

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:

Prepared on: 11/25/03
Department Name: P&D
Department No.: 053
Agenda Date: 12/9/03
Placement: Department
Estimate Time: 2.5 Hours
Continued Item: NO
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TO: Board of Supervisors

FROM: Val Alexeeff, Director Planning and Development

STAFF CONTACT: John Zorovich, Planner III (934-6297)
John Karamitsos, Supervising Planner (934-6255)

SUBJECT: Rice Ranch Project, Planning and Development Case numbers: 97-SP-001, TM 14,636, TM 14,430, 03DVP-00000-00009, -00010, -00011, -00012, -00013, and – 00014, 03RZN-00003, 03ORD-00000-00008, -00011

Recommendation(s): Consider the Planning Commission's recommendation for approval and acting as the Board of Supervisors;

- a. Adopt ordinance 03ORD-00000-00011 included as **Attachment U**, found in the Planning Commission staff report dated October 1, 2003, approving 97-SP-001, the Rice Ranch Specific Plan.
- b. Adopt the required findings for the project specified in **Attachment A** found in the Planning Commission Action Letter dated November 18, 2003, including CEQA findings and any modifications made at the October 22, 2003 Planning Commission Hearing.
- c. Certify 03-EIR-05 as adequate environmental review for the project.
- d. Approve TM 14,430 subject to the conditions included as **Attachment B**, found in the Planning Commission Action letter dated November 18, 2003.
- e. Approve TM 14,636 subject to the conditions included as **Attachment C** found in the Planning Commission Action letter dated November 18, 2003.
- f. Approve 03DVP-00000-00009 subject to the conditions included as **Attachment C, D and E** found in the Planning Commission Action letter dated November 18, 2003.
- g. Approve 03DVP-00000-00010 subject to the conditions included as **Attachment C, D and F**

found in the Planning Commission Action letter dated November 18, 2003.

- h. Approve 03DVP-00000-00011 subject to the conditions included as **Attachment C, D and G** found in the Planning Commission Action letter dated November 18, 2003.
- i. Approve 03DVP-00000-00012 subject to the conditions included as **Attachment C, D and H** found in the Planning Commission Action letter dated November 18, 2003.
- j. Approve 03DVP-00000-00013 subject to the conditions included as **Attachment C, D and I** found in the Planning Commission Action letter dated November 18, 2003..
- k. Approve 03DVP-00000-00014 subject to the conditions included as **Attachment C, D and J** found in the Planning Commission Action letter dated November 18, 2003.
- l. Adopt the ordinance included as **Attachment K**, found in the Planning Commission Staff report dated September 10, 2003, approving 03RZN-00003 to rezone 2 parcels created by TTM 14,430 from “PRD” to “PI” for public school use; and to rezone 5 parcels created by TTM 14,430 from “PRD” to “REC” for public park use.
- m. Adopt the mitigation monitoring and reporting plan contained within the conditions of approval, found in the Planning Commission Action letter dated November 18, 2003.

Acting as the Board of Supervisors, Board of Directors of the Flood Control and Water Conservation District, Board of Directors of the Water Agency and Board of Directors of the Laguna County Sanitation District:

- n. Adopt the ordinance (03ORD-00000-00008) included as the attachment found in the County Counsel memorandum provided for the hearing of December 9, 2003 approving the Development Agreement to allow the applicant to develop under County rules, regulations and ordinances in effect at the time of final action is taken for a period of 15 years in exchange for offers to dedicate open space and dedicate and construct trails and parks to the County and dedicate to the Orcutt Union School District, the school parcels, and provide affordable housing, exceeding the Housing Element requirements, upon recordation of the Final Tract Map 14,636.

The application involves AP Nos. 101-010-013, 105-140-016 and 101-020-004 located along the south side of Stubblefield and Rice Ranch Roads in the southeastern portion of the Orcutt community, Fourth Supervisorial District.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

On October 22, 2003, the Planning Commission approved a motion to recommend that the Board of Supervisors approve the Rice Ranch Project. Implementation of the Rice Ranch project includes requests for approval of a Specific Plan (SP), a Rezone (RZ), a Tentative Tract Map (TM), a Master Tentative Tract Map (MTTM) a Development Agreement, and six Final Development Plans (DP). Approval of the Rice Ranch Specific Plan would designate 203 acres of area for residential use and 343 acres as open space area. Additional passive and active recreational uses would include a 26-acre community park and four neighborhood parks totaling approximately 7 acres. Proposed school expansion areas totaling 12 acres would be dedicated to the Orcutt Union School District for future school development, and would be zoned Professional/Institutional (PI). Tentative Tract Map #14,430 would divide 626 acres into 467 parcels for residential, open space, recreational and school uses. Master Tentative Tract Map #14,636 would create 10 legal lots that can be conveyed to builders, government entities, or other third parties. The six Final Development Plans (03DVP-00000-00009, -00010, -00011, -00012, -00013, -00014) would provide for future buildout of five residential neighborhoods, including 146 affordable units on the residential lots and the community park.

I. PROJECT HISTORY
A. Orcutt Community Plan

The Rice Ranch project represents several years of detailed analysis and planning of the project site, identified as Key Site 12 of the Orcutt Community Plan(OCP). The Planned Development (PD) and Planned Residential Development (PRD) designations on the project site were originally established in the 1980 county-wide comprehensive plan update. Prior to adoption of the OCP, the PD/PRD designation provided for a maximum of 600 units on a 128 acre developable area fronting Rice Ranch, Bradley, and Stubblefield Roads. The OCP retained these designations but allows for construction of up to 725 residential units of various densities, clustered on a maximum total of 250 acres. The site was also deemed eligible to receive development credits from other sites in the County allowing their transfer to the Key Site in order to raise the potential allowable development on the site from 725 to 825 residential units. The PRD zone was retained for the project site because it allows for the clustering of development away from sensitive resources, allows the mixing of housing types (e.g., single family homes and condos), and also requires that a minimum of 40% of the site be held in public and/or private open space.

B. Project Setting

The 626-acre project site is located in the southeastern portion of the Orcutt community in unincorporated Santa Barbara County, within the Fourth Supervisorial District. The property is located on the south side of Stubblefield and Rice Ranch Roads. The northernmost 586 acres of the site are within Key Site 12, as described in the County's Orcutt Community Plan (adopted July 22, 1997). The remaining approximately 40 acres of open space of the specific plan area would be reconveyed to the prior owner. The project site is at the southernmost edge of existing urban development within Orcutt. The existing Comprehensive Plan designation for the site is Urban, PD (Planned Development) and Rural, AG-II-100 (Agriculture 100 acres minimum lot size). The project site is zoned PRD (Planned Residential Development) Article III Zoning Ordinance). The site is bounded on the north and west by existing residential development within Orcutt, while oil fields and grazing lands are located to the

south and east. Figures depicting the project site and the surrounding area, as well as project components are found in the Planning Commission staff report dated September 10, 2003.

C. Entitlements

Implementation of the proposed project would require the approval of eleven separate entitlements. A brief description of each entitlement is described below. A more thorough discussion of each entitlement is provided in the Final SEIR.

Specific Plan 97-SP-001

The proposed project requests approval of 725 residential units (466 single family detached, 259 attached units in buildings of 2 to 5 units, and 19 single family detached condominiums). The Rice Ranch Specific Plan would designate approximately 203 acres of the area as residential, with densities varying from 3 to 12 units per acre; the average density would be 3.6 units per acre, and would be zoned as Planned Residential Development (PRD). Open space designations would cover approximately 375 acres. Approximately 343 acres of open space would be offered for dedication to the County of Santa Barbara. Additional passive and active recreational uses would include a 26-acre community park and four neighborhood parks totaling approximately 7 acres, and would be zoned Recreation (REC). Proposed school expansion areas located adjacent to the existing Pine Grove Elementary School totaling 12 acres would be dedicated to the Orcutt Union School District for future school development, and would be zoned Professional/Institutional (PI). A detailed project description is provided in the Planning Commission staff reports dated September 10 and October 1, 2003.

Master Tentative Tract Map TM 14,636

TM 14,636 provides for recordation of a Large Lot Conveyance Map (LLCM). A LLCM is a type of parcel map that creates legal lots that can be conveyed to builders, government entities, or other third parties. The boundaries of the lots roughly correspond to the five residential neighborhoods and open space areas. Master TM 14,636 would not authorize construction; developers of each of the five residential neighborhoods would have to file final maps demonstrating full compliance with both the TTM and dedication of improvements before actual construction. Pursuant to Master TM 14,636, the new school site and Pine Grove extension site would be offered for dedication to the Orcutt Union School District, and the open space and park land would be offered for dedication to the County of Santa Barbara at the time of recordation. The developer would also post a security for the construction of certain trails and the community park.

Tract Map 14,430

Tentative Tract Map (TTM) 14,430, is a part of the project and has been processed concurrently with the Rice Ranch Specific Plan. The three existing parcels onsite would be divided into 467 lots for residential, open space, recreational, and school uses.

Development Agreement

The Development Agreement (03ORD-00000-00008) for the Rice Ranch project would require the applicant to offer for dedication to the County all park and open space land upon recordation of TM 14,636. It would also require the applicant to offer for dedication to the Orcutt Union School District the school parcels upon recordation of TM 14,636. Also, the applicant is offering 10% more affordable

housing (73 units). These dedications are in excess of that which was required as a condition of the rezone in 1997. In exchange, the project is entitled to develop under the County’s rules, regulations, and ordinances in effect at the time the Development Agreement is approved for a period of 15 years. Fees will be limited to the types of fees in place at the time of approval, but not the amount. County Counsel’s office will be submitting a memorandum and a copy of the development agreement under separate cover prior to the December 9, 2003 hearing.

Development Plans 03DVP-00000-00009, -00010, -00011, 00012, -00013, and -00014

The six Final Development Plans would provide for future build-out of up to 725 residential units, including a total of 146 affordable and work force units, on the residential lots subject to the individual neighborhood design guidelines. Condition #50 requires that the affordable units be built concurrently with the market rate units. The Development Plans would also provide for all tract grading, installation of tract roads, public services and utilities, landscaping, parks and trail amenities, opens space restoration and onsite retention basins. A summary of the project is provided in Table 1 below. A more thorough discussion of the project is provided on pages 7-11 of the October 1, 2003 Planning Commission staff report (Attachment D).

Table 1. Rice Ranch Specific Plan Residential Neighborhood Land Use Characteristics

Neighborhood	<i>Total Acres</i>	<i>Total Units</i>	<i>SFD Acreage</i>	<i>SFD Units; Effective Density</i>	<i>MF Acreage</i>	<i>MF Units; Effective Density</i>	<i>Undeveloped Open Space Acreage</i>	<i>Parks Acreage</i>	<i>School Acreage</i>	<i>Overall SFD and MF Comb. Density</i>
The Oaks	55.5	152	42.2	152; 3.6 DU/ac	0.0	NA	0.0	1.3	12.0	3.6 DU/ac
Pine Creek	114.2	202 [☆]	12.1	43; 3.6 DU/ac	14.5	159; 11.0 DU/ac	61.6	26.0	0.0	1.8 DU/ac
The Meadow	50.6	162 [△]	31.1	90; 2.9 DU/ac	11.4	72; 6.3 DU/ac	6.81	1.3	0.0	3.2 DU/ac
The Grove	72.3	69	13.6	22; 1.6 DU/ac	8.8	47; 5.3 DU/ac	48.6	1.3	0.0	0.95 DU/ac
Valley View	287.5	140	48.4	140; 2.9 DU/ac	0.0	NA	226.3	2.8	0.0	0.5 DU/ac
TOTAL	580.1	725	147.4	447; 3.0 DU/ac	34.7	278; 8.0 DU/ac	343.3	32.7	12.0	1.2 DU/ac

SFD Single family residences
 MF Multiple family residences
 △ Would potentially include voluntary market-rate affordable units

II. ENVIRONMENTAL REVIEW

A. Orcutt Community Plan Environmental Review

The Orcutt Community Plan Program EIR identified Class I unavoidable significant impacts for Key Site 12, the project site, in the areas of: biology, agriculture, geology/soils, water resources and visual/aesthetics. Mitigation measures identified to minimize impacts were incorporated as Policies and Development Standards in the Board of Supervisors-adopted Orcutt Community Plan.

Pursuant to CEQA Guidelines Sections 15091, the Board of Supervisors found that to the extent the identified Class I impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, and other considerations set forth in the Statement of Overriding Considerations (Section V of the Orcutt Community Plan Final Findings and Statement of Overriding Considerations; July 22, 1997). These findings are made in section IV. f. of Attachment A.

B. Previous Project Submittal

A proposed development of 793 units under the same permit application was evaluated in a previous SEIR (County of Santa Barbara, 2000). This SEIR was presented to the Santa Barbara County Planning Commission, but was not certified. As a result of the Planning Commission's deliberations, the project description was revised to reduce buildout to 725 residential units. Other major project revisions made since the previous submittal include:

- Reduction of oak tree removal from 71 to 19;
- elimination of housing development (and road creek crossing) south of the Pine Canyon Creek drainage;
- relocation of the proposed school site from the south of the Bradley Road/Stubblefield Road intersection to west of the existing Pine Grove Elementary School;
- expansion of open space to be dedicated to Santa Barbara County from 338 acres to approximately 343 acres;
- modification of proposed trail system to avoid sensitive vegetation and wildlife habitat; increase retention of eucalyptus, coast live oak and cypress tree stands;
- expansion of dedicated parkland from 14 acres to 33 acres, including a 26 acre community park and 4 smaller neighborhood parks; and
- elimination of large detention basins site in a sensitive wetland and riparian scrub habitat with two smaller basins in non-sensitive upland habitat.

C. Current Environmental Review

The Supplemental EIR prepared for the current project (03-EIR-05) has been tiered off the Orcutt Community Plan Program EIR (95-EIR-01) pursuant to CEQA Section 15385. The draft SEIR (03-EIR-05) was circulated for public review from March 26, 2003 to May 27, 2003. During the review period, a public hearing was conducted at the Santa Maria Board of Supervisors Hearing Room on April 28, 2003. Comments received at the hearing are included in the final SEIR.

Impacts

As a result of this project significant and unavoidable effects on the environment are anticipated in the following categories: noise, air quality, aesthetics/visual resources, biology, public services (solid waste services) and land use/agricultural resources. Impacts that can be reduced to a less than significant level were identified in the issue areas of biology, cultural, land use/agricultural resources, geology, drainage and water quality, transportation, noise, risk of upset, recreation/open space, public services (waste water, school and library facilities), aesthetic/visual and fire protection resources. A summary discussion of the environmental impacts that were identified by the Final SEIR is provided on pages 32-36 of the Planning Commission staff report dated September 24, 2003 (Attachment E). Please refer to 03EIR-05 for a complete evaluation of environmental impacts that would result from the proposed project.

Alternatives

The Final SEIR prepared for the Rice Ranch project analyzed five project alternatives. Alternatives 1, 2, and 3, (The No Project Alternative, Transfer of Development Credits and Clustered Development Alternative and Neighborhood Commercial Alternative, respectively) were generally determined to be less environmentally favorable to the proposed project because buildout under these alternatives would result in a more intensified use of the project site or provide for a larger building envelope which would result in more disturbance to biological resources. The SEIR concluded that Alternative 4, the Reduced and Redesign Alternative, would have the greatest ability to minimize potentially significant environmental impacts associated with the proposed project. However, Alternative 4 would not satisfy the objective of 725 residential units identified in the OCP for Key Site 12. Additionally, Alternative 4 would substantially reduce the community park acreage, and not achieve the market rate-housing and affordable housing goals established in the OCP. Comments were received on the Draft SEIR which suggested ways in which this alternative could be made even more environmentally superior. The result is Alternative 4a, a Redesign and Clustered Alternative. Alternative 4a would also be environmentally preferable to the proposed project, as it would substantially reduce impacts in relation to the reduced number of proposed detached single family residences. It is important to note that the proposed project and Alternative 4a retain the 26-acre community park design in its entirety, whereas under Alternative 4, the community park is reduced to 7 acres. Additional comparison analysis between the proposed project and Alternative 4a is provided on pages 7-11 of the October 1, 2003 staff report (Attachment D).

During the September 24 Planning Commission hearing, staff presented Alternative 4a as the optimal development scenario for the project site. At that hearing the Planning Commission approved a motion to conceptually support the project as described in Alternative 4a of the Final SEIR. A revised set of findings, and conditions of approval that reflect the project described in Alternative 4a was confirmed by the Planning Commission on October 22, 2003. Additionally, an evaluation of the applicable policies of the Comprehensive Plan and the Orcutt Community Plan was conducted for the project described in Alternative 4a. This analysis is provided on pages 12-63 in the Planning Commission staff report dated October 1, 2003 (Attachment D). The evaluation concluded that with the implementation of proposed conditions of approval, the project would be consistent with each of the applicable policies.

There have been several opportunities for residents of the project area and other interested parties to review and comment on the Rice Ranch project prior to this Board hearing. Those opportunities have included EIR scoping and comment meetings, a Planning Commission workshop (conducted on June 30, 2003) to provide general comments regarding the project, and three Planning Commission hearings (conducted on September 24, October 8, and October 22, 2003). Fifteen comment letters were received during the Planning Commission hearings (Written comment letters received on the project are included as Attachment G). Ten of the fifteen letters received expressed support for the project, four letters expressed concern for the project with respect to county visual policy #3, OCP open space policies, and non-native grasslands. One letter was provided by the applicant suggesting revisions and clarifications to a few of the conditions of approval and the findings.

Comments in support of the project have generally indicated that additional housing is needed in the Orcutt area and that an adequate housing stock is needed to attract businesses to the community. Commentors have also praised the project for providing a community park and for providing housing at a site that does not result in the conversion of prime agricultural land.

III. ISSUES

A. Non-native Grasslands

The most commonly expressed concern about the project during the Planning Commission recommendation process has been the potential impact to approximately 225 acres of non-native grasslands (used as foraging habitat for sensitive species). Pursuant to OCP DevStd. BIO-1.8, which requires development to restore or enhance like kind habitat whether onsite or off site, staff presented several options to the Planning Commission for mitigating this impact. Options discussed included: 1) preservation of onsite habitat, 2) dedication of Key Site 30 to the County, 3) off site restoration/enhancement of comparable habitat; and/or, 4) a monetary contribution to the county that would be used to protect comparable habitat within the Orcutt Planning Area. The Planning Commission selected preservation of onsite non-native grasslands and the acceptance of Key Site 30¹ as partial mitigation. The Planning Commission also suggested that the Board consider requiring the applicant to grant to the county an open space easement on other comparable grassland habitat within the Orcutt Planning Area. The Planning Commission did not direct staff to pursue the monetary contribution option because the county does not currently have a mitigation bank program in place to accept the contribution.

On November 12, 2003, the applicant submitted a non-native grassland mitigation report for the project site to the County that qualitatively evaluates the non-native grassland habitat that is proposed for: 1) removal, 2) preservation, and 3) partial mitigation (Key Site 30). The county biologist has reviewed the report and has determined that the methodology outlined in the report is reasonable and meets established ecological principles. In summary, the report concludes that the project would remove approximately 219 net acres of non-native grasslands. The report also concludes that 85 acres of non-native grasslands would be protected onsite, leaving a shortfall of 134 acres that must be mitigated. To address the shortfall, the applicant has offered to obtain a 134 acre open space easement of comparable land within the Orcutt Planning Area and

¹ Key Site 30 is a 78-acre rectangular parcel located in central Orcutt. The OCP notes that the parcel contains some of the best remnants of Orcutt Terrace dune scrub vegetation remaining in the Orcutt Planning Area and provides habitat for a number of rare plant and animal species.

dedicate it to the county. The applicant would prefer to obtain this easement rather than offer Key Site 30, in order to offer the most biological preferable mitigation while allowing the citizens of Orcutt an opportunity to obtain other community priorities.

According to the Non-native grassland report, Key Site 30 has numerous positive characteristics that make it attractive as a “mitigation site”. Key Site 30 is relatively close to the Rice Ranch project site (1.2 miles north), supports a large population of prey species, and is part of a semi-contiguous open space corridor that is potentially important to local wildlife. The report concludes that permanent protection of Key Site 30 would provide 78 acres of mitigation credit fulfilling partial mitigation for impacts to non-native grasslands on the Rice Ranch project site. If your Board decides to accept Key Site 30 as partial mitigation, and agrees to give the applicant full credit for the 78-acre site, then the amount of acres that the applicant would still need to obtain and dedicate to the county (to fully mitigate the impact to non-native grasslands) would be reduced from 134 acres to 56 acres.

It is important to recognize that the current zoning of Key Site 30 would allow residential development to occur on the northeast and southwest corners of the site, and would allow recreational use in the center of the site. Any development of the site, including residential/commercial on the corners or active recreational use (sport fields, etc) in the center, would seriously limit its functional value for wildlife, including raptors. The report further concludes that the full-credit mitigation assessment assumes dedication of all of Key Site 30 as protected natural open space.

As noted above, under current zoning Key Site 30 does have some development potential. Accepting Key Site 30 in its entirety as a “mitigation site” would essentially remove any future development potential on the site. Concern has been expressed that this site is an important component of their community. Another option that your Board may want to consider is to refuse the applicant’s offer of Key Site 30 and require the applicant to find another site within the Orcutt Planning Area as mitigation to non-native grassland impacts. The advantage of this option is that it would allow for future development on portions of Key Site 30. Additionally, from a biological perspective, it would be more beneficial to require the dedication of one 134-acre site rather than obtaining two or more smaller sites possibly located in several different areas of the Orcutt Planning Area.

B. Adequate parking for the community park, incompatibility with adjacent agricultural lands and trespassing to adjacent Oakhill Country Estates

Other issues that were raised at the meetings and hearings included potential incompatibility with adjacent agricultural lands located south of the project site, increased potential for trespassing to the adjacent Oakhill Country Estates neighborhood, and the adequacy of parking spaces at the proposed community park.

A discussion of these issues is provided for in the policy consistency analysis, and the staff reports and follow-up memos that were prepared for the Planning Commission.

The staff reports/memos from the September 24, 2003, October 8, and October 22, 2003 Planning Commission hearings are included as Attachments B C, D E, and F. Table 2 below identifies the primary discussion topics provided in each of the staff reports/memos.

Table 2

PC Staff Report/Memo Date	Primary Discussion Topics
September 10,2003	PC Workshop Follow-up, Project Description, Alterative 4a, Policy Consistency analysis, findings, conditions of approval.
September 24, 2003	Minor clarifications to 9/10/03 staff report.
October 1, 2003	Non-native grasslands, compatibility with adjacent agricultural lands, comparison analysis of the proposed project and Alternative 4a, revised policy consistency analysis, findings, conditions of approval.
October 15, 2003	Non-native grasslands, revised findings, conditions of approval
October 22, 2003	Revised Class I Finding for Impact BIO-3.2a: (non-native grasslands)

IV. REVISION TO CONDITIONS OF APPROVAL

Staff is suggesting minor revisions to conditions of approval 12M/108 and 16M./20./112.² to reflect that restoration must be completed as specified in the Open Space Habitat Management and Restoration Implementation Plan (OSHRIP). Staff also requesting minor clarification changes to condition 7M and 33M. Provided below are also suggested revisions to condition 49 from County Counsel’s office. This condition addresses the affordable housing requirements for the project. Additions and deletions are depicted in underline and strikeout from, respectively.

7M. **NOI-2.1** A Truth-in-Sales notice, describing potential nuisance noise from ongoing oil operations and aircraft over-flight, shall be required for all new homes within the Rice Ranch Specific Plan. **Plan Requirements:** Notice shall be provided to all potential home buyers. **Timing:** ~~The following applicant shall submit the buyer notification to Planning and Development prior to recordation of any final map.~~ The buyer notification shall be recorded on a separate information sheet with the final map. **MONITORING:** P&D shall ensure that the notice is prepared and circulated during home sales.

12M./108. **REC-1.3** McCadden Development LLC, or its successor in interest shall complete a Master restoration program to protect habitat within open space areas that are identified in the Open Space Habitat Management Restoration and Implementation Plan. Plan Requirements: McCadden Development LLC, or its successor in interest shall complete the Master Restoration Program as approved or amended by the County Biologist, per the timing specified in the OSHRIP. prior to certificate of occupancy for the first phase of development. Timing: The final Master restoration program shall be reviewed and approved by the County Parks Department and P&D prior recordation of the Master Tract Map.. A performance security bond for completion of the Master Restoration Program shall also be posted prior to recordation of the Master Tract Map. **MONITORING:** The County of Santa Barbara shall site inspect in the field throughout the implementation and maintenance periods to ensure compliance with the restoration program in the OSHRIP OSHP, or as modified by the County Biologist. The County shall determine successful completion of habitat restoration and when cessation of maintenance can occur per the criteria in the OSHRIP OSHP.

16M./20./112. **REC-1.9** The Specific Plan shall include a landscape, open space management, and habitat protection plan approved by P&D and County Parks. This plan shall:

² Conditions 12M and 108 are identical but have timing requirements that are applicable to the Master Tract Map (14,636) and the Final Development Plans. Conditions 16M, 20, and 112 are also identical but have timing requirements that are applicable to the Master Tract Map (14,636), the Tentative Tract Map (14,430) and the Final Development Plans.

- (a). Identify methods for the long term management, protection and enhancement of habitats within the open space onsite, including protection of wildlife corridors;
- (b). Identify methods to protect and enhance habitats including, but not limited to, installation of landscape buffers of native trees and shrubs, restoration of degraded habitats, use of fencing to protect wildlife corridors, use of signs, etc;
- (c). Include habitat restoration of sandhill chaparral with focus on rare plants;
- (d). Design development in open space areas to maintain habitat continuity between grassland, oak woodland, sandhill chaparral, and coastal sage scrub;
- (e). Include unified landscape themes protecting and enhancing open space corridors and the site's semi-rural character through use of native trees, plants, and other appropriate species;
- (f). Include perimeter landscaping, including center and roadside median plantings and street trees. This landscaping shall be of sufficient density to break up building masses and partially screen development and rear yards from surrounding roads and neighborhoods. The project landscaping plants shall be oriented toward maintaining the semi-rural character of the site (i.e. use of natives and informal plantings) and provide screening while maintaining key view corridors; and
- (g). Ensure that the open space "neck" in the eastern mesa is a minimum of 200 feet wide.

Plan Requirements and Timing The final OSHRIP ~~OSHRIP~~, including the Landscape Plan, shall be prepared by a Planning and Development qualified biologist and reviewed by P&D prior to the Board of Supervisors final approval of the Specific Plan. Prior to Master Tract Map recordation, McCadden Development LLC, or its successor in interest, shall submit to P&D for review and approval habitat restoration and landscape plans that depict areas identified in the OSHRIP ~~OSHRIP~~ to be restored as either Master or Neighborhood restoration areas, and shall file a receipt of evidence of posting performance securities for each area that are acceptable to P&D. All aspects of the Plan shall be implemented as approved, or modified by the County Biologist. Master Open space habitat restoration plantings shall be completed per the timing specified in the OSHMRIP ~~prior to the issuance of occupancy clearance for the first residence of the first residential neighborhood phase~~. Neighborhood restoration areas, and perimeter and street frontage landscaping, that is a part of the landscape theme for individual neighborhoods shall be depicted on the neighborhood landscape plans. These neighborhood landscape plans shall be prepared by the project developer and submitted to P&D for review and approval prior to land use clearance for each neighborhood Final Development Plan. Prior to map recordation, the developer for the individual neighborhood shall file a receipt of evidence of posting a performance security that is acceptable to P&D. **MONITORING:** The County shall periodically inspect the landscaping area in the field over time to ensure habitat vegetation establishment and compliance with approved plans, or as modified by the County Biologist. The County shall determine successful completion of habitat restoration and when cessation of maintenance can occur, per the criteria in the OSHRIP ~~OSHRIP~~.

- 33M. To provide consistency with OCP Policy FSCL-O-2 and OCP Development Standard FSCL-O-2.2, the applicant shall apply to annex KS-30 into the Orcutt Community Facilities District prior to recordation of Master Tract Map 14,636, if KS-30 is used to meet all or part of the requirements of Condition #6M.

49. 73 dwelling units (10% of the total number of proposed units) shall be provided at sale prices affordable to low-income with an affordability target of up to 75% of median income, consistent with the Housing Element and the Housing Element Implementation Guidelines. **Plan Requirements and Timing:** Prior to Final Tract Map recordation, the applicant or project developer shall enter into and record an Agreement to provide affordable housing Resale Restrictive Covenant and Pre-emptive Right with the County of Santa Barbara, agreeing to provide 73 affordable units at sale prices affordable to low-income households, as required by the Housing Element and Housing Element Implementation Guidelines for the Santa Maria Housing Market Area. The Agreement to Provide shall require that purchasers of the affordable units execute a Restrictive Covenant and Pre-emptive Right which shall be recorded against the units at the time of purchase. The Agreement and Covenant shall specify that the affordable units remain affordable for a period of 30 years unless preempted by state or federal programs and shall be based upon the County's model agreement and covenant. Both shall be subject to review and approval by Planning & Development, Housing and Community Development Treasurer and County Counsel. These documents shall specify affordability consistent with the terms described above and shall include provisions describing marketing and lottery requirements for the initial sale of units. Income eligibility of prospective renters shall be determined by the County or its designee. An intent to reside statement shall be required for potential purchasers of the affordable units. The maximum sales price for the affordable units shall not exceed the maximum levels established by the Board of Supervisors, consistent with the provisions of the Housing Element.

The applicant for the Rice Ranch project shall include an additional 10% of the units approved for Work Force Housing. These units would be available only to ~~for~~ first time homebuyers whose earnings place them above qualification for moderate income units as defined in the County's existing Affordable Housing Program, but who earn less than 150% of median area income. Of these 73 additional units, 50 would be priced to be affordable to individuals and families that earn up to 120% of median area income; 23 units would be priced restricted to be affordable to individuals and families that earn up to 150% of median area income. **Plan Requirements and Timing:** Prior to Final Tract Map recordation, the applicant or project developer shall enter into and record an Agreement to Provide Affordable Housing with the County of Santa Barbara, agreeing to provide 73 affordable units at sale prices affordable to individuals and families that earn up to 120% of median area income as provided by the Housing Element and Housing Element Implementation Guidelines for the Santa Maria Housing Market Area, and 23 units at sale prices affordable to 150% of median area income. The Agreement to Provide shall require that purchasers of the affordable units execute a Restrictive Covenant and Pre-emptive Right which shall be recorded against the units at the time of purchase. These units would be dispersed throughout the Meadow and Pine Creek condominium areas. The ~~a~~Agreement and ~~e~~Covenant shall specify that the affordable units remain affordable for a period of 30 years unless preempted by state or federal programs and shall be sold to qualified households at prices as established by the Board of Supervisors.

Mandates and Service Levels:

The proposed project includes eleven companion discretionary cases. Pursuant to § 35-292d of the Article III Zoning Ordinance, and Chapter 21-6c of the Subdivision Ordinance, jurisdiction over two or more applications relating to the same development project rests with the highest level decision maker for any of the individual applications. While the Tract Maps, Development Plans are subject to

consideration by the Planning Commission pursuant to §21-6 of Chapter 21, Article 1 (Subdivision Regulations) and §35-317.2.1 of Article III (Zoning Regulations), the Rezone and Specific Plan applications fall under the jurisdiction of the Board of Supervisors pursuant §35-325.4.3 and 35-318.4 of Article III, respectively. Therefore, the final decision maker on each of the eleven discretionary cases is the Board of Supervisors.

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation. Mailed notice required to property owners within 1,000 feet of the project, including the real property owners, project applicant, persons or agencies who have provided comments regarding the project and/or EIR, persons who had requested to be placed on the noticing list, and local agencies expected to provide essential services, shall be done at least ten days prior to the hearing (Government Code Section 65091).

Fiscal and Facilities Impacts:

Any outstanding permit processing fees will be paid by the applicant prior to P&D sign-off of the final map.

Special Instructions:

The Clerk of the Board shall forward a copy of the Minute Order to Planning and Development, Hearing Support Section, Attn: Cintia Mendoza. The Clerk of the Board shall also record a copy of the Development Agreement with the County Recorder no later than 10 days after the Agreement is executed

Planning & Development will prepare all final action letters and otherwise notify all concerned parties of the Board of Supervisor's final action.

Concurrence:

County Counsel

Attachments:

Attachment A	Planning Commission Action Letter dated November 18, 2003
Attachment B	Memo to the Planning Commission dated October 22, 2003
Attachment C	Memo to the Planning Commission dated October 15, 2003
Attachment D	Memo to the Planning Commission dated October 1, 2003
Attachment E	Memo to Planning Commission dated September 24, 2003
Attachment F	Planning Commission Original Staff Report dated September 10, 2003
Attachment G	Public Comment Letters