15. Tree Protection (Bio-01) without a Tree Protection Plan. All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all native trees, unless otherwise identified on the approved Development Plan exhibits.

- a) Prior to zoning clearance for all grading or construction, all native trees proposed for retention as shown on the project plans shall be fenced at least six feet beyond the dripline as shown on the approved Development Plan exhibits. If six feet cannot be accommodated the fencing shall be placed as far away as possible from the tree trunk. If earthwork will impact more than 20% of the tree canopy, the restoration/landscape plan shall incorporate 10:1 replacement of the tree. Fencing shall be at least three feet in height of chain link or other material acceptable to P&D and shall be staked every six feet. The Owner/Applicant shall place signs stating "tree protection area" at 15-foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.
- b) No tree removal or damage is authorized by this permit. However, any unanticipated damage to trees or sensitive habitats from construction activities shall be mitigated in a manner approved by P&D. This mitigation shall include but is not limited to posting of a performance security, tree replacement on a 10:1 ratio and hiring of an outside consulting biologist or arborist to assess damage and recommend mitigation for P&D approval. The required mitigation shall be done under the direction of P&D prior to any further work occurring onsite. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and confirmation of such installation and maintenance.
- c) To help ensure the long-term survival of native trees, no permanent irrigation systems are permitted within six feet of the dripline of native trees unless the trees were not naturally occurring (were planted and have been irrigated as

landscape trees). Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

Plan Requirements: Fencing shall be graphically depicted on project plans. **Timing:** This condition shall be printed on project plans submitted for zoning approval and installed prior to Grading or Building Permit issuance.

MONITORING: P&D compliance monitoring staff shall review plans and confirm fence installation. P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-5)

- 16. Special -Nesting Birds Preconstruction Surveys.** For construction activities occurring during the nesting season (generally February 1 - September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 30 days prior to vegetation removal. The survey area for all nesting bird and raptor species shall include the disturbance footprint plus a 300-foot buffer. If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbance of nesting birds. All buffers shall be marked using high-visibility flagging or fencing acceptable to P&D, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails. **Plan Requirements and Timing:** The Owner/Applicant shall submit survey(s) and identification of buffer areas, if determined necessary (on plans and marked in field) for P&D review and approval prior to commencement of construction. Any required flagging/fencing shall remain in place until applicable construction activities are complete.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff (and/or County-contracted biological monitor) that any necessary buffer areas are protected (flagging/fencing acceptable to P&D) before initiation of grading/construction through project completion/final sign-off. (EIR MM# BIO-6)

- 17. Tree Planting and Maintenance (Bio-5).** The Owner/Applicant shall plant 10 oak trees obtained from locally occurring saplings or seed stock for any (each) oak tree removed, relocated or damaged. The trees shall be planted, gopher fenced and irrigated (drip irrigation on a time) as part of the creek riparian area restoration plan for a five-year maintenance period as identified in the related habitat restoration plan condition. **Plan Requirements:** This requirement shall be shown on the creek riparian restoration plan and landscape plan if applicable to be reviewed and approved by P&D. **Timing:** A

performance security shall be required prior to zoning clearance. Prior to final inspection, trees shall be planted, fenced and irrigated.

MONITORING: P&D compliance monitoring staff shall ensure tree installation and maintenance. Performance security release requires P&D staff sign-off. (EIR MM# BIO-7)

18. Habitat Setback (Bio-7). With the exception of Orcutt Creek Trail/Class I Bikeway installation/use and restoration activities, all ground disturbances, vegetation removal, landscaping, parking, development, activities, and other special uses onsite shall be restricted to the areas identified on approved permit exhibits. Grading plans shall minimize grading on the slope north of the access road and any grading approved within 100 feet of Orcutt Creek (e.g., for the trail/bikeway) to the greatest degree feasible. Grading for the access road shall be limited to APNs 105-020-041, the slope north of the driveway on 105-020-53 and the OASIS property (105-020-63, -064). Grading shall not extend onto the adjacent property APN 105-020-018. Restoration plantings shall be required to offset vegetation removal or grading (proposed or unintentional) within 50 feet of the edge of riparian habitat. The exception to this is grading within the graded footprint of the existing dirt access road.

- a) Construction Period Fencing and erosion control materials/methods (type and location acceptable to P&D) shall be shown on grading plans and shall be installed prior to any earth movement to ensure excavation work within or adjacent to sensitive habitats including native trees and riparian habitat shall be avoided to the maximum extent feasible. Where excavation must be performed within sensitive areas (as determined by P&D), it shall be performed with hand tools only. If the use of hand tools is deemed infeasible by P&D, excavation work may be authorized by P&D to be completed with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small, tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff.
- b) Long-Term: The boundaries of the development and parking areas shall be visually delineated with a combination of fencing, vegetation, and/or other features (e.g., rock) acceptable to P&D before final sign-off/occupancy clearance to facilitate compliance with this condition.

MONITORING: P&D compliance monitoring staff shall ensure compliance throughout construction and shall respond to any complaints during operational phase. (EIR MM# BIO-8)

19. Storm Water BMPs (Bio-10). To minimize pollutants impacting downstream waterbodies or habitat, parking areas, driveways, trails and paved bikeways shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention

areas with compatible native species), designed in accordance with the California Stormwater BMP Handbook for New Development and Redevelopment (California Stormwater Quality Association) or other County approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once a year. Long term maintenance shall be the responsibility of the landowner. A maintenance program shall be specified in a maintenance program submitted by the landowner and recorded with the Clerk of the Board. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of zoning clearance. BMP 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 a year and retain proof of inspections. **Plan Requirements:** The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. The location and type of BMP shall be shown on the site, building and grading plans. **Timing:** The plans and maintenance program shall be submitted to P&D and Public Works for approval prior to zoning clearance.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction and shall inspect for installation prior to Final Building Inspection Clearance. The landowner shall make annual maintenance records available for review by P&D and Public Works upon request. (EIR MM# BIO-9)

- 20. Habitat Restoration (Bio-12).** Proposed development shall include a Creek Riparian Area Buffer Restoration Plan prepared by a P&D-approved biologist and designed to provide a buffer for increased development and activities adjacent to Orcutt Creek, consistent with the Orcutt Community Plan (OCP), including direction regarding creek buffer plantings in the OCP Biological Resources and Parks, Recreation and Trails sections. The restoration plantings shall take into consideration the location of the Orcutt Creek Multi-Use Trail (including Class I bikeway), including future segments of the trail connecting to Broadway. The approved location of the OASIS trail/bikeway easement shall be included on the restoration plans. The applicant may choose to combine Restoration and Landscape Plans. If combined with the Landscape Plan, the installation security shall separately cover the Restoration component of the plan, with a 3-year maintenance period for the Landscape Plan plantings and 5-year maintenance period for restoration plantings. The Restoration Plan shall include the following components:

- a. Plantings shall be with compatible native riparian species.
- b. Species shall be from locally obtained plants and seed stock.

- c. The new plantings shall be irrigated with drip irrigation on a timer and shall be weaned off of irrigation over a period of not less than two years, sufficient to ensure plantings remain successful a minimum of one year following cessation of supplemental irrigation. Restoration plantings must be established without irrigation for a minimum period of one year. The maintenance period shall be extended beyond the minimum five-year period, if needed, to accommodate this requirement for success of plantings for a minimum period of one year after cessation of supplemental irrigation.
- d. The creek area shall be fenced (or other method acceptable to P&D) at the limits of disturbance during grading and construction activities and shall be protected to the extent necessary (as determined by P&D and the plan biologist during restoration activities to ensure success of the restoration plan).
- e. If it becomes necessary (as authorized by P&D) to disturb or remove any plants w/in the habitat area, a P&D-approved biologist shall monitor and direct the work. Where feasible, specimens shall be boxed and replanted. If a P&D-approved biologist certifies that it is not feasible to replant, plants shall be replaced at a minimum using the standards of P&D's standard Habitat Restoration Plan and under direction of the P&D-approved biologist.
- f. A plan shall be included for removal of non-native invasive species in the buffer area between the project development and the creek.

Plan Requirements: Include applicable components of the plan in the Landscape and Irrigation Plans if not proposed as a combined Landscape/Restoration Plan. Timing: Plans shall be submitted for review and approval by P&D prior to zoning clearance and the Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years. The landowner shall maintain the plants and irrigation for five years following Final Building Inspection Clearance or until successful establishment of restoration plantings for a minimum of one year following cessation of supplemental irrigation, whichever is greater.

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. P&D compliance monitoring staff signature is required to release the installation security for the restoration plantings upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan. Successful implementation includes monitoring report confirming successful establishment after cessation of supplemental irrigation. If replanting and/or an extended supplemental irrigation period is necessary to ensure successful establishment, this will extend the minimum maintenance period. Restoration plantings must be established for at least one year after cessation of irrigation because, unlike landscaping near buildings, restoration plants will not have long-term irrigation. (EIR MM# BIO-12)

- 21. Use Natives (Bio-21).** Landscaping between Orcutt Creek and development, parking areas, and along the access road shall be with native plants. Plantings within 100 feet of Orcutt Creek shall be plants or seed stocks from locally obtained sources. Compatible, non-invasive, drought tolerant plant species may be used in proximity to structures. **Plan Requirements:** The Owner/Applicant shall incorporate this requirement into a landscape plan to be prepared by a P&D approved landscape architect or arborist. The landscape plan can be combined with the restoration plan, although the restoration plan is subject to additional requirements. **Timing:** The landscape plan shall be reviewed and approved by P&D prior to zoning clearance. Landscaping shall be installed prior to Final Building Inspection Clearance.

MONITORING: The landscape architect or arborist shall verify to P&D compliance monitoring staff, in writing, using receipts, etc., the use of native seed stock on the property prior to release of performance security. (EIR MM# BIO-13)

- 22. Equipment Washout-Construction (Bio-20a).** The Owner/Applicant shall designate one or more washout areas 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 these areas and removed from the site at intervals sufficient to ensure adequate capacity is maintained onsite. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. **Plan Requirements:** The Owner/Applicant shall designate the P&D approved location on all grading and building permits. **Timing:** The Owner/Applicant shall install and sign the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-14)

- 23. Special- Trails.** The Orcutt Creek Trail (including Class I Bikeway) shall be designed to minimize removal of native vegetation and to minimize erosion that could impact Orcutt Creek water quality or the creek banks. In addition, restoration plantings shall be accommodated between the trail/bikeway and Orcutt Creek consistent with OCP DevStd BIO-O-5.3 and DevStd KS 18-4. Prior to approving the final trail alignment, the proposed trail route shall be surveyed by a qualified botanist. The botanist, in consultation with P&D, shall reroute the trail/bikeway alignment to avoid sensitive species where feasible. The final trail/bikeway alignment shall be approved by P&D and the Community Services Department, Parks Division prior to issuance of Zoning Clearance. Signage shall be included in the trail design, providing educational and interpretive information. (The trail location shall also be consistent with the requirements of the project's related trail/bikeway conditions). **Plan Requirements:** The Owner/Applicant shall submit the proposed trail/bikeway plan for County review and approval prior to zoning clearance for

onsite grading or construction. The Owner/Applicant shall coordinate with P&D prior to finalizing the proposed trail/bikeway design to ensure coordination with botanist reviewing trail route and other County departments (Flood Control, Public Works, Parks). The proposed restoration/buffer plantings on both sides of the trail/bikeway shall be included with the proposed trail/bikeway plans. **Timing:** The Owner/Applicant shall install the trail/bikeway and associated restoration/buffer plantings concurrent with development and prior to final occupancy inspection. Financial sureties for installation of the trail/bikeway and restoration plantings and a 5-year maintenance period shall be required prior to zoning clearance. (Also see requirements for success of plantings after cessation of supplemental irrigation in Restoration Plan condition. The restoration component may be combined with the landscape plan or other project related restoration plan (e.g., north slope of access road).

MONITORING: P&D compliance staff shall ensure compliance prior to and throughout construction and trail installation. (EIR MM# BIO-15)

24. Fence Design (Bio-3d). Fencing along roads, trails, bikeways, etc. shall be designed to minimize impacts to wildlife. Fencing shall not block wildlife movement. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as:

- a) A minimum 18 inches between the ground and the bottom of the fence to provide clearance for small animals;
- b. A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and
- c. If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.

Plan Requirements and Timing. Grading and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of land use clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence.

MONITORING. P&D shall site inspect upon completion of construction. (EIR MM# BIO-16)

25. Lighting Plan (Bio-3e, modification of OCP EIR Mitigation Measure KS3- BIO-6). Proposed lighting shall be identified in a lighting plan that shall reduce light pollution in open space habitat areas. Any exterior lighting features within 100 feet of open space shall include installation of hoods to prevent "spill-over" into adjacent habitat. Night

lighting of public areas shall be kept at the minimum necessary for safety purposes. Excessive night-lighting shall not be permitted within 100 feet of open space areas. No lighting shall be permitted along the multi-use trail along Orcutt Creek, unless specifically required by County for safety purposes and any required trail/bikeway lighting shall include the minimum number of locations, height, intensity, and extent of illumination deemed necessary by the County for safety purposes. Use of high-intensity lights, including but not limited to floodlights, shall be prohibited onsite and use of dark sky fixtures shall be specified on the lighting plan. **Plan Requirements and Timing.** The applicant shall submit the Lighting Plan to Planning and Development (P&D) for review and approval prior to issuance of Zoning Clearance.

MONITORING: P&D shall site inspect all exterior light fixtures after installation to ensure compliance. (EIR MM# BIO-17)

- 26. Fish and Wildlife (Bio-08)** No alteration to stream channels or banks shall be permitted and no Zoning Clearance shall be issued until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Wildlife, Regional Water Quality Control Board and/or federal agencies for any planned alteration to stream channels or banks, (e.g., grading on the slope north of the proposed access drive and for the proposed trail/bikeway). (EIR MM# BIO-18)

- 27. Threatened and Endangered Species Approvals (Bio-9a):** The permittee shall obtain all necessary approvals from the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service, including an Incidental Take Permit and/or Habitat Conservation Plan for Cooper's Hawk, California red-legged frog, western spadefoot toad, southwestern pond turtle, and Blainville's horned lizard, if required, prior to Zoning Clearance. **Timing** Permittee shall provide to P&D copies of approvals obtained from CDFW, FWS and/or NMFS or confirmation that no permit is required prior to issuance of Zoning Clearance.

MONITORING: Permittee shall provide to P&D copies of approvals from CDFW, FWS and/or NMFS. P&D staff shall confirm receipt of any necessary approvals prior to issuance of Zoning Clearance. (EIR MM# BIO-19)

28. Cultural Resources

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 potential archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. 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 and Phase 3 investigations of the County Archaeological Guidelines. All work shall be 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 and P&D compliance monitoring staff shall spot check in the field throughout grading and construction. (EIR MM# CR-1)

29. *Fire/Police Services*

Special- Event Contractor. The Owner/Applicant shall be responsible for ensuring adequate security and traffic control for all activities onsite. **Plan Requirements and Timing:** For any activities involving more than 100 people onsite, the responsible party shall coordinate with the SBSO to determine whether a Santa Barbara Sheriff's Office permit and private security/traffic control will be needed.

MONITORING: The Owner/Applicant shall provide P&D with sample rental contract wording. P&D compliance monitoring staff will respond to complaints as necessary. In the event, compliance staff is contacted on a regular basis, P&D may require the Owner/Applicant to provide separate funds to allow P&D to contract with a monitor for project specific monitoring. (EIR MM# FP-1).

30. *Geology/Grading*

WatConv-01 Erosion and Sediment Control Plan. As determined by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of any grading and development activities. 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 the SWPPP, SWMP or 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 SWPPP or ESCP shall be a part of the Grading and Drainage Plan submittal and will be reviewed for its technical merits by P&D, Flood Control District and Project Clean Water as applicable. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>, (refer to California Stormwater Best Management Handbook and Erosion and Sediment Control Plan Requirements); and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **Plan Requirements:** The grading and SWPPP, SWMP and/or ESCP shall be submitted for

review and approved by P&D prior to approval of zoning clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **Timing:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year-round.

MONITORING: P&D shall perform site inspections throughout the construction phase.
(EIR MM# GEO-1)

31. Grading plans shall clearly address slope stability and soil collapse issues in areas with soils constraints, steep slopes or adjacent to steep slopes, including access from Foxenwood Lane. Plan Requirements and Timing: The grading plan for the access road shall be submitted for P&D review and approval prior to recordation of the documents effectuating the recorded map modifications to the Southpoint Estates conditions of approval and recorded maps land-use clearance. P&D review will require peer review under contract to P&D of the geotechnical analysis (funded by the applicant) to ensure adequate evaluation of geotechnical hazards and methods for addressing hazards which ensure, as proposed by the project engineer, that no grading will occur within the banks of Orcutt Creek. Dependent on the need for/ visibility of/location in relation to riparian habitat, the project landscape and restoration plans shall be supplemented to address the slope north of the access road. The proposed slope stabilization methods shall be documented in a soils report if deemed necessary by P&D, including Building & Safety.

MONITORING: P&D shall perform site inspections throughout the construction phase.
(EIR MM# GEO-2)

32. **Grading Limits:** Grading for the access road shall be limited to APNs 105-020-041, the slope north of the driveway on 105-020-53 and the OASIS property (105-020-63, -064). Grading shall not extend onto the adjacent property APN 105-020-018. Planning and Development shall review final grading plan and confirm prior to zoning clearance that grading is limited to the OASIS property and APNs 105-020-041 and 105-020-053.

33. **Noise**

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 7:00 a.m. and 4:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) 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 all construction site entries. **Timing:** Signs shall be posted at least one week prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints. (EIR MM# NS-1)

- 34. Noise-04 Equipment Shielding-Construction.** Stationary construction equipment that generates noise which exceeds 65 dBA at the closest residential property line shall be shielded with appropriate acoustic shielding to P&D's satisfaction. **Plan Requirements:** The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. **Timing:** Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.

MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance (EIR MM# NS-2).

- 35. Special Noise Limiters:** Noise limiters shall be used for activities involving indoor and outdoor amplification (recorded music, instruments, voice) and for all outdoor music (acoustic or amplified). The noise limiters shall restrict the sound level of amplified music or voice to the 80.5 dBA level identified in the 45 dB.com Supplemental Noise Assessment. If amplification will be used indoors, the noise limiter may measure noise levels on the exterior of the building, at the location where noise levels would be highest. In order to accommodate this sound level, the applicant may incorporate measures to reduce noise levels (e.g., 8-foot partition walls, noise insulated party tent, etc.). For non-amplified music which exceeds this noise level, the music shall be performed indoors unless measures can be implemented that effectively limit the sound level of the music to no more than 80.5 dBA. **Plan Requirements and Timing:** The requirements of this condition shall be included on the plans prior to zoning clearance. Noise limiters shall be operational consistent with this condition prior to commencing any activities involving amplification and before commencing activities involving outdoor music. Sign-off by OASIS staff or other personnel with appropriate expertise to setup the noise limiter shall confirm that noise limiters are installed, programmed and functioning to ensure compliance with this condition before use of associated instruments, microphones, etc. and OASIS shall maintain a record of such sign-offs including date and time of sign-off. In addition, this condition language shall be included in all rental agreements for use of any OASIS facilities, including indoor and outdoor areas. In response to comments received

from neighbors regarding onsite noise, the applicant shall provide a hand-out with the language of this condition and P&D contact information. If noise limiters are not set properly and noise levels exceed 80.5 dBA, the noise generating activity shall cease. Noncompliance with this measure shall result in increased restrictions on amplification and non-amplified music involving loud instruments (e.g., horns, bagpipes, drums, etc.), by limiting these activities to indoor areas away from doors and windows.

MONITORING: P&D shall confirm condition language on plans, condition language in a sample rental agreement, and in hand-out for interested members of the public with noise concerns prior to zoning clearance (EIR MM# NS-3).

36. Special Amplification: Use of amplification shall be limited. **Plan Requirements and Timing:** Amplification (e.g., voice, music, bullhorns, etc.) and loud acoustic music (e.g., bagpipes, horns, drums, etc.) shall be limited as follows:

- a. Maximum of three hours per day.
- b. Sunday through Thursday, limited to the hours of 10:00 AM to 7:00 PM.
- c. Friday and Saturday, limited to the hours of 10:00 AM to 9:00 PM.

These limits shall apply to all amplification and loud acoustic music.

MONITORING: P&D shall confirm condition language on plans, condition language in a sample rental agreement, and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-4)

37. Acoustical Leaks: The following measures are required to maximize noise attenuation in the structures from common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues and other breaks in the integrity of the wall, ceiling or roof insulation shall be insulated, sealed and caulked with putty pads and a resilient, non-hardening caulking material, as appropriate. All such openings and joints shall be airtight to maintain sound isolation.

- a) **Windows:** Windows on the north side of any structures shall be of double glazed construction and installed in accordance with the recommendations of the manufacturer. The windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory.
- b) **Doors:** Doors shall be solid core with sound dampening and fully gasketed, sealed jambs and grouted frames, with an overall STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. Doors meeting "Double Door Construction" criteria, the addition of a laminated glazed second door at least 3 inches from the primary door shall be considered to meet the STC 30 rating.

Plan Requirements and Timing. All construction techniques shall be incorporated and detailed on building plans. Plans shall note all noise-resistant construction measures. An

acoustical engineer shall confirm compliance with these requirements and/or shall demonstrate the achievement of equivalent noise reduction construction methods.

MONITORING: Building & Safety shall ensure that all noise control measures have been included according to the approved plans. (EIR MM# NS-5)

- 38. Special Windows/Doors Closed:** Windows and doors shall remain closed, as indicated below, to minimize nuisance noise to residential neighbors. **Plan Requirements and Timing:** Structures with north and west facing windows and doors shall remain closed (except for entering and exiting the buildings) when amplification is used in indoor areas. This requirement shall be posted at all times to facilitate neighborhood compatibility.

MONITORING: P&D shall review signs for posting in buildings prior to zoning clearance and shall respond to complaints, as necessary. (EIR MM# NS-6)

- 39. Noise Contact:** A contact person shall be identified to promptly respond to noise complaints, hours of operation and attendee numbers. **Plan Requirements and Timing:** A designated contact person shall facilitate resolution of potential complaints involving noise levels, number of attendees (larger attendance increases noise levels) and hours of use (if activities extend past dusk outdoors and past 9:00 PM indoors). The noise contact shall be available during noise generating activities to promptly address neighbor complaints and to ensure activities are consistent with identified noise mitigation, including use of noise limiters, door/window closures, hours of operation, etc.

MONITORING: P&D shall confirm a contact to address noise prior to zoning clearance. (EIR MM# NS-7)

- 40. Special Deliveries:** To reduce noise from vehicle back-up beeping before 8:00 AM and after 7:00 PM (e.g., trucks delivering supplies, food for hot lunches, rental supplies pick-up/drop-offs, etc.), vehicles shall avoid backing into loading areas to the maximum extent feasible during these times. **Plan Requirements and Timing:** This requirement shall be included in rental agreements and OASIS shall communicate this requirement to their clients and vendors.

MONITORING: P&D shall confirm this inclusion in sample rental agreement and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-8)

41. Recreation and Open Space

Trail/Bikeway Location: The Owner/Applicant shall provide a minimum 25-foot public easement for the Orcutt Creek Trail, including parallel Class I Bikeway with new development. The trail/bikeway shall be consistent with the OCP Parks Recreation and

Trails Map, OCP Open Space Plan criteria, and Multi-use Trails Plan & Trails Siting Guidelines). The easement shall be sited south of Orcutt Creek in a location that assures the public's ability to access and use the trail over the long-term and that does not negatively affect layout and siting flexibility for future park amenities on adjacent open space parcels (APNs 105-020-052, -053, -060-, 061, -062). The proposed easement shall not conflict with existing recorded easements or other obstructions. **Plan Requirements and Timing:** Plans identifying the proposed easement shall be submitted prior to issuance of Zoning Clearance. Construction of improvements shall be completed prior to Final Building Inspection Clearance for the meeting facility building.

MONITORING: The easement document shall be approved by P&D, County Surveyor, Parks and Public Works. P&D and County Surveyor shall ensure the easement is included as an exhibit to be recorded prior to zoning clearance issuance for any grading or development associated with the project and prior to initiation of other project related improvements that would conflict with the existing Southpoint Estates land use restrictions and deeded development rights held by the County. P&D and Public Works shall site inspect in the field to ensure the bikeway is in compliance with approved easement, grading and building plans. P&D and Parks shall site inspect in the field to ensure the trail is in compliance with grading and building plans.

- 42. Plans for Bikeway/Trail:** The Owner/Applicant shall submit plans for review and approval of the Orcutt Creek Trail/Class I Bikeway segment, including planted buffers on both sides of the trail and shall install the bikeway/trail and plantings. All trail improvements shall conform to OCP specifications, including OCP Appendix C, the Multi-use Trails Plan & Trails Siting Guidelines), with additional County Parks Department specifications, as applicable, for the trail and Public Works specifications, as applicable, for the bikeway. The plans shall include specific alignment (subject to prior site visit with P&D, County Parks and a qualified biologist), landscaping/restoration plantings, fencing, signage, and maintenance funding/responsibility. **Plan Requirements:** The applicant shall submit the plans for review and shall receive approval of the plans by County Parks, P&D and Public Works prior to recordation of documents for the recorded map modification. The bikeway/trail improvements must be completed by the applicant/property owner and signed off as complete by Parks, P&D and Public Works, prior to issuance of occupancy clearance on the first structure.

MONITORING: P&D and Public Works shall site inspect in the field to ensure bikeway is in compliance with grading and building plans. P&D and Parks shall site inspect in the field to ensure trail is in compliance with grading and building plans.

- 43. Financial Surety for Public Bikeway/Trail Improvements:** The applicant/property owner shall post a financial surety (e.g. bond) acceptable to P&D, Parks and Public Works for completion of the Class I Bikeway/Orcutt Creek Trail segment plans approved by P&D, Parks and Public Works. **Plan Requirements and Timing:** The applicant/property owner

shall post the surety prior to the first zoning clearance for grading or development. The financial surety shall not be released until improvements have been completed. The final building and grading plan shall be reviewed and approved by P&D, County Parks and Public Works prior to approval of zoning clearance.

MONITORING: The County of Santa Barbara shall site inspect in the field to ensure compliance with grading and building plans prior to occupancy clearance. (EIR MM# Rec-3)

44. Traffic

Traf-06 Traffic Roadway Improvements. The Owner/Applicant shall prepare roadway plans and implement road improvements as required by Public Works. Road improvement plans shall be reviewed by Public Works, County Fire, Parks and P&D. Final plans shall be approved prior to zoning clearance and improvements shall be constructed prior Final Building Inspection Clearance sign-off. The County shall allow concurrent construction of approved development and proposed roadway improvements; however Final Building Inspection shall not be issued until the traffic improvement(s) have been completed. **Plan Requirements and Timing:** The Owner/Applicant shall submit the plans and schedule for improvements, including construction management component for roadway improvements, and must receive approvals prior to the first Zoning Clearance for grading or development of the project. The final plans shall be in compliance with the roadway improvements in the approved plans and shall specifically address pedestrian and bicycle safety.

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with proof that all improvements have been fully completed pursuant to approved plans prior to Final Building Inspection Clearance. (EIR MM# TC-1)

45. Transportation/Circulation. Driveway. The Owner/Applicant shall install all required driveway improvements (e.g., "Keep Clear" pavement markings or other features at Foxenwood Lane/OASIS driveway intersection) and incorporate pedestrian safety measures, as applicable, into the project road improvements plans to improve pedestrian and bicycle safety for schoolchildren at the driveway entrance and the Clark Avenue/Foxenwood Lane intersection. **Plan Requirements:** The Owner/Applicant shall identify all required driveway details (e.g., new striping and pavement markings) on plans for Public Works prior to zoning clearance. Plans shall also be reviewed and approved by Planning, Grading, and Building. **Timing:** The Owner/Applicant shall receive approval of the design exception prior to Planning Commission hearing on the project. The Owner/Applicant shall install all required driveway improvements prior to Final Building Inspection Clearance. Pavement improvements shall be reviewed and approved by Public Works Transportation prior to Zoning Clearance Issuance for grading and site improvements.

MONITORING: P&D permit processing staff shall ensure compliance prior to and throughout construction. (EIR MM# TC-2) Caltrans Park and Ride Lot. Parking demand shall be provided onsite. The Caltrans Park and Ride parking lot across Foxenwood Lane shall not be used to accommodate parking demand for APNs 105-020-063, -064, and -041, unless expressly permitted by Caltrans. **Plan Requirements and Timing:** This parking restriction shall be provided to patrons/attendees/employees and others generated parking demand on these parcels in printed and online information/advertisements for onsite uses as well as rental agreements for use of onsite facilities. Examples of this language from the webpage, rental agreement template, etc. shall be provided to P&D prior zoning clearance. The exception to the above requirements is documentation of Caltrans agreement to allow parking onsite. (EIR MM# TC-3)

46. Caltrans Encroachment Permit: The owner/applicant shall obtain an encroachment permit from Caltrans for any work within, over or under the State's right of way and shall provide the encroachment permit to Planning and Development prior to zoning clearance for any work done within Caltrans right of way.

47. *Water Resources*

WatCons-01 Water Conservation-Outdoor. To ensure water conservation, Landscape and Irrigation Plans shall incorporate landscape plants, planting methods, and irrigation which reduce water demand and incorporate permeable hardscapes where feasible.

Plan Requirements: The Owner/Applicant shall submit landscape and irrigation plans to P&D for review and approval prior to zoning clearance for approved development. **Timing:** The Owner/Applicant shall implement all aspects of the landscape and irrigation plan in accordance with the Landscape and Performance Security Conditions.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required water conserving landscape and irrigation features are installed prior to Final Building Inspection and that project landscaping and irrigation are maintained per approved landscape plans. Any part of irrigation plan requiring a permit shall be inspected by building inspectors. (EIR MM# W-1)

48. Special- Supplemental Water: The project shall purchase supplemental water from the City of Santa Maria to offset increased demand for water from the Santa Maria Groundwater Basin. **Plan Requirements & Timing:** Prior to zoning clearance, the applicant shall provide proof of purchase of supplemental water from the City of Santa Maria.

MONITORING: P&D shall confirm receipt of agreement from City of Santa Maria for purchase of supplemental water before zoning clearance. (EIR MM# W-2)

- 49. Storm Water Pollution Prevention Plan (SWPPP).** The 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. Plan Requirements and Timing. Prior to approval of Zoning Clearance for new development, the 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 to P&D's Building & Safety Division. The 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 approval of a Land Use Permit P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP. (EIR MM# W-3).

- 50. WatServ-01 Can and Will Serve.** The Owner/Applicant shall provide a Final Can and Will Serve letter from the Golden State Water Company indicating that adequate water is available to serve the project. **TIMING:** A final can and will serve letter shall be submitted prior to recordation of certificates of correction and other documents effectuating the recorded map modification.

- 51. Sewer Can and Will Serve.** The Owner/Applicant shall provide a Final Can and Will Serve letter from the Laguna County Sanitation District indicating that adequate capacity to transport and treat project wastewater capacity is available to serve the project. **TIMING:** A final can and will serve letter shall be submitted prior to recordation of certificates of correction and other documents effectuating the recorded map modification.

- 52. Equipment Washout-Construction.** The 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. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **Plan Requirements and Timing:** The applicant shall designate the P&D approved location on all grading and building permits. The applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# W-4).

- 53. Low Impact Development (LID) Measures.** LID is a site design strategy that uses natural and engineered infiltration and storage techniques to retain storm water runoff where it is generated to mimic a site's pre-development hydrology and reduce downstream impacts. The Environmental Protection Agency has determined that the following LID

measures are highly beneficial at protecting receiving waters. In order to further reduce flooding and water quality impacts, the SWQMP and project design shall include the following LID measures, to the extent feasible:

Design Measures

- a. Vegetated swales, buffers and strips throughout the project site;
- b. Use of permeable pavement to the extent feasible;
- c. Two-foot permeable pavement strips located at the base of driveways, spanning the width of the driveway;
- d. Impervious surface reduction and disconnection;

Structural Measures

- e. Bioretention facilities to capture and infiltrate street runoff upstream of retention basins;
- f. Roof leader flows directed to planter boxes, amended soil, or other low-gradient vegetated areas and/or vegetated swales and buffers;
- g. Soil amendments to increase infiltration rates; and
- h. Rain gardens, rain barrels, and cisterns.

Plan Requirements and Timing. Plans indicating LID techniques to be used shall be submitted by the applicant for review and approval by the Santa Barbara County Public Works Department prior to land use clearance for grading and utility installations. Installation of structural LID technologies shall be performed by the project applicant per approved plans and completed prior to occupancy clearance of the first home.

MONITORING. Public Works and Planning and Development staff shall review plans and monitor compliance. (EIR MM# W-5)

54. Operational Erosion Control Measures. New development shall incorporate and maintain the following operational erosion control measures into final grading and drainage plans.

- a. Erosion control measures, such as plantings or hard surfaces, shall be incorporated into the drainage plan for all project drainages as required by the Flood Control District and P&D.
- b. Development in areas of high erosion potential shall be sited and designed to minimize increased erosion and may be required to have a site-specific evaluation of erosion-control measures. Project approval shall be conditioned to ensure that erosion will be reduced to acceptable levels.
- c. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.
- d. Irrigation shall be controlled so that overwatering does not occur. An irrigation schedule shall be reviewed and approved by P&D prior to zoning clearance for grading.

Plan Requirements and Timing. This requirement shall be printed on final grading, drainage, and landscaping plans and submitted to P&D and Flood Control for review and approval prior to approval of Land Use Permits for grading. Compliance with these measures shall be confirmed by P&D prior to Final Building Inspection Clearance.

MONITORING. The applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all components of the required measures are in place. Compliance monitoring staff will verify compliance including on-going requirements. (EIR MM# W-6)

Standard Map Conditions

- 55. Map-01 Maps-Info.** The Owner/Applicant shall submit a certificate of correction for each Final Map to be corrected, which shall include all approved tract map conditions of approval, as modified pursuant to this request:

The certificates of correction shall include the tract conditions of approval, including those conditions modified by Case No. 16RMM-00000-00001. Prior to recordation of documents and maps effectuating the recorded map modifications and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, modified conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the certificate of correction. 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.

- 56. Map-03 Public Subdivision Report.** Prior to recordation of the recorded map modification documents/exhibits, the Owner/Applicant shall request the State Department of Real Estate to include the following note in its public subdivision report (white sheet):

Use of APN 105-020-063 and 105-020-064, together one legal lot, shall be limited to a public multi-use trail and non-profit meeting facility, consistent with the approved OASIS project (16DVP-00000-00002) site plan and multi-use trail.

- 57. Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the recorded map modification documents/maps, the Owner/Applicant shall submit separate certificates of correction with each Final Map to be modified/corrected (and including all tract conditions, as modified), 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.

- 58. 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.
- 59. Rules-36 Map/LLA Expiration.** This recorded map modification shall expire three 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.
- 60. 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.

"ATTACHMENT B-2: CONDITIONS OF APPROVAL"

OASIS LOT LINE ADJUSTMENT

Case No. 16LLA-00000-00004

APNs 105-020-063, -064, -041

- 1. Proj Des-01 Project Description.** *This Lot Line Adjustment is based upon and limited to compliance with the project description, the hearing exhibits marked A-H, dated September 11, 2020, and all conditions of approval set forth below, including specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:*

EXISTING		PROPOSED	
APN 105-020-041	<i>1.24 acres gross/net</i>	Parcel 1	<i>1.37 acres gross/net (+9.6%)</i>
APN 105-020-064	<i>1.12 acres gross/net</i>	Parcel 2	<i>5.16 acres gross/net (-2.3%)</i>
APN 105-020-064	<i>4.16 acres gross/net</i>		
Total	<i>6.53 acres gross/net</i>	Total	<i>6.53 acres gross/net</i>

Both sites are currently undeveloped. Any future development on the properties would be serviced by public water (Golden State Water Company) and public sewer (Laguna County Sanitation District) if developed. The properties would be accessed by a shared driveway off of Foxenwood Lane on APN 105-020-041. An access easement is proposed over APN 105-020-041 in favor of APNs 105-020-063, -064.

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.

Lot Line Adjustment Conditions

- 3. Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the documents effectuating the Lot Line Adjustment, the Owner/Applicant shall submit a Record of Survey prepared by a

licensed land surveyor or Registered Civil Engineer to the County Surveyor. The exhibit 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.

4. **Map-15 LLA-Deed Recordation.** The following language shall be included on the deeds (and/or other documents) used to finalize the lot line adjustment: "This deed arises from the lot line adjustment Case No. 16LLA-00000-00004 and defines a single parcel within the meaning of California Civil Code Section 1093 among two legal parcels created by Case No. 16LLA-00000-00004." The County Surveyor shall determine the appropriate documents necessary.

County Rules and Regulations

5. **Rules-04 Additional Approvals Required.** No permits for development for the commercially zoned portion of the current OASIS property shall be issued until the Recorded Map Modifications (Case No. 16RMM-00000-00001) and Relinquishment of Development Rights (Case No. 18GOV-00000-00005) are effectuated.
6. **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.
7. **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.
8. **Rules-19 Maps/LLA Revisions.** If the unrecorded Lot Line Adjustment 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 Lot Line Adjustment.
9. **Rules-23 Processing Fees Required.** Prior to filing of a record of survey, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
10. **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.
11. **Rules-36 Map/LLA Expiration.** This Lot Line Adjustment shall expire three 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.

- 12. 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.

"ATTACHMENT B-3: CONDITIONS OF APPROVAL"

OASIS DEVELOPMENT PLAN CASE NO. 16DVP-00000-00002 APNs 105-020-063, -064

- 1. Proj Des-01 Project Description.** This Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked A-H, dated September 11, 2020 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:

OASIS proposes to relocate from their existing facility on Orcutt Union School District property on Soares Avenue to the OCP Key Site 18/Southpoint property. The new facility includes 15,661 square feet (SF) of structural development, with a main building of 14,069 sf and an ancillary BBQ/crafts building of 1,592 SF. The meeting facility design is proposed as an "Elegant Barn." The project also includes a related access road, parking, landscaping, trails within the development area, a section of the multi-use Orcutt Creek Trail, and a modification to LUDC parking requirements, which are described in greater detail below and on the project plans.

The companion Conditional Use Permit (CUP) includes conditions focused on long-term use and operation of the proposed OASIS facilities.

All existing and proposed easements are identified on the project plans, including the project site plan. The access/utility easements in favor of the adjacent properties ("D" and "H") are shown for informational purposes. Future use and/or permitting of development, including driveways, associated with these access easements is not a part of the project.

Landscaping is proposed throughout the site, including around the parking lot. Trees would be placed in clusters rather than rows for a more natural appearance. Several project conditions address requirements for use of native species in the project landscaping and restoration plan.

Consistent with the Orcutt Community Plan, the project includes public easements and construction of a segment of the Orcutt Creek Trail. This trail includes a parallel Class I paved bike path, except within the driveway section from Foxenwood Lane to OASIS' eastern property line. Within this driveway section, the bikeway component of the Orcutt Creek Trail will be accommodated as striped bike lanes within the paved width of the driveway in each direction and the pedestrian component will be provided by a separated, parallel pedestrian path. This pedestrian path is designed as an ADA accessible path between Foxenwood Lane and the proposed OASIS buildings. Stairs near the southeast corner of the OASIS property will connect the pedestrian path with the

Orcutt Creek Trail segment at the base of the driveway. Outside of the driveway, a 25-foot public easement is provided for the Orcutt Creek Trail including Class I bike path, generally following the common property line between APNs 105-020-063/-064 (OASIS) and APNs 105-020-052/-053 (LeBard) along a north/south direction and generally following OASIS' northern property line in an east/west direction, and another segment generally located east of the project site outside of the Orcutt Creek riparian area. The proposed public easements for to accommodate the trail and bikeway components are included on the project site plan.

STATISTICS

Description	AREA	% OF TOTAL
Senior Center Building	14,069 SF	6.11%
Bar-B-Que / Storage Building	1,592 SF	0.69%
Concrete Hardscape	14,761 SF	6.41%
Concrete Curbs/Retaining Walls	3,267 SF	1.42%
Landscape Area	85,823 SF	37.29%
Dry Creek Area	627 SF	0.27%
Turf Area	<9,759> SF	
Off-Site Landscape Area	2,279 SF	
Paved Area (Parking/Bikepath)	45,323 SF	19.69%
Off-Site Paved Area	7,512 SF	
Class II Based Parking Area	23,967 SF	10.41%
DG Onsite Walking Trail	9,731 SF	4.22%
Undeveloped Area	31,045 SF	13.49%
Total Lot Area 5.28* Acres	230,135.41 SF	100%

*Total lot area assuming approval of the Lot Line Adjustment case = 5.16 acres.

The Preliminary Grading Plan (Attachment H) identifies project earthwork involving approximately 4,400 cubic yards (CY) of cut (including for the 3-foot deep retention basin) and approximately 5,202 CY of fill. Earthwork will be balanced onsite by “mining” for the additional 620 CY of fill onsite, within the development/landscape areas of the OASIS property. The OASIS facility and parking areas are located on nearly level topography.

Grading for the access road/bikeway/pedestrian path from Foxenwood Lane will involve earthwork on slopes exceeding 30% to the south of the access road and grading on slopes of exceeding 50%+ to the north of the access road. Retaining walls are identified on the south side of the access road, extending into the OASIS property. The proposed OASIS driveway on Foxenwood Lane will be shared with the approved (not constructed) commercial project at the corner of Foxenwood Lane/Clark Avenue (APN 105-020-041, owner S. LeBard). The driveway will generally follow the route of the existing dirt driveway from Foxenwood Lane,

which is used by Laguna County Sanitation District and County Flood Control for sewer and creek maintenance activities, respectively. However, the driveway entrance will be further north, on steeper terrain. The existing dirt driveway requires widening and improvements to accommodate Fire Department access standards and a four-foot, striped bike lane on each side of the driveway. In addition to grading on APN 105-020-041, grading on the slope north of the access road will extend onto APN 105-020-053 (also owned by S. LeBard) and will abut the southern tip of APN 105-020-018 (not a part of the project requests, owned by V. Lee). Grading on the slope north of the access road will also extend into the riparian canopy and the very steep slopes above the creek; however, no grading is identified within the top of bank of Orcutt Creek. The final grading plan will only include a retaining wall(s) on the north side of the access road, if needed to ensure earthwork will not extend into the banks of Orcutt Creek. (B. Hain, project engineer, Stantec, 08/26/19).

ACCESS

Vehicular and Americans with Disabilities Act (ADA) pedestrian access will be provided from Foxenwood Lane via an access easement across the adjacent commercial parcel (APN 105-020-041), which is located on the northwest corner of the Foxenwood/Clark intersection. A separate Land Use Permit has been issued for a commercial development on this commercial property (LeBard commercial project) and OASIS would share the driveway with the LeBard commercial. Proposed road improvements along Foxenwood Lane and Clark Avenue are identified in Exhibit H. The project includes a ride share/drop off area at the facility, and bicycle racks for alternative transportation. (This permit also includes a condition requiring implementation of a Transportation Demand Management Plan, which is detailed in the CUP condition of approval).

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.

MITIGATION MEASURES FROM EIR

EIR Visual Resources/Aesthetics Mitigation Measures

- 3. Aest-04 BAR Required.** The Owner/Applicant shall obtain North County Board of Architectural Review (NBAR) approval for project grading, building, directional sign, lighting, roadway, public improvement and landscape plans. All project elements (e.g., design, scale, character, colors, materials, lighting, sign, access, other road improvements, and landscaping) shall be in substantial conformance with the approved project, as conditioned. Consistent with required NBAR findings, project design details, including the lighting plan, shall be compatible and avoid conflicts with the surrounding neighborhood. **Plan Requirements and Timing:** The applicant shall install stakes or otherwise delineate the location of the access road in the vicinity of native trees proposed for retention, in a manner acceptable to P&D, prior to NBAR preliminary review to ensure that native trees proposed for retention will not be impacted by project development and that existing trees and proposed landscaping will provide adequate screening and adequately blend the development into the surrounding natural environment. : The Owner/Applicant shall submit grading and drainage, architectural, landscaping, lighting, off-site directional sign, access driveway and road improvements (for Foxenwood Lane and Clark Avenue) for NBAR and P&D approval prior to issuance of Zoning Clearance and shall install/construct improvements consistent with approved plans. The applicant shall submit grading, drainage, landscape and public improvement plans to Flood Control District, Public Works, and County Fire, as applicable, for review and approval prior to zoning clearance.

MONITORING: Permit Compliance shall site inspect to monitor project compliance with approved plans prior to Final Building Inspection Clearance. (EIR MM# VIS-1)

- 4. Aest-10 Lighting.** The Owner/Applicant shall ensure any night lighting installed on the project site is of minimum height, low glare design, dark sky compliant, including but not limited to hooded lights to direct light downward and away from open space areas and to prevent spill-over outside of the development area. Special consideration should be given to minimizing lighting north of the development area and access road, to avoid wildlife impacts along the environmentally sensitive Orcutt Creek corridor. Lighting shall be the minimum needed (in both lighting locations and lighting intensity) for security, parking, trail, and outdoor use areas, including for activities involving use of site facilities by parties other than OASIS Center. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **Plan Requirements and Timing:** The Owner/Applicant shall develop a Lighting Plan 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 (photometrics). Any requirements for dimming or turning off lighting by specific hours shall be included in facility close up instructions and shall be provided to OASIS employees/janitorial services/responsible party for rentals to facilitate compliance. Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D shall review a Lighting Plan and ensure NBAR review of Lighting Plan for compliance with this measure prior to approval of Zoning Clearance for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan. The Lighting Plan shall be included on the Landscape and Building Plans. Permit Compliance shall respond to any complaints regarding lighting and any lighting installed that is in non-compliance with this condition, including after final inspection, shall be replaced with lighting consistent with this condition. (EIR MM# VIS-3)

5. **KS18-VIS-2 Landscape Access Road Slope:** The area on the slope immediately north of the new paved areas (access road, including bike path) shall be landscaped with native shrubs of sufficient height to block views of new paved area. Given proximity to Orcutt Creek, the plantings shall also be compatible with adjacent riparian habitat. Landscaping shall not reduce visibility for drivers, bicyclists, or pedestrians entering and exiting the site on Foxenwood Lane. **Plan Requirements and Timing:** The applicant shall submit landscape plans consistent with this condition to P&D and NBAR prior to zoning clearance and shall submit same to Public Works, Flood Control District and County Fire for review and approval as part of submittal of access road plans to ensure landscaping does not conflict with line of sight/other roadway access requirements, Flood Control standards or County Fire road or vegetation management requirements.

MONITORING: Planning & Development shall ensure landscaping consistent with this measure is included on project plans for Preliminary and Final NBAR review and prior to zoning clearance. In addition, Planning & Development shall confirm that the applicant has received approval from Public Works, Flood Control, and County Fire that the landscaping along the driveway is acceptable to these agencies prior to zoning clearance. Permit Compliance shall monitor to ensure landscaping is installed and maintained per approved plans prior to release of landscape/restoration plan securities for installation and maintenance. (EIR MM# VIS-5)

6. **Retention Basin:** The landscape plan for the retention basin shall include native species compatible with the retention basin location, use, and physical characteristics, including but not limited to the soil type, frequency and duration of standing water, etc. There shall be adequate landscaping and maintenance of the onsite retention basin, consistent with the retention basin use and location adjacent to protected natural open space. **Plan Requirements and Timing:** Prior to zoning clearance, the applicant shall revise the landscape plan for the retention basin consistent with comments received from P&D and NBAR and shall also receive final NBAR and P&D approval of the project landscape plan and sign-off from Flood Control District with regard to the long-term maintenance agreement including the retention basin.

MONITORING: P&D shall confirm approval of landscape plan and Flood Control approved long-term maintenance agreement for the retention basin prior to zoning

clearance. Permit Compliance shall confirm landscape installation and establishment during the required maintenance period before release of respective landscape securities (e.g., bonds) for landscape installation and maintenance. (EIR MM#VIS-6)

- 7. Landscp-01 Landscape and Irrigation Plan.** The Owner/Applicant shall have a licensed landscape professional prepare a final Landscape and Irrigation Plan designed to provide screening for the access road and retaining walls, to screen and break up the massing of the proposed structures and to provide a visual buffer between the OASIS development/trail/bikeway areas and the Orcutt Creek riparian corridor. Native species compatible with the specific areas of the site shall be used (e.g., French drain areas, retention basin, tall tree and shrub species strategically placed to screen structures and parking areas, plantings compatible with adjacent Orcutt Creek between bikeway/trail and riparian corridor, etc.). Drought tolerant, noninvasive non-native species may be planted for the lawn near the BBQ building and in proximity to the proposed structures. **Plan Requirements:** The plan shall include the following:

- a) An agreement by the Owner to install required landscaping & water-conserving irrigation systems prior to final clearance.
- b) An agreement by the Owner to maintain all required/approved landscaping for the life of the project.
- c) Securities posted by the Owner for installation and three-year maintenance for the development landscape plan (five-year maintenance for restoration plan near Orcutt Creek) per requirements in the Performance Securities condition. Specify the amount and duration of installation and maintenance securities to ensure successful implementation of this plan by P&D if the Owner fails to do so.
- d) The landscaping within 100 feet of structures shall take into account County Fire vegetation fuel management requirements and shall be reviewed and approved by County Fire prior to zoning clearance.
- e) Plants used for restoration along Orcutt Creek north of access road and between the bikeway/trail and Orcutt Creek shall be with compatible native plants from seed stock from locally obtained sources.
- f) All project landscaping shall consist of native species, except that drought tolerant, non-invasive, non-native species may be used in the proposed lawn area near the BBQ building and in proximity to project structures.
- g) Project landscaping species, sizes and locations shall be chosen to best screen the access road, parking areas and new buildings from public roads, including Clark Avenue and Foxenwood Lane, and to minimize loss of existing views of natural open space from surrounding land uses. Therefore, plantings shall be located to best provide screening, and plant shapes and sizes (initial and at maturity) shall be considered with regard to ability to screen the improvements

and blend the overall site with the surrounding KS 18 natural open space setting.

- h) Project landscaping shall be compatible with the surrounding natural vegetation, including grassland species, oak trees, and riparian habitat along Orcutt Creek).
- i) If a permanent noise shielding feature will be included in the lawn area, this feature shall be landscaped with vines (non-invasive) or shrubs to blend it in with the surrounding area. Plan shall include clinging vines and/or vertical planting on trash enclosure walls and any other masonry walls (e.g., retaining walls), as determined by P&D, to soften the visual effects of the structures & to discourage graffiti.
- j) The northern side of the bikeway/trail shall be revegetated with appropriate riparian vegetation and the southern side shall be planted with oaks throughout the segment along the length of the OASIS property.

Timing: The Owner/Applicant shall (1) submit 4 copies of the Plan to P&D processing planner for review & approval prior to zoning clearance, (2) enter into an agreement with the County to install required landscaping/restoration plantings & water-conserving irrigation systems and maintain required landscaping for the life of the project. In addition, with regard to initial installation and maintenance, the Owner/Applicant shall successfully maintain landscape plantings for three years and restoration plantings for up to five years unless restoration plantings are established (including successfully weaned from supplemental irrigation for a minimum of two years), (3) Post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years and for five years for restoration plantings that will not receive irrigation over the long-term, (4) Install landscape and irrigation prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved plan are in place as required prior to Final Building Clearance. Compliance staff will release installation security upon satisfactory installation of all items in approved plans. The applicant/owner shall demonstrate to compliance staff that the landscaping and associated irrigation have been established and maintained according to plans and agreements for a period of 3 years and have achieved the original goals of this condition (for a period of 5 years for restoration plantings, including successfully established and weaned from supplemental irrigation for a minimum of 2 years). Compliance staff signature is required to release the 1) installation security upon satisfactory installation of all items in the approved plans and 2) maintenance security upon satisfactory completion of maintenance, including satisfaction of success criteria. If requirements have not been met, the plants or improvements shall be replaced and/or maintained (fed, repaired, trimmed) and the security held for another year. If the applicant/owner fails to either install or maintain

according to the approved plan, P&D may collect security and complete work on property per approved plans. (EIR MM# VIS-7)

8. **Aest-07 Understories and Retaining Walls.** All retaining walls along the pedestrian path and both sides of the access road shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. Native vegetation to screen retaining walls shall be planted. **Plan Requirements:** The Owner/Applicant shall submit retaining wall plans and vegetation screening plans to P&D and NBAR for review and approval. **Timing:** Plans shall be submitted prior to zoning clearance; vegetation shall be installed prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance. (EIR MM# VIS-8)

9. **Rooftop Equipment.** The Owner/Applicant shall submit final rooftop plans, which identify mechanical equipment and associated screening, except where screening is not possible (e.g., screening would block sunlight from rooftop solar panels). The plans shall also identify solar panels with non-reflective materials/finishes. A long-term maintenance agreement shall also be submitted identifying required long-term maintenance of the non-reflective materials/finishes on the solar panels, including replacement as needed to retain the non-reflective characteristic of these materials/finishes. **Plan Requirements:** The Owner/Applicant shall submit to P&D (for P&D and NBAR review and approval) the rooftop plans showing equipment, any screening methods, solar panel locations and materials/finishes proposed to reduce solar panel reflection/glare. **Timing:** Plans shall be submitted prior to zoning clearance.

MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance. (EIR MM# VIS-9)

Air Quality / Greenhouse Gasses and Climate Change

10. **Special – Gas Fireplace/Fire Pit:** Wood-fired, mobile or permanent fire pits, fireplaces, etc. shall be prohibited, with the exception of the approved barbeque at the Barbeque/Storage Building, to reduce smoke (PM2.5) and odors, and related nuisance complaints. **Plan Requirements and Timing:** Prior to zoning clearance/issuance of building permits, the applicant shall ensure project plans (building plans, landscape plans, other plans as applicable) identify all fire place and fire pits and include a note on the plans that these amenities shall not be wood-fired. Agreements for use of the OASIS facilities shall include this restriction. In addition, a note shall be included on the cover page project plans for zoning clearance/building permits identifying this restriction.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. (EIR MM# AQ-1)

11. Odor Abatement Plan: The applicant shall prepare and implement an Odor Abatement Plan to minimize the potential for nuisance complaints related to use of the onsite barbecue, fireplaces, and fire pit. **Plan Requirements and Timing:** Prior to zoning clearance/issuance of building permits, the applicant shall submit an Odor Abatement Plan to P&D and Santa Barbara County Air Pollution Control District for review and approval. The plan shall include the following elements:

- a. Description of project design features to reduce potential smoke and odor impacts;
- b. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints (during and after regular OASIS hours of operation);
- c. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.
- d. Description of potential odor sources at the facility;
- e. Description of potential methods for reducing odors, including process changes, facility modifications and/or feasible add-on air pollution control equipment if other methods do not adequately reduce the nuisance issue (to the satisfaction of Santa Barbara County);
- f. Contingency measures to curtail emissions in the event County determines a complaint qualifies as a public nuisance.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. Permit Compliance will perform site visits, as needed, after project is operational. (EIR MM# AQ-3)

Biological Resources

12. Special – General Bio Protection: The following measures shall be implemented to minimize impacts to biological resources. **Plan Requirements and Timing:** These measures shall be adhered to during site preparation and construction activities:

- a. All construction equipment shall be limited to the use of designated access roads, staging areas, and/or previously identified work areas shown on the project plans.

- b. Exclusionary fencing shall be erected at the boundaries of the Project limits of work (all earth disturbance and construction activities) to avoid equipment and human intrusion into adjacent native habitats (i.e., oak trees and the riparian corridor of Orcutt Creek). The fencing shall remain throughout the duration of construction activities.
- c. All motorized equipment used at the Project Area shall be maintained in proper working condition and shall be free of drips and leaks of coolant, hydraulic, and petroleum products. No equipment shall be used in the Project Area unless such equipment is free of leaks and drips.
- d. A spill prevention and clean-up kit (including socks, absorbent pads, kitty litter, broom, dustpan, shovel, and container for dirty absorbent material) shall be available on-site for immediate use in case of an accidental spill. Any equipment or vehicles driven and/or operated adjacent to Orcutt Creek shall be checked and maintained daily to prevent leaks of materials that if introduced to water could be deleterious to aquatic life. Service and refueling activities shall not occur within 100 feet of Orcutt Creek.
- e. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease unless mandatory drought restrictions limit use of water for this purpose. The construction area shall be wet down after work is completed for the day and whenever wind exceeds 15 mph.
- f. Erosion control measures (e.g., which may include silt fencing, jute netting, straw bales) shall be used throughout all phases of construction where sediment runoff from exposed soils could enter Orcutt Creek
- g. Construction material shall be stockpiled in upland habitat at least 100 feet from Orcutt Creek. BMPs (e.g., silt fencing, straw wattles) shall be installed between the work area and riparian corridor of Orcutt Creek to ensure sediment runoff from the work area does not enter the creek. Unattended soil stockpiles shall be covered.
- h. Trash and food items shall be kept in closed containers and removed daily.
- i. Open excavations shall be covered at the end of each workday. If this is not feasible, escape ramps shall be installed in the pits to ensure no entrapment of animals occur.

MONITORING: P&D shall site inspect for compliance during the grading and construction period and shall respond to complaints. (EIR MM# BIO-1)

- 13. Special- Special Status Species Survey:** A County-qualified biologist shall conduct a pre-construction survey of the Project Area for CRLF, western spadefoot toad, Blainville's horned lizard, and SWPT. **Plan Requirements and Timing:** The survey shall be performed 7-10 days prior to the onset of grubbing and grading. No state or federally listed species shall be handled without the approval of the USFWS and/or CDFW. Any specimens found (with the exception of CRLF) shall be captured and relocated to

suitable habitat within KS18 (per USFWS and/or CDFW direction). If CRLF is present within the work area, (considered highly unlikely) the USFWS and CDFW shall be consulted by the biologist regarding any necessary avoidance measures (e.g. morning inspections of the work area, installation of exclusion barriers around active work zones).

MONITORING: P&D Compliance staff shall ensure proof of pre-construction survey and any actions necessary based on the results of the survey. (EIR MM# BIO-2)

14. **Special – Worker Orientation:** Worker Orientation regarding biological protection measures during site preparation and construction shall be required. **Plan Requirements and Timing:** Prior to the start of work, a County-approved biologist shall oversee worker orientation for all construction contractors (including site supervisors, equipment operators, laborers) which emphasizes the presence of special-status species within/ or adjacent to the Project Area, identification of those species, their habitat requirements, applicable regulatory policies and provisions regarding their protection, measures being implemented to avoid and/or minimize impacts, and penalties for noncompliance shall be conducted. This orientation may be done as part of the standard pre-construction meeting. If members of the crew arrive after the initial orientation meeting or have otherwise not received the orientation, they shall attend a subsequent training prior to working on the job. No staging of equipment or construction supplies shall occur prior to orientation.

MONITORING: P&D Compliance shall confirm with applicant implementation of worker orientation and procedure for all employees to receive the orientation prior to commencement of grading and construction. (EIR MM# BIO-3)

15. **Special- Biological Monitor:** A County-approved biological monitor shall monitor earthwork activities (e.g., grading, trenching) within 100 feet of the outer edge of Orcutt Creek riparian canopy, including but not limited to, all grading on the slope north of the access road, for the trail/bikeway, and for the sewer line extension to the Laguna County Sanitation District manhole. Work shall be stopped, if necessary, or modified to protect wildlife and other biological resources, or if violations of laws or permit conditions are observed. Duties include the responsibility to ensure all aspects of the approved biological mitigation measures are carried out per County requirements and that USFWS and/or CDFW are notified of the presence of any listed species. To the extent practical, common wildlife species entering the construction zone shall be captured and relocated to suitable habitat. Any special-status wildlife species observed in the Project Area shall not be physically relocated without permission from the CDFW or the USFWS, as appropriate. **Plan Requirements and Timing:** The applicant shall fund the biological monitor prior to zoning clearance. The biological monitor, in consultation with P&D, shall determine necessary frequency and duration of onsite monitoring during earthwork activities and shall

periodically inspect the Project site during construction. The County-approved biological monitor shall oversee and survey the work areas prior to activities commencing.

MONITORING: P&D shall confirm applicant funding for biological monitor tasks prior to zoning clearance. P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-4)

16. Tree Protection (Bio-01) without a Tree Protection Plan. All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all native trees, unless otherwise identified on the approved Development Plan exhibits.

- a. Prior to zoning clearance for all grading or construction, all native trees proposed for retention as shown on the project plans shall be fenced at least six feet beyond the dripline as shown on the approved Development Plan exhibits. If six feet cannot be accommodated the fencing shall be placed as far away as possible from the tree trunk. If earthwork will impact more than 20% of the tree canopy, the restoration/landscape plan shall incorporate 10:1 replacement of the tree. Fencing shall be at least three feet in height of chain link or other material acceptable to P&D and shall be staked every six feet. The Owner/Applicant shall place signs stating "tree protection area" at 15-foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.
- b. No tree removal or damage is authorized by this permit. However, any unanticipated damage to trees or sensitive habitats from construction activities shall be mitigated in a manner approved by P&D. This mitigation shall include but is not limited to posting of a performance security, tree replacement on a 10:1 ratio and hiring of an outside consulting biologist or arborist to assess damage and recommend mitigation for P&D approval. The required mitigation shall be done under the direction of P&D prior to any further work occurring onsite. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and confirmation of such installation and maintenance.
- c. To help ensure the long-term survival of native trees, no permanent irrigation systems are permitted within six feet of the dripline of native trees unless the trees were not naturally occurring (were planted and have been irrigated as landscape trees). Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

Plan Requirements: Fencing shall be graphically depicted on project plans. Timing: This condition shall be printed on project plans submitted for zoning approval and installed prior to Grading or Building Permit issuance.

MONITORING: P&D compliance monitoring staff shall review plans and confirm fence installation. P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-5)

- 17. Special -Nesting Birds Preconstruction Surveys.** For construction activities occurring during the nesting season (generally February 1 - September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 30 days prior to vegetation removal. The survey area for all nesting bird and raptor species shall include the disturbance footprint plus a 300-foot buffer. If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbance of nesting birds. All buffers shall be marked using high-visibility flagging or fencing acceptable to P&D, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails. **Plan Requirements and Timing:** The Owner/Applicant shall submit survey(s) and identification of buffer areas, if determined necessary (on plans and marked in field) for P&D review and approval prior to commencement of construction. Any required flagging/fencing shall remain in place until applicable construction activities are complete.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff (and/or County-contracted biological monitor) that any necessary buffer areas are protected (flagging/fencing acceptable to P&D) before initiation of grading/construction through project completion/final sign-off. (EIR MM# BIO-6)

- 18. Tree Planting and Maintenance (Bio-5).** The Owner/Applicant shall plant 10 oak trees obtained from locally occurring saplings or seed stock for every oak tree removed, relocated or damaged. The trees shall be planted, gopher fenced and irrigated (drip irrigation on a time) as part of the creek riparian area restoration plan for a five-year maintenance period as identified in the related habitat restoration plan condition. **Plan Requirements:** This requirement shall be shown on the creek riparian restoration plan and landscape plan if applicable to be reviewed and approved by P&D. **Timing:** A performance security shall be required prior to zoning clearance. Prior to final inspection, trees shall be planted, fenced and irrigated.

MONITORING: P&D compliance monitoring staff shall ensure tree installation and maintenance. Performance security release requires P&D staff sign-off. (EIR MM# BIO-7)

- 19. Habitat Setback (Bio-7).** With the exception of Orcutt Creek Trail/Class I Bikeway installation/use and restoration activities, all ground disturbances, vegetation removal, landscaping, parking, development, OASIS programs and activities, and rentals/special events shall be restricted to the areas identified on the approved Development Plan

exhibits. The final grading plan shall minimize grading on the slope north of the access road and any grading approved within 100 feet of Orcutt Creek (e.g., for the trail/bikeway) to the greatest degree feasible. Earth disturbance associated with the proposed access road improvements shall be restricted to the Foxenwood Lane right of way and APNs 105-020-063, -041, and -053. If grading is proposed to extend onto adjacent APN 105-020-018 (Lee), such change to the grading plan shall require sign off from that property owner and additional environmental review. Restoration plantings shall be required to offset vegetation removal or grading (proposed or unintentional) within 50 feet of the edge of riparian habitat. The exception to this is grading within the graded footprint of the existing dirt access road.

- a. Construction Period Fencing and erosion control materials/methods (type and location acceptable to P&D) shall be shown on grading plans and shall be installed prior to any earth movement to ensure excavation work within or adjacent to sensitive habitats including native trees and riparian habitat shall be avoided to the maximum extent feasible. Where excavation must be performed within sensitive areas (as determined by P&D), it shall be performed with hand tools only. If the use of hand tools is deemed infeasible by P&D, excavation work may be authorized by P&D to be completed with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small, tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff.
- b. Long-Term: The boundaries of the OASIS development and parking areas shall be visually delineated with a combination of fencing, vegetation, and/or other features (e.g., rock) acceptable to P&D before final sign-off/occupancy clearance to facilitate compliance with this condition.

MONITORING: P&D compliance monitoring staff shall ensure compliance throughout construction and shall respond to any complaints during operational phase. (EIR MM# BIO-8)

- 20. Storm Water BMPs (Bio-10).** To minimize pollutants impacting downstream waterbodies or habitat, the parking area, driveway, and paved bikeway and parallel trail shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas with compatible native species), designed in accordance with the California Stormwater BMP Handbook for New Development and Redevelopment (California Stormwater Quality Association) or other County approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once a year. Long term

maintenance shall be the responsibility of the landowner. A maintenance program shall be specified in a maintenance program submitted by the landowner and recorded with the Clerk of the Board. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of zoning clearance. BMP 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 a year and retain proof of inspections. **Plan Requirements:** The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. The location and type of BMP shall be shown on the site, building and grading plans. **Timing:** The plans and maintenance program shall be submitted to P&D and Public Works for approval prior to zoning clearance.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction and shall inspect for installation prior to Final Building Inspection Clearance. The landowner shall make annual maintenance records available for review by P&D and Public Works upon request. (EIR MM# BIO-9)

21. Habitat Restoration (Bio-12). The Owner/Applicant shall submit for P&D approval of a Creek Riparian Area Buffer Restoration Plan prepared by a P&D-approved biologist and designed to provide a buffer for increased development and activities adjacent to Orcutt Creek, consistent with the Orcutt Community Plan (OCP), including direction regarding creek buffer plantings in the OCP Biological Resources and Parks, Recreation and Trails sections. The restoration plantings shall take into consideration the location of the segment of Orcutt Creek Multi-Use Trail (including Class I bikeway) proposed as part of the project and future segments of the trail connecting to Broadway. The approved location of the OASIS trail/bikeway easement shall be included on the restoration plans. The applicant may choose to combine the Restoration Plan with the Landscape Plan and/or plans for the portion of the Orcutt Creek Trail that crosses the project parcels. If combined with the Landscape Plan, the installation security shall separately cover the Restoration component of the plan. The Restoration Plan shall include the following components:

- a. Plantings shall be with compatible native riparian species.
- b. Species shall be from locally obtained plants and seed stock.
- c. The new plantings shall be irrigated with drip irrigation on a timer and shall be weaned off of irrigation over a period of not less than two years' time, sufficient to ensure plantings remain successful a minimum of one year following cessation of supplemental irrigation. Restoration plantings must be established without irrigation for a minimum period of one year. The maintenance period shall be extended beyond the minimum five-year period to accommodate this requirement for success of plantings for a minimum period of one year after cessation of supplemental irrigation.
- d. The creek area shall be fenced (or other method acceptable to P&D) at the limits of disturbance during grading and construction activities and shall be protected to the

- extent necessary (as determined by P&D and the plan biologist during restoration activities to ensure success of the restoration plan).
- e. If it becomes necessary (as authorized by P&D) to disturb or remove any plants w/in the habitat area, a P&D-approved biologist shall monitor and direct the work. Where feasible, specimens shall be boxed and replanted. If a P&D-approved biologist certifies that it is not feasible to replant, plants shall be replaced at a minimum using the standards of P&D's standard Habitat Restoration Plan and under direction of the P&D-approved biologist.
 - f. A plan shall be included for removal of non-native invasive species in the buffer area between the project development and the creek.

Plan Requirements: Include applicable components of the plan in the Landscape and Irrigation Plans if not proposed as a combined Landscape/Restoration Plan. **Timing:** Plans shall be submitted for review and approval by P&D prior to zoning clearance and the Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years. The landowner shall maintain the plants and irrigation for five years following Final Building Inspection Clearance or until successful establishment of restoration plantings for a minimum of one year following cessation of supplemental irrigation, whichever is greater.

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. P&D compliance monitoring staff signature is required to release the installation security for the restoration plantings upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan. Successful implementation includes monitoring report confirming successful establishment after cessation of supplemental irrigation. If replanting and/or an extended supplemental irrigation period is necessary to ensure successful establishment, this will extend the minimum maintenance period. Restoration plantings must be established for at least one year after cessation of irrigation because, unlike landscaping near buildings, restoration plants will not have long-term irrigation. (EIR MM# BIO-12)

- 22. Use Natives (Bio-21).** Landscaping between Orcutt Creek and the project development, within the parking areas, and along the access road shall be with native plants. Plantings within 100 feet of Orcutt Creek shall be plants or seed stocks from locally obtained sources. Compatible, non-invasive, drought tolerant plant species may be used in the lawn area to the west of the proposed buildings and adjacent to structures. **Plan Requirements:** The Owner/Applicant shall incorporate this requirement into a landscape plan to be prepared by a P&D approved landscape architect or arborist. The landscape plan can be combined with the restoration plan, although the restoration plan is subject to additional requirements. **Timing:** The landscape plan shall be reviewed and approved by P&D prior to zoning clearance. Landscaping shall be installed prior to Final Building Inspection Clearance.

MONITORING: The landscape architect or arborist shall verify to P&D compliance monitoring staff, in writing, using receipts, etc., the use of native seed stock on the property prior to release of performance security. (EIR MM# BIO-13)

- 23. Equipment Washout-Construction (Bio-20a).** The Owner/Applicant shall designate one or more washout areas 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 these areas and removed from the site at intervals sufficient to ensure adequate capacity is maintained onsite. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. **Plan Requirements:** The Owner/Applicant shall designate the P&D approved location on all grading and building permits. **Timing:** The Owner/Applicant shall install and sign the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-14)

- 24. Special- Trails.** Design of the Orcutt Creek Trail (including Class I Bikeway) shall be designed to minimize removal of native vegetation and to minimize erosion that could impact Orcutt Creek water quality or the creek banks. In addition, either the trail or the project layout shall be revised to accommodate restoration plantings between the trail/bikeway and Orcutt Creek consistent with OCP DevStd BIO-O-5.3 and DevStd KS 18-4. Prior to approving the final trail alignment, the proposed trail route shall be surveyed by a qualified botanist. The botanist, in consultation with P&D, shall reroute the trail/bikeway alignment to avoid sensitive species where feasible. The final trail/bikeway alignment shall be approved by P&D and the Community Services Department, Parks Division prior to issuance of Zoning Clearance. Signage shall be included in the trail design, providing educational and interpretive information. (The trail location shall also be consistent with the requirements of Mitigation Measure Rec-1 in Section 4.11.5). **Plan Requirements:** The Owner/Applicant shall submit the proposed trail/bikeway plan for County review and approval prior to zoning clearance. The Owner/Applicant shall coordinate with P&D prior to finalizing the proposed trail/bikeway design to ensure coordination with botanist reviewing trail route and other County departments (Flood Control, Public Works, Parks). The proposed restoration/buffer plantings on both sides of the trail/bikeway shall be included with the proposed trail/bikeway plans. **Timing:** The Owner/Applicant shall install the trail/bikeway and associated restoration/buffer plantings concurrent with development and prior to final occupancy inspection. Financial sureties for installation of the trail/bikeway and restoration plantings and a 5-year maintenance period shall be required prior to zoning clearance. (Also see requirements for success of plantings after cessation of supplemental irrigation in Restoration Plan condition. The restoration component may be combined with the landscape plan or other project related restoration plan (e.g., north slope of access road).

MONITORING: P&D compliance staff shall ensure compliance prior to and throughout construction and trail installation. (EIR MM# BIO-15)

- 25. Fence Design (Bio-3d).** Project fencing for accessory components (i.e. roads, trail, etc.) shall be designed to minimize impacts to wildlife. Fencing shall not block wildlife movement. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as:
- a. A minimum 18 inches between the ground and the bottom of the fence to provide clearance for small animals;
 - b. A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and
 - c. If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.

Plan Requirements and Timing. Grading and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of land use clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence.

MONITORING. P&D shall site inspect upon completion of construction. (EIR MM# BIO-16)

- 26. Lighting Plan (Bio-3e, modification of OCP EIR Mitigation Measure KS3- BIO-6).** The applicant shall develop a lighting plan for the entire development that shall reduce light pollution in open space habitat areas except as provided below for safety. All exterior lighting features within 100 feet of open space shall include installation of hoods to prevent "spill-over" into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. Excessive night-lighting shall not be permitted within 100 feet of open space areas. No lighting shall be permitted along the multi-use trail along Orcutt Creek, unless specifically required by County for safety purposes and any required trail/bikeway lighting shall include the minimum number of locations, height, intensity, and extent of illumination deemed necessary by the County for safety purposes. Use of high-intensity lights, including but not limited to floodlights, shall be prohibited onsite and use of dark sky fixtures shall be specified on the lighting plan. Plan Requirements and Timing. The applicant shall submit the Lighting Plan to Planning and Development (P&D) for review and approval prior to issuance of Land Use Permits.

MONITORING: P&D shall site inspect all exterior light fixtures after installation to ensure compliance. (EIR MM# BIO-17)

- 27. Fish and Wildlife (Bio-08)** No alteration to stream channels or banks shall be permitted (no Zoning Clearance shall be issued) until the Owner/Applicant demonstrates receipt of all

authorizations from the California Department of Fish and Wildlife, Regional Water Quality Control Board and/or federal agencies for any planned alteration to stream channels or banks, (e.g., grading on the slope north of the proposed access drive and for the proposed trail/bikeway). (EIR MM# BIO-18)

- 28. Threatened and Endangered Species Approvals (Bio-9a):** The permittee shall obtain all necessary approvals from the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service, including an Incidental Take Permit and/or Habitat Conservation Plan for Cooper's Hawk, California red-legged frog, western spadefoot toad, southwestern pond turtle, and Blainville's horned lizard, if required, prior to Zoning Clearance. **Timing** Permittee shall provide to P&D copies of approvals obtained from CDFW, FWS and/or NMFS or confirmation that no permit is required prior to issuance of Zoning Clearance.

MONITORING: Permittee shall provide to P&D copies of approvals from CDFW, FWS and/or NMFS. P&D staff shall confirm receipt of any necessary approvals prior to issuance of Zoning Clearance. (EIR MM# BIO-19)

Cultural Resources

- 33. 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 potential archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. 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 and Phase 3 investigations of the County Archaeological Guidelines. All work shall be 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 and P&D compliance monitoring staff shall spot check in the field throughout grading and construction. (EIR MM# CR-1)

- 34. Special- Event Contractor.** The Owner/Applicant shall be responsible for ensuring adequate security and traffic control for all activities onsite, including regular OASIS activities/programs and rentals involving non-OASIS activities/events. A contract for private security/traffic control shall be required for non-OASIS activities involving more than 100 people onsite. For OASIS activities, OASIS shall provide adequate security/traffic control themselves or may contract for this service. **Plan Requirements And Timing:** At least one week prior to the date of non-OASIS program events/activities involving more than 100 people onsite at any given time, the party legally and financially responsible for the

event/activities shall submit a copy of a contract for security/traffic control to the Santa Barbara County Sheriff's Office (SBSO) at 812-A West Foster Road for review and approval. SBSO may also require a permit for the day's activity. This requirement shall be included all facility rental agreements. For OASIS activities involving more than 100 people onsite, OASIS shall coordinate with the SBSO to determine whether a SBSO permit and private security/traffic control will be needed. **MONITORING:** The Owner/Applicant shall provide P&D with sample rental contract wording. P&D compliance monitoring staff will respond to complaints as necessary. In the event, compliance staff is contacted on a regular basis, P&D may require the applicant to provide separate funds to allow P&D to contract with a monitor for project specific monitoring. (EIR MM# FP-1)

- 35. WatConv-01 Erosion and Sediment Control Plan.** As determined by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. 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 the SWPPP, SWMP or 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 SWPPP or ESCP shall be a part of the Grading and Drainage Plan submittal and will be reviewed for its technical merits by P&D, Flood Control District and Project Clean Water as applicable. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>, (refer to California Stormwater Best Management Handbook and Erosion and Sediment Control Plan Requirements); and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **Plan Requirements:** The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of zoning clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **Timing:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year-round.

MONITORING: P&D shall perform site inspections throughout the construction phase. (EIR MM# GEO-1)

- 36. Special: Slope Stability:** Grading plans shall clearly address slope stability and soil collapse issues for the access road, pedestrian path, bikeway, and buildings, including the use of retaining walls or other slope stabilization methods. **Plan Requirements and Timing:** The

grading plan shall be submitted for P&D review and approval prior to recordation of the documents effectuating the recorded map modifications to the Southpoint Estates conditions of approval and recorded maps land-use clearance. P&D review will require peer review under contract to P&D of the geotechnical analysis (funded by the applicant) to ensure adequate evaluation of geotechnical hazards and methods for addressing hazards which ensure, as proposed by the project engineer, that no grading will occur within the banks of Orcutt Creek. Dependent on the need for/ visibility of/location in relation to riparian habitat, the project landscape and restoration plans shall be supplemented to address the slope north of the access road. The proposed slope stabilization methods shall be documented in a soils report if deemed necessary by P&D, including Building & Safety.

MONITORING: P&D shall perform site inspections throughout the construction phase. (EIR MM# GEO-2)

Noise

- 37. 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 7:00 a.m. and 4:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) 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 all construction site entries. **Timing:** Signs shall be posted at least one week prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints. (EIR MM# NS-1)

- 38. Noise-04 Equipment Shielding-Construction.** Stationary construction equipment that generates noise which exceeds 65 dBA at the closest residential property line shall be shielded with appropriate acoustic shielding to P&D's satisfaction. **Plan Requirements:** The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. **Timing:** Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.

MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance. (EIR MM3 NS-2)

39. Acoustical Leaks: The following measures are required to maximize noise attenuation in the proposed main building from common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues and other breaks in the integrity of the wall, ceiling or roof insulation shall be insulated, sealed and caulked with putty pads and a resilient, non-hardening caulking material, as appropriate. All such openings and joints shall be airtight to maintain sound isolation.

a) **Windows:** Windows on the north side of the buildings shall be of double-glazed construction and installed in accordance with the recommendations of the manufacturer. The windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory.

b) **Doors:** Doors shall be solid core with sound dampening and fully gasketed, sealed jambs and grouted frames, with an overall STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. Doors meeting "Double Door Construction" criteria, the addition of a laminated glazed second door at least 3 inches from the primary door shall be considered to meet the STC 30 rating.

Plan Requirements and Timing. All construction techniques shall be incorporated and detailed on building plans. Plans shall note all noise-resistant construction measures. An acoustical engineer shall confirm compliance with these requirements and/or shall demonstrate the achievement of equivalent noise reduction construction methods.

MONITORING: Building & Safety shall ensure that all noise control measures have been included according to the approved plans. (EIR MM# NS-5)

Recreation and Open Space

40. Trail/Bikeway Location: The Owner/Applicant shall provide a minimum 25-foot public easement for the Orcutt Creek Trail, including parallel Class I Bikeway (consistent with the OCP Parks Recreation and Trails Map, OCP Open Space Plan criteria, and Multi-use Trails Plan & Trails Siting Guidelines). The easement shall be sited south of Orcutt Creek in a location that assures the public's ability to access and use the trail over the long-term and that does not negatively affect layout and siting flexibility for future park amenities on adjacent open space parcels (APNs 105-020-052, -053, -060-, 061, -062).

Option 1:

- Recorded access Easements “2” and “4” identified on the OASIS site plan, in favor of APNs 105-020-052, -053, shall be relinquished/terminated and/or shall be relocated to another location that would not conflict with the location of the Orcutt Creek Trail/Class I Bikeway easement (e.g., trail/bikeway must be physically separated from vehicle traffic) or other OCP standards.
- Proposed Easement “H” to the LeBard open space parcel should have limited vehicular access to avoid conflicts with the proposed Orcutt Creek Trail/Bikeway.

Option 2:

- The project development, including buildings, parking lot, landscaping, etc. shall be shifted/reoriented within the OASIS property, as necessary, to accommodate the Class I Bikeway/Orcutt Creek Trail in a location acceptable to Public Works, Parks and P&D (e.g., shift development to the west and south to allow the trail/bikeway to be located outside of the recorded access easements and within the OASIS property).

Plan Requirements: Prior to recordation of the documents effectuating the recorded map modifications to the Southpoint Estates conditions of approval/recorded maps and prior to relinquishment of the County held development rights to the OASIS property, the applicant shall identify how a minimum 25-foot trail/bikeway easement will be accommodated based on the above requirements. Prior to recordation of documents for the recorded map modification³, the applicant shall submit documentation that there are no longer conflicting easements in the location of the minimum 25-foot Orcutt Creek Trail/Class I Bikeway easement location and the easement document for the Orcutt Creek Multi-Use Trail shall be submitted for review and approval by County Parks, P&D, Public Works and County Counsel. In addition, no zoning clearance for grading, development or other improvements that would conflict with the existing SOUTHPOINT ESTATES SUBDIVISION land use restrictions or deed of development rights shall be permitted prior to recordation of the Orcutt Creek Multi-use Trail easement. Prior discussion with the above department representatives regarding the easement location is recommended before completing final bikeway/trail plans for formal submittal/review. The public trail/bikeway improvements must be completed by the applicant/property owner and signed off as complete by Parks, P&D and Public Works, prior to issuance of occupancy clearance on the first structure.

MONITORING: The easement document shall be approved by P&D, County Counsel, County Surveyor, Parks and Public Works. P&D and County Surveyor shall ensure the easement is included as an exhibit to be recorded prior to zoning clearance for any grading or development associated with the project and prior to initiation of other project related improvements that would conflict with the existing Southpoint Estates land use restrictions

³ Zoning Clearance cannot occur until after the recordation of the recorded map modifications as the property is otherwise “NOT A BUILDING SITE OPEN SPACE” and restricted to open space and noncommercial recreation uses until the Southpoint Estates conditions that restrict development are effectuated.

and deeded development rights held by the County. P&D and Public Works shall site inspect in the field to ensure bikeway is in compliance with approved easement, grading and building plans. P&D and Parks shall site inspect in the field to ensure trail is in compliance with grading and building plans.

- 47. Plans for Bikeway/Trail:** The Owner/Applicant shall submit plans for review and approval of the Orcutt Creek Trail/Class I Bikeway segment, including planted buffers on both sides of the trail and shall install the bikeway/trail and plantings. All trail improvements shall conform to OCP specifications, including OCP Appendix C, the Multi-use Trails Plan & Trails Siting Guidelines), with additional County Parks Department specifications, as applicable, for the trail and Public Works specifications, as applicable, for the bikeway. The plans shall include specific alignment (subject to prior site visit with P&D, County Parks and a qualified biologist), landscaping/restoration plantings, fencing, signage, and maintenance funding/responsibility. **Plan Requirements:** The applicant shall submit the plans for review and shall receive approval of the plans by County Parks, P&D and Public Works prior to recordation of documents for the recorded map modification. The bikeway/trail improvements must be completed by the applicant/property owner and signed off as complete by Parks, P&D and Public Works, prior to issuance of occupancy clearance on the first structure.

MONITORING: P&D and Public Works shall site inspect in the field to ensure bikeway is in compliance with grading and building plans. P&D and Parks shall site inspect in the field to ensure trail is in compliance with grading and building plans. (EIR MM# Rec-2)

- 48. Financial Surety for Public Bikeway/Trail Improvements:** The applicant/property owner shall post a financial surety (e.g. bond) acceptable to P&D, Parks and Public Works for completion of the Class I Bikeway/Orcutt Creek Trail segment plans approved by P&D, Parks and Public Works. **Plan Requirements and Timing:** The applicant/property owner shall post the surety prior to the first zoning clearance for grading or development. The financial surety shall not be released until improvements have been completed. The final building and grading plan shall be reviewed and approved by P&D, County Parks and Public Works prior to approval of zoning clearance.

MONITORING: The County of Santa Barbara shall site inspect in the field to ensure compliance with grading and building plans prior to occupancy clearance. (EIR MM# Rec-3)

Traffic

- 49. Traf-06 Traffic Roadway Improvements.** The Owner/Applicant shall submit final roadway improvement plans for review and approval by Public Works, County Fire, Parks and P&D for the proposed improvements identified on EIR Figure 4.12-2 (which shows the preliminary improvement designs). The County shall allow concurrent construction of the project and proposed roadway improvements; however Zoning Clearance will not be issued

until the traffic improvement(s) have commenced. **Plan Requirements and Timing:** The Owner/Applicant shall submit the plans and schedule for roadway, median, intersection, and related trail/bikeway components, including construction management component for roadway improvements, and must receive approvals prior to the first Zoning Clearance for grading or development of the project. The final plans shall be in compliance with the roadway improvements in the approved plans and shall specifically address pedestrian and bicycle safety.

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with proof that all improvements have been fully completed pursuant to approved plans prior to Final Building Inspection Clearance. (EIR MM# TC-1)

- 50. Transportation/Circulation. Driveway.** The Owner/Applicant shall receive approval of exception from design standards for the proposed driveway. In addition, the Owner/Applicant shall install all required driveway improvements (e.g., "Keep Clear" pavement markings or other features at Foxenwood Lane/OASIS driveway intersection) and incorporate pedestrian safety measures, as applicable, into the project road improvements plans to improve pedestrian and bicycle safety for school children at the driveway entrance and the Clark Avenue/Foxenwood Lane intersection. **Plan Requirements:** The Owner/Applicant shall identify all required driveway details (e.g., new striping and pavement markings) on plans for Public Works prior to zoning clearance. Plans shall also be reviewed and approved by Planning, Grading, and Building. **Timing:** The Owner/Applicant shall receive approval of the design exception prior to Planning Commission hearing on the project. The Owner/Applicant shall install all required driveway improvements prior to Final Building Inspection Clearance. Pavement improvements shall be reviewed and approved by Public Works Transportation prior to Zoning Clearance Issuance for grading and site improvements.

MONITORING: P&D permit processing staff shall ensure compliance prior to and throughout construction (EIR MM# TC-2).

- 51. Caltrans Park and Ride Lot.** Parking for the OASIS project shall be provided on the OASIS property and the Caltrans Park and Ride parking lot across Foxenwood Lane shall not be used for regular or overflow OASIS parking demand, including special events. **Plan Requirements and Timing:** OASIS shall include this parking restriction in printed and online information/brochures/schedules for classes, programs, activities, hot lunches, special events, etc. and all rental agreements for use of the OASIS facilities/property shall include this parking restriction. Examples of this language from the webpage, rental agreement template, etc. shall be provided to and accepted by P&D prior zoning clearance.

MONITORING: P&D compliance monitoring staff will confirm inclusion in online and hard copy documents prior to Final Building Inspection Clearance and respond, if necessary, after clearance if OASIS related parking is occurring in this parking lot. (EIR MM# TC-3)

- 52. Caltrans Encroachment Permit:** The owner/applicant shall obtain an encroachment permit from Caltrans for any work within, over or under the State's right of way and shall provide the encroachment permit to Planning and Development prior to zoning clearance for any work done within Caltrans right of way.

Water Resources

- 53. WatCons-01 Water Conservation-Outdoor.** To ensure water conservation consistent with the project description and water demand assumptions, the Owner/Applicant shall include the following in Landscape and Irrigation Plans to be approved by P&D:
- a. Landscaping that reduces water use:
 - i. Except in areas specifically approved for lawn, plant species shall be drought tolerant
 - ii. Group plant material by water needs.
 - iii. Extensive mulching (2" minimum) shall be used in all landscaped areas to reduce evaporation.
 - b. Irrigation that reduces water use:
 - c. Install drip irrigation or other water-conserving irrigation.
 - d. Permeable surfaces such as shall be used for hardscape areas wherever feasible.

Plan Requirements: The Owner/Applicant shall submit a landscape and irrigation plan to P&D for review and approval prior to zoning clearance. **Timing:** The Owner/Applicant shall implement all aspects of the landscape and irrigation plan in accordance with the Landscape and Performance Security Conditions.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required water conserving landscape and irrigation features are installed prior to Final Building Inspection Clearance and that project landscaping and irrigation are maintained per approved landscape plans. Any part of irrigation plan requiring a permit shall be inspected by building inspectors. (EIR MM# W-1)

- 54. Special- Supplemental Water:** The project shall purchase supplemental water from the City of Santa Maria to offset increased demand for water from the Santa Maria Groundwater Basin. **Plan Requirements & Timing:** Prior to zoning clearance, the applicant shall provide proof of purchase of 1.32 AFY of supplemental water from the City of Santa Maria.

MONITORING: P&D shall confirm receipt of agreement from City of Santa Maria for 1-acre foot of supplemental water before zoning clearance or recordation of recorded map modification documents, whichever is first. (EIR MM# W-2)

55. Storm Water Pollution Prevention Plan (SWPPP). The 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. **Plan Requirements and Timing.** Prior to approval of Zoning Clearance, the 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 to P&D's Building & Safety Division. The 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 approval of a Land Use Permit P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP. (EIR MM# W-3)

56. Equipment Washout-Construction. The 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. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **Plan Requirements and Timing:** The applicant shall designate the P&D approved location on all grading and building permits. The applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# W-4)

57. Low Impact Development (LID) Measures. LID is a site design strategy that uses natural and engineered infiltration and storage techniques to retain storm water runoff where it is generated to mimic a site's pre-development hydrology and reduce downstream impacts. The Environmental Protection Agency has determined that the following LID measures are highly beneficial at protecting receiving waters. In order to further reduce flooding and water quality impacts, the SWQMP and project design shall include the following LID measures, to the extent feasible:

Design Measures

- a) Vegetated swales, buffers and strips throughout the project site;
- b) Use of permeable pavement to the extent feasible;
- c) Two-foot permeable pavement strips located at the base of driveways, spanning the width of the driveway;
- d) Impervious surface reduction and disconnection;

Structural Measures

- a) Bioretention facilities to capture and infiltrate street runoff upstream of retention basins;

- b) Roof leader flows directed to planter boxes, amended soil, or other low-gradient vegetated areas and/or vegetated swales and buffers;
- c) Soil amendments to increase infiltration rates; and
- d) Rain gardens, rain barrels, and cisterns.

Plan Requirements and Timing. Plans indicating LID techniques to be used shall be submitted by the applicant for review and approval by the Santa Barbara County Public Works Department prior to land use clearance for grading and subdivision improvements. Installation of structural LID technologies shall be performed by the project applicant per approved plans and completed prior to occupancy clearance of the first home.

MONITORING. Public Works and Planning and Development staff shall review plans and monitor compliance. (EIR MM# W-5)

48. Operational Erosion Control Measures. The development shall incorporate and maintain the following operational erosion control measures into final grading and drainage plans.

- a. Erosion control measures, such as plantings or hard surfaces, shall be incorporated into the drainage plan for all project drainages as required by the Flood Control District and P&D.
- b. Development in areas of high erosion potential shall be sited and designed to minimize increased erosion and may be required to have a site-specific evaluation of erosion-control measures. Project approval shall be conditioned to ensure that erosion will be reduced to acceptable levels.
- c. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.
- d. Irrigation shall be controlled so that overwatering does not occur. An irrigation schedule shall be reviewed and approved by P&D prior to zoning clearance for grading.

Plan Requirements and Timing. This requirement shall be printed on final grading, drainage, and landscaping plans and submitted to P&D and Flood Control for review and approval prior to approval of Land Use Permits for grading. Compliance with these measures shall be confirmed by P&D prior to Final Building Inspection Clearance.

MONITORING. The applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all components of the required measures are in place. Compliance monitoring staff will verify compliance including on-going requirements. (EIR MM# W-6)

49. 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 Orcutt Creek Trail components (including

trail, bikeway, plantings) and landscape plan and restoration plan plantings and irrigation. 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 three years for landscaping that will be irrigated over the long-term and five years for plantings that will not be on long-term irrigation (restoration and trail buffer plantings), which must be successfully weaned off of supplemental irrigation prior to release of the five year maintenance security for maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily completed Orcutt Creek Trail improvements and plantings associated with the trail/bikeway, landscape plan and restoration plan and irrigation required by the approved plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape and restoration plantings & irrigation required by the approved plans 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 restoration plantings and irrigation, P&D may use the security to complete the work.

- 50. 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. **PLAN REQUIREMENTS:** The plan shall include but not limited to
- a. Construction Source Reduction:
 - i. A description of how fill will be used on the construction site, instead of landfilling,
 - ii. A program to purchase materials that have recycled content for project construction.
 - b. Construction Solid Waste Reduction:
 - i. 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.
 - c. Operation Source Reduction:
 - i. Examples of office procedures such as purchase of office supplies with recycled content.
 - ii. A program to purchase materials that have recycled content for operation (e.g., office supplies, etc.).
 - d. Operation Solid Waste Reduction Examples:
 - i. Establish a recyclable material pickup area.

- ii. A green waste source reduction program, including the creation of composting area(s), and the use of mulching mowers, if practical.

TIMING: The Owner/Applicant shall (1) submit a SRSWMP to P&D permit processing staff for review and approval prior to zoning clearance, (2) include the program measures on building plans. Program components shall be maintained throughout the life of the project.

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.

- 51. Special Annex to Community Facilities District.** Consistent with the project description and to provide consistency with Orcutt Community Plan Fiscal Policy FSCL-O-2 and Development Standards DevStd FSCL-O-2.2 (new development is required to pay its fair share of the cost of operation and maintenance of public facilities), DevStd OS-O-7.3 (recreation facilities, landscape medians, open space, trails), and DevStd LIB-O-1.4 (library), and to provide revenue for operations and maintenance of such regional public facilities shown in the Orcutt Community Plan Public Infrastructure Finance Program, prior to recordation and/or land use clearance the permittee shall complete annexation to the existing Community Facilities District. If this timing is found to be infeasible by the County Executive Officer and the office of county counsel, the permittee shall provide an alternative funding mechanism.
- 52. Rules-01 Effective Date-Not Appealable to CCC.** This Conditional Use Permit 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].
- 53. Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until all necessary planning and building permits are obtained. Before any Permit would 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.
- 54. Rules-04 Additional Approvals Required.** Approval of this Development Plan is subject to the Board of Supervisors approving the required General Plan Amendment (Case No. 14GPA-00000-00020), Recorded Map Modification (Case No. 16RMM-00000-00001), and the Board of Supervisors vacating, abandoning, or releasing the Development Rights (Case No. 18GOV-00000-00005).

- 55. 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.
- 56. 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 H, dated September 11, 2020.
- 57. 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.
- 58. Rules-09 Signs.** One off-site directional sign is associated with the project. Refer to 17CUP-00000-00017 for conditions of approval related to this off-site sign. No other signs are approved with this action. All signs shall be permitted in compliance with CLUDC.
- 59. 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.
- 60. Rules-18 CUP and DVP Revisions.** The approval by County decision-makers of a revised Development Plan shall automatically supersede any previously approved Development Plan upon the effective date of the revised permit.
- 61. Rules-23. Processing Fees Required.** Prior to issuance of a Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 62. DIMF-24a DIMF Fees-Library.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for libraries. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030]. The total Library DIMF amount is currently estimated to be \$12,420.00 (9/11/2020). This is based on a project type of non-retail commercial land a project size of 15,661 square feet. **TIMING:** Library DIMFs shall be paid to Planning & Development Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 63. DIMF-24b DIMF Fees-Public Administration.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for public administration. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030]. The total Public Administration DIMF amount is currently estimated to be \$6,938.00 (9/11/2020). This is based on a project type of non-retail commercial and a project size of 15,661 square feet square feet. **TIMING:** Public Administration DIMFs shall be paid to Planning & Development Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 64. DIMF-24c DIMF Fees-Sheriff.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the County Sheriff. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030] The total County Sheriff DIMF amount is currently estimated to be \$5,028.00 (9/11/2020). This is based on a project type of non-retail commercial and a project size of 15,661 square feet. **TIMING:** County Sheriff DIMFs shall be paid to Planning & Development Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 65. DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Fire DIMF amount is currently estimated to be \$12,059 (9/11/2020). This is based on a project type of non-retail commercial and a project size of 15,661 square feet. **TIMING:** Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 66. DIMF-24e DIMF Fees-Parks.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be \$21,863 (9/11/2020). This is based on a project type of non-retail commercial and a project size of 15,661 square feet. **TIMING:** Parks DIMFs shall be paid to the County Parks Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

67. 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 Orcutt Creek Trail components (including trail, bikeway, plantings) and landscape plan and restoration plan plantings and irrigation. 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 three years for landscaping that will be irrigated over the long-term and five years for plantings that will not be on long-term irrigation (restoration and trail buffer plantings), which must be successfully weaned off of supplemental irrigation prior to release of the five year maintenance security for maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily completed Orcutt Creek Trail improvements and plantings associated with the trail/bikeway, landscape plan and restoration plan and & irrigation required by the approved plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape and restoration plantings & irrigation required by the approved plans 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 restoration plantings and irrigation, P&D may use the security to complete the work

68. Rules-29 Other Dept and Agency Conditions. Compliance with Departmental/Division/Agency letters required as follows:

- a. Air Pollution Control District dated 5/26/20;
- b. Environmental Health Services Division dated 5/27/20;
- c. Fire Department dated 3/22/16;
- d. Flood Control Water Agency dated 5/4/16;
- e. General Services, County Parks dated 8/4/20;
- f. Project Clean Water dated 3/24/16;
- g. Public Works, Transportation Division dated 8/12/20;
- h. Laguna County Sanitation District Availability letter dated 6/2/20; and
- i. Golden State Water Company Preliminary Can and Will Serve letter dated 6/2/20;

69. 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.

- 70. 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:
- a. 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;
 - b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of zoning clearance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include 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. Monthly invoices shall be paid by the due date noted on the invoice;
 - c. Note the following on each page of grading and building plans "This project is subject to Mitigation and Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from Environmental Impact Report 19EIR-00000-00003"; 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.
- 71. 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.
- 72. 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.

- 73. 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.

"ATTACHMENT B-4: CONDITIONS OF APPROVAL"
OASIS CONDITIONAL USE PERMIT CASE NO. 16CUP-00000-00006

- 1. Proj Des-01 Project Description.** This Conditional Use Permit Plan is based upon and limited to compliance with the project description, the hearing exhibits marked A-H, dated September 11, 2020 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. Additional requirements include but are not limited to the companion OASIS Development Plan conditions that address approved development for the OASIS project and Orcutt Community Plan (OCP) Key Site 18 development standards.

PROGRAMS AND OPERATIONS

Existing Operations

There are currently approximately 1,500 adult (senior) memberships, although OASIS serves over 5,000 local individuals and families on an ongoing basis (<https://oasisorcutt.org/about/>). Based on monthly tracking, most members attend a class, lunch, or health service once a week, with about 300 members currently using the facility throughout each day, mainly during the midday hours for lunch and related services. It is anticipated that membership will continue to grow as the Orcutt community grows and ages. The existing OASIS center is operating out of sub-standard mobile structures and OASIS has been looking for a permanent home to continue their services in the Old Town Orcutt community.

Summary of Proposed Uses

In addition to continuing existing programs, the OASIS Center also proposes allowance for weekend programs from 9:00 A.M. to 9:30 P.M. The OASIS Center is proposing to allow Special Events for members and non-members up 12 times a year. OASIS member events would occur up to 5 times a year. Non-OASIS member events would occur up to 7 times a year. The maximum attendance would be 200 persons, with up to 15 OASIS or catering staff included as part of this maximum.

OASIS estimates that attendance for programs and activities will increase by approximately 30% over existing levels at the new facility. However, to provide flexibility, OASIS proposes that the 200-person maximum attendance restriction that is identified for special events also apply to regular activities onsite.

HOURS OF OPERATION

7:30 AM Open for Staff

8:30 AM Open for Program/Use

Dusk Outdoor Uses Close at Dusk (Hours vary depending on time of year)

9:00 PM Closed for Indoor Program/Use

9:30 PM Close Up After Cleaning

The OASIS Center proposes to continue to be predominately in use on weekdays (Monday – Friday). Staff arrives at 7:30 AM and the first programs start at 8:30 A.M. The peak period of the day is expected to continue to be from 11:00 A.M. to 2:00 P.M., before and after the lunch service is provided. Currently, the lunch service normally has approximately 100 people at any one time. The primary OASIS services and classes directed to senior members of the community would be completed by 4:00 P.M.

OASIS has historically made the existing buildings available for rental by community groups. Use of the new OASIS Meeting Center for non-OASIS programs/uses is proposed to continue, outside of regular OASIS weekday program hours and outside of the evening peak commute period (4:00-6:00 P.M.). Therefore, Monday through Friday, the proposed OASIS Meeting Center could be used from 6:30 P.M. to 9:00 P.M., with the facility closed by 9:30 P.M. after cleanup. Weekends, OASIS proposes that the facility could be used/rented from 9:00 A.M. to dusk for any outdoor use and from 9:00 A.M. to 9:00 P.M. for indoor use, with the building closed at 9:30 P.M. to allow for cleanup.

ALCOHOL

If alcohol is served, OASIS will verify all California ABC regulations are being followed and will notify the Santa Barbara Sheriff and Highway Patrol. In addition, OASIS will ensure a certified security firm will be used during such facility usage. (This permit includes additional conditions that address requirements of the Santa Barbara County Sheriff's Office).

NOISE

All OASIS programs would comply with Santa Barbara County regulations, including the requirement that noise (from indoor or outdoor activities) would not result in noise levels of 60 dBA at the OASIS property line. (This permit includes additional conditions that address noise limitations/requirements).

Amplification

OASIS: Amplification (e.g., for spoken voice, music) would be permitted for both indoor and outdoor OASIS activities.

Non-OASIS: Amplified music and amplification/sound equipment (including for the spoken voice) for Non-OASIS activities would be restricted to use inside the building.

(This permit includes additional conditions that address use of amplification).

OASIS WEEK-DAY SERVICES AND PROGRAMS

OASIS Senior Services/Programs

- *Daily lunch service from 11:00 to 1:30*
- *Meals on Wheels prepared in the kitchen*
- *Library and Computer Room open daily*
- *Classes with average attendance of 30 members*
- *Arts and Craft*
- *Computers*
- *Photography*
- *Grief/Consoling Services*
- *Financial Planning*
- *Insurance Educational Classes*
- *Medical Services (Flu shots/Screenings/Classes)*
- *Exercise, yoga, aerobics (indoor and outdoor)*
- *Travel Planning and Group Excursions*
- *Celebration of life (average once a week)*
- *Holiday programs for the senior members-Easter, Thanksgiving, Christmas, New Years*

OASIS EVENING/WEEKEND USES

OASIS Members Only Events - 5 Times per Year:

OASIS anticipates that five times per year an activity may be scheduled for a weekend or holiday use with the following limitations:

- *OASIS members only*
- *Maximum of 200 attendees (includes ~15 service staff)⁴*
- *Parking limited to onsite parking*

NON-OASIS ACTIVITIES AND EVENTS – if consistent with 200-person any given time cap and other project conditions.

⁴ This is also an “anytime” maximum population onsite for the OASIS facilities.

- Youth groups-
- Boys Scouts/Girls Scouts/Cubs Scouts
- Diet programs-Weightwatchers
- TOPS
- Allan Hancock College Adult Classes:
 - Art
 - Photography
 - Gardening
- Other Adult Classes
- Celebration of life (Evening and weekends)
- Community Holiday Activities- Easter, Thanksgiving Christmas, etc.
- Community Activities (Limited to building or yard areas):
 - Art shows/Craft fairs
 - Farmers Market
 - Dinners
 - Church services on Sunday
 - County Voting Location

Non-OASIS Events

Non-OASIS Events 7 Times per Year: Seven times a year the facility is proposed to be scheduled for Non- OASIS user events with the following limitations:

- Maximum of 200 attendees (includes ~15 service staff)
- Parking limited to onsite parking.

ACCESS

Vehicular access will be provided by an access easement over the adjacent corner commercial property (APN 105-020-041). A shared driveway will serve both properties. The driveway includes striped bike lanes in each direction within its paved width. These bike lanes will serve as the bikeway component of the public Orcutt Creek Trail between Foxenwood Lane and OASIS' eastern property line. A separated, parallel pedestrian path will be located just south of the driveway. This pedestrian path will provide ADA accessible access from Foxenwood Lane to the OASIS buildings. In addition, the path will provide a pedestrian connection between Foxenwood Lane and OASIS eastern property line. Stairs are identified at the base of the driveway hill for pedestrians connecting between the pedestrian path and the main, multi-use Orcutt Creek Trail segment that will generally follow OASIS' east and northern property lines. OASIS activities and improvements shall not inhibit use of the Orcutt Creek Trail/Bikeway easement(s).

The project includes a ride share/drop off area at the facility, and bicycle racks for alternative transportation. (This permit also includes a condition requiring implementation of a Transportation Demand Management Plan).

PARKING

In addition to the 200-person maximum attendance limit identified in discussion of OASIS operations, OASIS proposes to limit the use of the facility, including indoor and outdoor spaces, based on the available onsite parking (to avoid spillover effects on the surrounding neighborhood). OASIS also proposes that use of the parking areas will be limited to use for parking. The project includes a modification to allow the project to provide 143 instead of the required 229 parking spaces (229) otherwise required by the County's Land Use and Development Code (LUDC). Uses which generate additional parking demand are not addressed in this Conditional Use Permit, given parking limitations. Peak parking demand is projected to be 139 spaces. This estimate is based on a 200-person maximum onsite. The project includes 143 spaces. However, parking for trail and bikeway users is also proposed to be accommodated onsite, but the peak parking demand did not account for trail user parking demand. Therefore, there would be approximately four spaces available for trail users when there is maximum attendance onsite. In addition, if the 20-foot access easement to the adjacent open space parcel is ever utilized, this would potentially result in the loss of three parking spaces.

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.

MITIGATION MEASURES FROM EIR

- 3. Aest-10 Lighting.** The Owner/Applicant shall ensure any night lighting installed on the project site remains of minimum height, low glare design, dark sky compliant, including but not limited to hooded lights to direct light downward and away from open space areas and to prevent spill-over outside of the development area. Special consideration should be given to minimizing lighting north of the development area and access road, to avoid

wildlife impacts along the environmentally sensitive Orcutt Creek corridor. Lighting shall be the minimum needed (both in lighting locations and lighting intensity) for security, parking, trail, and outdoor use areas, including for activities involving use of site facilities by parties other than OASIS Center. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **Plan Requirements and Timing:** OASIS shall be responsible for any requirements for dimming or turning off lighting by specific hours. The requirements shall be included in facility close up instructions and shall be provided to OASIS employees/janitorial services/responsible party for rentals to facilitate compliance. Criteria required prior to zoning clearance and Final Building Inspection Clearance are included in the Development Plan conditions.

MONITORING: Permit Compliance shall respond to any complaints regarding lighting and any lighting installed that is in non-compliance with this condition, including after final inspection, shall be replaced with lighting consistent with this condition. (EIR MM# VIS-3)

4. **Special -Temporary Structures:** Temporary structures/amenities (structures not included on the approved plans for zoning clearance), including party tents, bouncy houses, “portapotties” etc., shall be promptly removed after completion of events. **Plan Requirements and Timing:** This requirement shall be identified on project plans and rental agreements. Temporary structures/amenities shall be removed from the site as part of outdoor gathering/event/rental activity clean up (same day or next morning for evening events). Applicant shall submit a sample rental agreement to Permit Compliance staff prior to zoning clearance, which shows this requirement, including charge of additional fees if structures are not promptly removed during clean-up activities.

MONITORING: Permit Compliance staff shall confirm submittal of rental agreement with above requirements before zoning clearance. (EIR MM# VIS-4)

Air Quality / Greenhouse Gasses and Climate Change

5. **Special – Transportation Demand Program (TDM):** The applicant shall develop a plan to reduce single occupant vehicle trips and related emissions. **Plan Requirements and Timing:** Prior to zoning clearance, the applicant shall submit a plan with the following components:
- a. Shuttle service
 - i. At a minimum shuttle service shall provide rides to and from the OASIS facility for area seniors attending daily lunches and shall be available for other activities/events involving more than 30 individuals (both OASIS and non-OASIS programs/activities);
 - ii. Proposed shuttle program (vehicle occupant size, typical pick-up/drop-off schedule);
 - iii. Rental agreement language for events/rentals shall identify required use of shuttle service;

- iv. Proposed method to document use of shuttle program (number of riders, actual schedule, etc.).
- b. Assistance to members wishing to carpool – OASIS shall facilitate member carpools by gathering and providing member information (contact information provided by members on a voluntary basis only), OASIS programs regularly attending, etc.
- c. Priority parking and/or other opportunities to encourage members to carpool;
- d. Installation of bike racks;
- e. Other vehicle trip reduction methods acceptable to County (e.g., agreement with Santa Maria Area Transit to provide shuttle services or other assistance to reduce single occupant vehicle trips). If availability of shuttle service (or other previously approved method acceptable to County) ceases, an alternative TDM plan shall be approved by the Director of Planning and Development, which may include reducing the any given time maximum attendance.

OASIS shall provide confirmation of shuttle service available to implement the TDM, but OASIS is not required to own shuttle vehicles (e.g., contract(s) for provision of shuttle service, consistent with the TDM requirements).

MONITORING: P&D shall review and approve adequate TDM to reduce single occupant vehicle use and related vehicle miles traveled, prior to zoning clearance, including confirmation of long-term shuttle service. Permit compliance shall receive and review annual monitoring reports to confirm implementation. Permit compliance to confirm TDM ready to implement, including shuttle(s) onsite, etc. prior to occupancy. (EIR MM# AQ-2)

- 6. **Special – Gas Fireplace/Fire Pit:** Wood-fired, mobile or permanent fire pits, fireplaces, etc. shall be prohibited, with the exception of the approved barbeque at the Barbeque/Storage Building, to reduce smoke (PM2.5) and odors, and related nuisance complaints. To facilitate compliance, agreements for use of the OASIS facilities shall include this restriction. Building plans shall be consistent with this condition.
- 7. **Odor Abatement Plan:** The applicant shall prepare and implement an Odor Abatement Plan to minimize the potential for nuisance complaints related to use of the onsite barbeque, fireplaces, and fire pit. **Plan Requirements and Timing:** Prior to zoning clearance/issuance of building permits, the applicant shall submit an Odor Abatement Plan to P&D and Santa Barbara County Air Pollution Control District for review and approval. The plan shall include the following elements:
 - a. Description of project design features to reduce potential smoke and odor impacts;
 - b. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints (during and after regular OASIS hours of operation);
 - c. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.

- d. Description of potential odor sources at the facility;
- e. Description of potential methods for reducing odors, including process changes, facility modifications and/or feasible add-on air pollution control equipment if other methods do not adequately reduce the nuisance issue (to the satisfaction of Santa Barbara County);
- f. Contingency measures to curtail emissions in the event County determines a complaint qualifies as a public nuisance.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. Permit Compliance will perform site visits, as needed, after project is operational. (EIR MM# AQ-3)

8. **Lighting (Bio-3e, modification of OCP EIR Mitigation Measure KS3- BIO-6).** All project lighting shall reduce light pollution in and near open space habitat areas. All exterior lighting features within 100 feet of open space shall include installation of hoods to prevent “spill-over” into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. Excessive night lighting shall not be permitted within 100 feet of open space areas. No lighting shall be permitted along the multi-use trail along Orcutt Creek, unless specifically required by County for safety purposes and any required trail/bikeway lighting shall include the minimum number of locations, height, intensity, and extent of illumination deemed necessary by the County for safety purposes. Use of high-intensity lights, including but not limited to floodlights, shall be prohibited onsite and use of dark sky fixtures shall be specified on the lighting plan. **Plan Requirements and Timing.** Development Plan conditions address timing for submittal and review of a Lighting Plan. This Conditional Use Permit condition is included to facilitate compliance for ongoing operations.

MONITORING: Compliance shall respond to complaints if lights are changed in the future in manner which is inconsistent with this condition. (EIR MM# BIO-17)

9. **Special-Food Cleanup:** In order to minimize wildlife scavenging and interactions in the development area, activities involving food preparation, meals, etc. shall ensure that outdoor eating and food preparation areas are maintained and trash disposed of on a daily basis to avoid nuisance complaints/conflicts with wildlife scavenging for food.
10. **Special- Activity/Event Contractor.** The Owner/Applicant shall be responsible for ensuring adequate security and traffic control for all activities onsite, including regular OASIS activities/programs and rentals involving non-OASIS activities/events. A contract for private security/traffic control shall be required for non-OASIS activities involving more than 100 people onsite. For OASIS activities, OASIS shall provide adequate security/traffic control themselves or may contract for this service. **Plan Requirements And Timing:** At least one week prior to the date of non-OASIS program events/activities involving more than 100

people onsite at any given time, the party legally and financially responsible for the event/activities shall submit a copy of a contract for security/traffic control to the Santa Barbara County Sheriff's Office (SBSO) at 812-A West Foster Road for review and approval. SBSO may also require a permit for the day's activity. This requirement shall be included all facility rental agreements. For OASIS activities involving more than 100 people onsite, OASIS shall coordinate with the SBSO to determine whether a SBSO permit and private security/traffic control will be needed. MONITORING: The Owner/Applicant shall provide P&D with sample rental contract wording. P&D compliance monitoring staff will respond to complaints as necessary. In the event, compliance staff is contacted on a regular basis, P&D may require the applicant to provide separate funds to allow P&D to contract with a monitor for project specific monitoring. (EIR MM# FP-1)

Noise

11. **Special-Noise Limiters:** Noise limiters shall be used for activities involving indoor and outdoor amplification (recorded music, instruments, voice) and for all outdoor music (acoustic or amplified). The noise limiters shall restrict the sound level of amplified music or voice to the 80.5 dBA level identified in the 45 dB.com Supplemental Noise Assessment. If amplification will be used indoors, the noise limiter may measure noise levels on the exterior of the building, at the location where noise levels would be highest. In order to accommodate this sound level, the applicant may incorporate measures to reduce noise levels (e.g., 8-foot partition walls, noise insulated party tent, etc.). This requirement shall apply to all OASIS and non-OASIS activities, events, and programs onsite. For non-amplified music which exceeds this noise level, the music shall be performed indoors unless measures can be implemented that effectively limit the sound level of the music to no more than 80.5 dBA. **Plan Requirements and Timing:** The requirements of this condition shall be included on the plans prior to zoning clearance. Noise limiters shall be operational consistent with this condition prior to commencing any activities involving amplification and before commencing activities involving outdoor music. Sign-off by OASIS staff or other personnel with appropriate expertise to setup the noise limiter shall confirm that noise limiters are installed, programmed and functioning to ensure compliance with this condition before use of associated instruments, microphones, etc. and OASIS shall maintain a record of such sign-offs including date and time of sign-off. In addition, this condition language shall be included in all rental agreements for use of any OASIS facilities, including indoor and outdoor areas. In response to comments received from neighbors regarding onsite noise, the applicant shall provide a hand-out with the language of this condition and P&D contact information. If noise limiters are not set properly and noise levels exceed 80.5 dBA, the noise generating activity shall cease. Noncompliance with this measure more than 3 times within a 12 month period shall result in increased restrictions or prohibition on amplification and non-amplified music involving loud instruments (e.g., horns, bagpipes, drums, etc.).

MONITORING: P&D shall confirm condition language on plans, condition language in a sample rental agreement, and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-3)

- 12. Special-Amplification:** Use of amplification shall be limited. **Plan Requirements and Timing:** Amplification (e.g., voice, music, bullhorns, etc.) and loud acoustic music (e.g., bagpipes, horns, drums, etc.) shall be limited as follows:
- a. Maximum of three hours per day.
 - b. Sunday through Thursday limited to the hours of 10:00 AM to 7:00 PM.
 - c. Friday and Saturday limited to the hours of 10:00 AM to 9:00 PM.

These limits shall be included on all rental agreements but shall apply to all amplification and loud acoustic music (OASIS and Non-OASIS).

MONITORING: P&D shall confirm condition language on plans, condition language in a sample rental agreement, and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-4)

- 13. Special-Windows/Doors Closed:** Windows and doors shall remain closed, as indicated below, to minimize nuisance noise to residential neighbors. **Plan Requirements and Timing:** The north and west facing windows and doors shall remain closed (except for entering and exiting the buildings) when the indoor areas of the facility are rented and when indoor OASIS activities involve music or amplification (voice or instruments). This requirement shall be included on all rental agreements and shall be posted at all times to facilitate neighborhood compatibility.

MONITORING: P&D shall review example rental agreement language and signs for posting in buildings prior to zoning clearance and shall respond to complaints as necessary. (EIR MM# NS-6)

- 14. Noise Contact:** OASIS shall identify a contact person to promptly respond to noise complaints, hours of operation and attendee numbers. **Plan Requirements and Timing:** OASIS shall designate a contact person to facilitate resolution of potential complaints involving noise levels, number of attendees (larger attendance increases noise levels) and hours of use (if activities extend past dusk outdoors and past 9:00 PM indoors). The contact information shall be listed in a prominent location on the OASIS website. The OASIS noise contact shall be available during rental activities to promptly address neighbor complaints and to ensure activities are consistent with identified noise mitigation, including use of noise limiters, door/window closures, hours of operation, etc.

MONITORING: P&D shall confirm a contact to address noise issues is included on the OASIS website and in a hand-out prior to zoning clearance. The hand-out shall be made available upon request to interested members of the public with noise concerns. (EIR MM# NS-7)

15. **Special-Deliveries:** To reduce noise from vehicle back-up beeping before 8:00 AM and after 7:00 PM (e.g., trucks delivering supplies, food for hot lunches, rental supplies pick-up/drop-offs, etc.), vehicles shall avoid backing into loading areas to the maximum extent feasible during these times. **Plan Requirements and Timing:** This requirement shall be included in rental agreements and OASIS shall communicate this requirement to their clients and vendors.

MONITORING: P&D shall confirm this inclusion in sample rental agreement and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-8)

16. **Special-Activity Records:** OASIS shall keep records for use of the facilities outside of regular OASIS operating hours and regular OASIS programs/activities, including type of event, number of people onsite, parking, permit obtained from County Sheriff's Office, complaints (number, type, name and contact for person with complaint) and records shall be available for P&D review upon request. Records shall be submitted annually to Permit Compliance beginning one year after final inspection.

17. **Caltrans Park and Ride Lot.** Parking for the OASIS project shall be provided on the OASIS property. The Caltrans Park and Ride parking lot across Foxenwood Lane shall not be used for OASIS parking demand (regular or overflow), including special events. **Plan Requirements and Timing:** OASIS shall include this parking restriction in printed and online information/brochures/schedules for classes, programs, activities, hot lunches, special events, etc. and all rental agreements for use of the OASIS facilities/property shall include this parking restriction. Examples of this language from the webpage, rental agreement template, etc. shall be provided to and accepted by P&D prior zoning clearance.

MONITORING: P&D compliance monitoring staff will confirm inclusion in online and hard copy documents prior to Final Building Inspection Clearance and respond, if necessary, after clearance if OASIS related parking is occurring in this parking lot. (EIR MM# TC-3)

COUNTY RULES AND REGULATIONS

18. **Rules-01 Effective Date-Not Appealable to CCC.** This Conditional Use Permit 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].

19. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until all necessary planning and building permits are obtained. Before any Permit would 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.
20. **Rules-04 Additional Approvals Required.** Approval of this Conditional Use Permit is subject to the Board of Supervisors approving the required General Plan Amendment (Case No. 14GPA-00000-00020), Recorded Map Modification (Case No. 16RMM-00000-00001), and Vacating, Abandoning, or Releasing of Development Rights (Case No. 18GOV-00000-00005).
21. **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.
22. **Rules-06 Recorded Map Required.** The documents effectuating the Recorded Map Modification (Case No. 16RMM-00000-00001) to modify TM 12,679 condition no. 18, TM 13,345 condition Nos. 8 and 21, the recorded final map for TM 13,345 Unit 1, and the recorded final map for TM 13,345 Unit 2 shall be recorded prior to issuance of Zoning Clearance.
23. **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.
24. **Rules-09 Signs.** One off-site directional sign is associated with the project. Refer to 17CUP-00000-00017 for conditions of approval related to this off-site sign. No other signs are approved with this action. All signs shall be permitted in compliance with CLUDC.
25. **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Zoning Clearance within the five (5) years following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within five (5) years following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code, and an

application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.

- 26. Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].
- 27. Rules-18 CUP and DVP Revisions.** The approval by County decision-makers of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.
- 28. Rules-21 CUP Revisions-Change of Use.** Any change of use in the proposed structure shall be subject to appropriate environmental analysis and review by the County including Building Code compliance.
- 29. Rules-23 Processing Fees Required.** Prior to issuance of a Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 30. 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.
- 31. 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.
- 32. 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.

33. Rules-29 Other Dept and Agency Conditions. Compliance with Departmental/Division/Agency letters required as follows:

- a. Air Pollution Control District dated 5/26/20;
- b. Environmental Health Services Division dated 5/27/20;
- c. Fire Department dated 3/22/16;
- d. Flood Control Water Agency dated 5/4/16;
- e. General Services, County Parks dated 8/4/20;
- f. Project Clean Water dated 3/24/16;
- g. Public Works, Transportation Division dated 8/12/20;
- h. Laguna County Sanitation District Availability letter dated 6/2/20; and
- i. Golden State Water Company Preliminary Can and Will Serve letter dated 6/2/20

"ATTACHMENT B-5: CONDITIONS OF APPROVAL"

OASIS OFF-SITE SIGN CONDITIONAL USE PERMIT

Case No. 17CUP-00000-00013 APN 105-020-041

- 1. Proj Des-01 Project Description.** This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked B5-1, dated September 11, 2020, 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:

This Conditional Use Permit is for an off-site directional sign. The sign will be located on APN 105-020-041, near the proposed OASIS driveway on Foxenwood Lane and outside of the road right-of-way. The sign is proposed to identify the OASIS driveway and proposed new OASIS facility, which will be located on APNs 105-020-063, and -064. The proposed sign received conceptual review by the North Board of Architectural Review (NBAR) on December 15, 2017.

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 would 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.
- 3. Directional Sign.** The Owner/Applicant shall submit a Sign Plan to P&D and Public Works with details including dimensions, colors, materials, lighting, and location. Photos from Foxenwood Lane and east and westbound Clark Avenue shall be included showing view of poles or other material representing the sign location and parameters and views into KS18. **Plan Requirements and Timing:** The Sign Plan shall be submitted to P&D for P&D and NBAR review and approval prior to zoning clearance and shall submit same to Public Works, included on the road improvement plans to ensure the sign does not impact line of sight or safety issues for vehicles, bicycles or pedestrians along Foxenwood Lane and the project driveway. The sign shall receive P&D and Public Works sign-off prior to zoning clearance.

COUNTY RULES AND REGULATIONS

4. **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, and materials) shall be compatible with vicinity development and shall conform in all respects to BAR approval. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance.

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

5. **Rules-01 Effective Date-Not Appealable to CCC.** This Conditional Use Permit 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].
6. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until all necessary planning and building permits are obtained. Before any Permit would 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.
7. **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.
8. **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.
9. **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Zoning Clearance within the five (5) years following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within the five (5) years following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code, and an application for an extension has not been submitted to the

Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.

10. **Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].
11. **Rules-18 CUP and DVP Revisions.** The approval by the Zoning Administrator of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.
12. **Rules-23 Processing Fees Required.** Prior to issuance of a Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
13. **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.
14. **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.
15. **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.

ATTACHMENT B-6

DEPARTMENT AND AGENCY CONDITION LETTERS