



COUNTY OF SANTA BARBARA CALIFORNIA

MONTECITO PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
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September 18, 2020

Santa Barbara County Public Works
Morgan M. Jones
123 E. Anapamu Street
Santa Barbara, CA 93101

City of Santa Barbara Public Works
Engineering Division
Laura Yanez
630 Garden Street
Santa Barbara, CA 93101

MONTECITO PLANNING COMMISSION
HEARING OF SEPTEMBER 16, 2020

RE: Olive Mill Roundabout; 19DVP-00000-00024, 19CDP-00000-00048

Hearing on the request of County Public Works and City of Santa Barbara Public Works to consider the following:

- a) **19DVP-00000-00024** [application filed on April 9, 2019] for approval of a Development Plan in compliance with Section 35-174 of Article II, the Coastal Zoning Ordinance, on land zoned TC (Transportation Corridor), to reconfigure the intersection at Coast Village Road, North Jameson Lane, Olive Mill Road, and Highway 101 from a stop controlled intersection to a roundabout. The project would include new sidewalks, landscaping, lighting, signage, and drainage facilities. Grading would include 1,400 cubic yards of cut and 2,000 cubic yards of fill. The project would require the removal of 50 trees and replacement of those trees at a 3:1 ratio. Water for proposed landscaping would be provided by the Montecito Water District.
- b) **19CDP-00000-00048** [application filed on April 9, 2019] for a Coastal Development Permit in compliance with Section 35-169 of Article II, the Coastal Zoning Ordinance on land zoned TC, for improvements described under 19DVP-00000-00024, above; and
- c) The Addendum (dated July 2020) to the Environmental Impact Report (EIR) prepared for the Caltrans Highway 101 HOV project (including the EIR dated August 26, 2014, revised EIR dated October 27, 2017, and EIR Addendum dated June 1, 2018) (the EIR) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA). The EIR found potentially significant and unmitigable (Class I) effects on the environment for project-specific and cumulative Visual Resource impacts and Transportation/Circulation impacts. The EIR found potentially significant but mitigable (Class II) effects on the environment in the following categories: Biological Resources, Cultural Resources, Noise, Paleontology, and Water Quality. All documents associated with this project may be reviewed online at <https://www.countyofsb.org/plndev/hearings/mpc.sbc>

This project site is located at the intersection of Coast Village Road, North Jameson Lane, Olive Mill Road, and Highway 101 in the Montecito Community Plan Area and City of Santa Barbara, First Supervisorial District. (Continued from 8/20/20)

Dear Mr. Jones and Ms. Yanez:

At the Montecito Planning Commission hearing of September 16, 2020, Commissioner Newman moved, seconded by Commissioner Keller and carried by a vote of 5 to 0 to:

1. Make the required findings for approval of the project specified in Attachment A of the staff report dated July 28, 2020, including CEQA findings;
2. After considering the environmental review documents included as Attachment C (Addendum dated July 2020 together with the previously certified EIR dated August 26, 2014, the Revised EIR dated October 27, 2017, and the EIR Addendum dated June 1, 2018) of the staff report dated July 28, 2020, determine that as reflected in the CEQA findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project; and
3. Approve the project, Case Nos. 19DVP-00000-00024 and 19CDP-00000-00048, subject to the conditions included as Attachment B of the staff report dated July 28, 2020, as modified at the hearing of September 16, 2020.

The following condition was modified:

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 7:30 a.m. and 4:30 p.m, Monday through Friday, with the exception that limited work after hours is permitted under limited circumstances, and with at least two business days' prior notice to affected property owners, where required in order to avoid major traffic disruption associated with full closure of the intersection, as determined by the resident engineer. To the maximum extent feasible, noisier construction tasks exceeding 87dBA within 50 feet of residential areas shall be limited to weekdays from 7:30 a.m. to 4:30 p.m. Non-noise generating construction activities 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. The resident engineer shall notify the Caltrans District 5 Public Information Officer (PIO) to place notice of the proposed project in local news media in advance of construction. The notice will give estimated dates of construction and mention potential noise impacts. As directed by the resident engineer, the contractor will notify adjacent residents in advance of construction work. The Caltrans PIO telephone number to receive noise complaints shall be publicized in local newspapers, and by letter to residences near the construction area. In the case of construction noise complaints by the public, the construction manager would be notified and the specific noise-producing activity may be changed, altered, or temporarily suspended. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries. Notation of these construction requirements shall be included on final project plans prior to Coastal Development Permit issuance. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction. **MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to initiation of construction. The resident engineer shall spot check and respond to complaints. The resident engineer shall retain proof of notice to the local news media and measures undertaken to respond to complaints.

The following conditions were added:

- Per LU-M-2.1.1 and VIS M-1-3, the highest area(s) of the roundabout, including the plantings, shall not reduce the view corridors as shown in the Applicants' September 16, 2020 presentation depicting the view looking North on Olive Mill Road toward the San Ynez Mountains. Trees planted within the center roundabout shall be fruitless field grown olive trees. PLAN REQUIREMENTS AND TIMING. Prior to Coastal Development Permit issuance, the landscape plan shall be revised to include specific notation that the trees within the center roundabout shall be fruitless field grown olive trees. MONITORING. Prior to Coastal Development Permit issuance P&D shall confirm notations on plans. During construction, the resident engineer shall ensure installation of the trees.
- Per LU M 2.2, the lighting levels shall not exceed the minimum requirement of any applicable legal standard and dimmers shall be installed and maintained to attain the minimum lighting levels. Additionally, the "decorative lighting" shall all be "Mission Bell Style."
- Per CIRC.M.1.1 and M-3.6, the establishment period for all plants shall be at least five (5) years. Additionally County of Santa Barbara Public Works Department and/or the City of Santa Barbara (or their successor(s) in interest) shall enter into a recorded, long-term (with an initial terms of thirty years), renewable, maintenance agreement, subject to County Board of Supervisors approval, if required, with adequate funding.
- Per CIRC-M 3.7, except as may be required by the Americans with Disabilities Act or any similar law, the hardscape surfaces of the pedestrian paths shall be decomposed granite and conform in color and type to the decomposed granite on the pathways on North Jameson Lane.
- Per GOAL F-M-2 and Policy F-M-2.3, all of the plants for landscaping shall be fire-resistant, desirable plants listed at the Montecito Fire Protection District's web site [<https://www.montecitofire.com/fire-prevention>; last visited May 26,2020]. Additionally, none of them shall be on its list of undesirable plants or deciduous.
- Per BIO M-1.1, the use of glyphosate and any other chemical herbicide is prohibited at all times, whether during construction, maintenance or otherwise.
- Per WAT-M-1.2.1, the landscape irrigation system shall be drip or water-saving.
- Per CIRC-M-1.6, with reference to the traffic management plan dated May 28, 2020 and any later such plan, San Ysidro Road shall not be used as an alternative vehicle route and further

diminish the acceptable level of service, unless there is no other alternative. Additionally, no vehicle traffic shall be routed on any residential street.

- The Director shall report to the to the Montecito Planning Commission at its next scheduled public hearing, immediately following final approval by the Montecito Board of Architectural Review, on the compliance of additional conditions nineteen (19) through twenty six (26) above. Thereafter, the Director shall report at least annually to the Montecito Planning Commission at a public hearing, on the compliance status of all of the then outstanding additional conditions of approval. The first report shall be within six (6) months after the completion of construction.
- If there is any difference between any condition of approval herein and a condition of approval of the City of Santa Barbara, the more restrictive condition shall apply.
- The driveway material for 110 Olive Mill, as noted on Sheet 7 of the project plans, shall be concrete pavers.

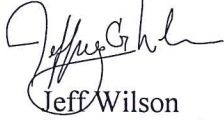
The attached findings and conditions reflect the Montecito Planning Commission's actions of September 16, 2020.

The action of the Montecito Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Montecito Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Montecito Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, September 28, 2020.**

Final action by the County on this project may be appealed to the Coastal Commission by the applicant, an aggrieved person, as defined above, or any two members of the Coastal Commission within the 10 working days following the date the County's Notice of Final Action is received by the Coastal Commission.

Sincerely,



Jeff Wilson
Secretary to the Montecito Planning Commission

cc: Case File: 19DVP-00000-00024, 19CDP-00000-00048
Montecito Planning Commission File
Shana Gray, California Coastal Commission, 89 S. California Street, Suite 200, Ventura, CA 93001
Montecito Association, P.O. Box 5278, Montecito, CA 93150
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Das Williams, First District
Commissioner Newman
Commissioner Keller
Commissioner Senauer
Commissioner Kupiec
Commissioner Pulice
Brian Pettit, Deputy County Counsel
Nicole Lieu, Planner

Attachments: Attachment A – Findings
Attachment B – Conditions of Approval

JW/dmv

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 ADDENDA TO ENVIRONMENTAL IMPACT REPORT OR NEGATIVE DECLARATION

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15162 and 15164:

1.1.1 CONSIDERATION OF THE ADDENDUM AND FULL DISCLOSURE

The Montecito Planning Commission has considered the Addendum dated July 2020 together with the previously certified EIR dated August 26, 2014 (2014 EIR), Revised EIR dated October 27, 2017 (2017 EIR), and EIR Addendum dated June 1, 2018, and finds that the Addendum reflects the independent judgment of the Montecito Planning Commission and has been completed in compliance with CEQA, and that the Addendum, together with the previously certified 2014 EIR, 2017 EIR, and EIR Addendum dated June 1, 2018, is adequate for this project. On the basis of the whole record, including the Addendum, the previously certified CEQA documents, and any public comments received, the Montecito Planning Commission finds that the proposed project, as described in the Addendum, does not involve any substantial changes to the previously-analyzed project or the circumstances under which it will be undertaken, and there is not new information of substantial importance showing any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment pursuant to State CEQA Guidelines Section 15162.

1.1.2 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 Secretary of the Montecito Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.1.3 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.

1.1.4 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS

The Addendum prepared for the project addressed the following issues: Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gas Emissions, Hazards, Hydrology and Water Quality, Land Use, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, and Wildfire.

2.0 ADMINISTRATIVE FINDINGS

2.1.1 DEVELOPMENT PLAN FINDINGS

A. Findings required for all Preliminary and Final Development Plans. In compliance with Section 35-174.7.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the decision-maker shall first make all of the following findings:

1. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.

The Montecito Planning Commission finds that the site is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed. The proposed project would be located within County and Caltrans right-of-way in an area that already serves as a developed intersection. The proposed roundabout will not add Peak Hour Trips (PHTs), will improve the Level of Service (LOS) at area intersections, and improve overall vehicular circulation. The roundabout has been designed to meet County and Caltrans geometric requirements and the project site will accommodate adequate vehicular site distance and turning movements as well as pedestrian and bicyclist circulation, landscaping, and stormwater management.

2. That adverse impacts are mitigated to the maximum extent feasible.

The Montecito Planning Commission finds that adverse impacts are mitigated to the maximum extent feasible as discussed in Attachment C-1 (CEQA Addendum) of this Staff Report dated July 28, 2020, and incorporated herein by reference. The proposed roundabout will not create new significant impacts. Significant environmental impacts will continue to be mitigated to the maximum extent feasible by the mitigation measures identified in the Caltrans HWY 101 2014 EIR as modified by the 2017 Revised EIR and the July 2020 Addendum. All environmental impacts originally identified will continue to be mitigated to less than significant levels with implementation of the identified mitigation measures, which are incorporated through Condition 18 of Attachment B-1, which requires the preparation of a Mitigation Compliance, Monitoring and Reporting Plan (MMRP). In addition to the mitigation measures, additional conditions of approval have been imposed to ensure the project complies with applicable County policies, as discussed in Section 6.2 of the staff report and herein incorporated by reference. These conditions, including Condition 3 (Board of Architectural Review), Conditions 4-6 (tree protection), and Conditions 7-8 (cultural resource protection) of Attachment B1 would further ensure that adverse impacts are reduced to the maximum extent feasible.

3. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The Montecito Planning Commission finds that streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. The project is designed to improve traffic operations at the Olive Mill Road, Coast Village Road, Jameson Lane, the HWY 101 northbound off-ramp, and HWY 101 southbound on-ramps by converting the intersection from a six-legged stop-control intersection to a single lane roundabout. The project will improve traffic flow through the intersection, in part by simplifying the right-of-way for motorists approaching the roundabout, where currently determining which vehicle has the right-of-way is challenging due to its current configuration. The project would not add Peak Hour Trips (PHTs) and would improve the Level of Service (LOS) at the project intersection. With implementation of the proposed

project, LOS would improve at all intersections and traffic through the area would be better accommodated.

4. **That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.**

The Montecito Planning Commission finds that there are adequate services to serve the project. No sewer services are required to serve the proposed project. Water to support landscaping associated with the project will be provided by the Montecito Water District. Fire service in the project area is provided by the Montecito Fire Protection District, and the layout of the roundabout has been designed to meet access requirements for their engines. Police protection is provided by the Santa Barbara County Sherriff and California Highway Patrol.

5. **That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.**

The Montecito Planning Commission finds that the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area. The project is designed to improve traffic operations at the Olive Mill Road, Coast Village Road, Jameson Lane, the HWY 101 northbound off-ramp, and HWY 101 southbound on-ramps by converting the intersection from a six-legged stop-control intersection to a single lane roundabout. The project will improve the Level of Service at the intersection and has been designed to accommodate adequate vehicular site distance and turning movements as well as pedestrian and bicyclist circulation, landscaping, and stormwater management. Reconfiguration of the existing intersection to a roundabout will maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials. Hardscape and landscape elements have been designed to be visually compatible with the surrounding area and include Santa Barbara sandstone, cobble paving, integral-colored concrete paving, and a mix of low-water use native and Mediterranean plant species. These hardscape and landscape elements are consistent with landscape and hardscape materials found throughout the Montecito community and along nearby Coast Village Road; and are compatible with the semi-rural character of the community. Proposed lighting includes five 10-foot tall pedestrian lights and six 23-foot tall street lights which have been designed to minimize lighting, while also providing sufficient lighting for safety purposes. Measures from the 2014 HWY 101 EIR (as amended by the 2017 Revised EIR and 2018 Addendum) and included in the July 2020 Addendum (Attachment C to the July 28, 2020 staff report, incorporated herein by reference) to reduce temporary construction impacts would continue to apply to the proposed project. Measures include a Traffic Management Plan, dust control measures, noise minimization measures (such as limits on construction hours adjacent to sensitive receptors and sound control devices for construction equipment), use of low-vibration construction methods, and implementation of erosion and stormwater control best management practices. These measures will help to minimize short term construction impacts to the area and to preserve the health, safety, and comfort of the area.

6. **That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this**

Article II and/or the project falls with the limited exception allowed under Section 35-161.7.

The Montecito Planning Commission finds that the project is in conformance with the Comprehensive Plan and with the applicable provisions of Article II. As discussed in Section 6.2 and 6.3 of this staff report dated July 28, 2020, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, and with all requirements of the Article II Coastal Zoning Ordinance. The project does not fall within the limited exception allowed under Section 35-161.7.

7. **That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.**

The proposed project is not located within a rural area. Therefore, this finding does not apply.

8. **That the project will not conflict with any easements required for public access through, or public use of a portion of the property.**

The Montecito Planning Commission finds that the project will not conflict with any easements required for public access through, or public use of a portion of the property. The proposed project will occur within County and Caltrans right-of-way areas and will not conflict with any easements required for public access through, or public use of a portion of the property. The roundabout will provide for pedestrian access through the intersection, including cyclists, and will improve vehicular flow through the intersection. During all temporary construction-related closures, detour routes will be provided for vehicles, pedestrians, and bicycles.

B. Additional findings required for sites within the Montecito Community Plan area.

1. **All Preliminary and Final Development Plans.** In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan on sites within the Montecito Community Plan area the decision-maker shall first make all of the following findings:

- a. **That the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.**

The Montecito Planning Commission finds that, as discussed in Section 6.2 of the staff report dated July 28, 2020, and incorporated herein by reference, the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

- b. **That the development will not adversely impact recreational facilities and uses.**

The Montecito Planning Commission finds that, as discussed in Section 6.2 of the staff report dated July 28, 2020, and in Finding 2.1.2.B.6, incorporated herein by reference, the proposed project will not adversely impact recreational facilities and uses.

2.1.2 COASTAL DEVELOPMENT PERMIT FINDINGS

- A. Findings required for all Coastal Development Permits.** In compliance with Section 35-60.5 of the Article II Coastal Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

The Montecito Planning Commission finds that, as discussed in Finding 2.1.1A.4, and incorporated herein by reference, adequate public services, including but not limited to fire protection, water supply, and police protection are available to serve the project. As discussed in Finding 2.1.1.A.3, and incorporated herein by reference, streets and highways are adequate to carry the type and quantity of traffic generated by the proposed use.

- B. Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission.**

In compliance with Section 35-169.5.3 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission the decision-maker shall first make all of the following findings:

1. **The proposed development conforms:**
 - a. **To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;**
 - b. **The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).**

The Montecito Planning Commission finds that, as discussed in Section 6.2 and 6.3 of this staff report dated July 28, 2020, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, and with all requirements of the Article II Coastal Zoning Ordinance. The project does not fall with the limited exception allowed under Section 35-161.7.

2. **The proposed development is located on a legally created lot.**

The Montecito Planning Commission finds that the proposed development is located on legally created property. The proposed project would be located within County, City, and Caltrans right-of-way areas and not within an individual lot. Pursuant to Division 1, Chapter 1, Article 3 (Department of Transportation) of the Streets and Highways Code, *"The department [of transportation] shall have full possession and control of all state highways and all property and rights in property acquired for state highway purposes. The department is authorized and directed to lay out and construct all state highways between the termini designated by law and*

on the locations as determined by the commission.”

3. **The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).**

The Montecito Planning Commission finds that, as discussed in Section 6.3 of this staff report dated July 28, 2020, and incorporated herein by reference, the proposed project would conform to all applicable laws, rules, and regulations pertaining to the TC zone. There are no current violations associated with the subject property and all processing fees have been paid to date.

4. **The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.**

The Montecito Planning Commission finds that development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast. No mountain, ocean or other scenic views would be significantly obstructed by the proposed project. Reconfiguration of the existing intersection to a roundabout would maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials visually compatible with the surrounding area. No element of the proposed upgrades would significantly obstruct public views to or along the coast.

5. **The proposed development will be compatible with the established physical scale of the area.**

The Montecito Planning Commission finds that the proposed development will be compatible with the established physical scale of the area. No mountain, ocean or other scenic views would be significantly obstructed by the proposed project. Reconfiguration of the existing intersection to a roundabout would maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials. Hardscape and landscape elements have been designed to be visually compatible with the surrounding area. These hardscape and landscape elements are consistent with landscape and hardscape materials found throughout the Montecito community and along nearby Coast Village Road; and is compatible with the semi-rural character of the community. Proposed lighting includes five 10-foot tall pedestrian lights and six 23-foot tall street lights that are dark-sky compliant. The style of the proposed street lights is similar to existing street lights on Coast Village Road. Trees removed as a part of the project would be replaced at a ratio of 3:1 with replacement trees of minimum 15-gallon size. Use of larger-sized trees will ensure that the proposed landscaping is compatible with existing mature vegetation within the surrounding area.

6. **The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.**

The Montecito Planning Commission finds that the development will comply with the public access and recreation policies of the Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal Land Use Plan and Montecito

Community Plan. The project would be consistent with applicable recreation policies as it would not interfere with public access or existing recreational facilities. In addition, the proposed project includes dedicated pedestrian paths together with pedestrian friendly lighting, landscape design, and safety signage for bicyclists to facilitate pedestrian and bicyclist safety, access, and circulation through the roundabout. The project is consistent with Coastal Land Use Plan (CLUP) Policy 7-32, as the project implements the Olive Mill roundabout identified for completion under CLUP Policy 7-32. The proposed project would not interfere with the public's right of access to the sea and no elements of the proposed project would block access to the coast. During all temporary construction-related closures, detour routes would be provided for vehicles, pedestrians, and bicycles.

C. Additional findings required for sites within the Montecito Community Plan area.

- 1. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to approval or conditional approval of an application for a Coastal Development Permit on sites with the Montecito Community Plan area, the decision-maker shall first find for all development projects (as development is defined in the Coastal Land Use Plan) that the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.**

The Montecito Planning Commission finds that, as discussed in Section 6.2 of the staff report dated July 28, 2020, and incorporated herein by reference, the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

- 2. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit on sites within the Montecito Community Plan area the decision-maker shall first find for projects subject to discretionary review that the development will not adversely impact recreational facilities and uses.**

The Montecito Planning Commission finds that, as discussed in Section 6.2 of the staff report dated July 28, 2020, and in Finding 2.1.2.B.6, incorporated herein by reference, the proposed project will not adversely impact recreational facilities and uses.

ATTACHMENT B-1

DEVELOPMENT PLAN CONDITIONS, 19DVP-00000-00024

- 1. Proj Des-01 Project Description:** This Development Plan is based upon and limited to compliance with the project description, project plans, 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: 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.

The proposed project is request for a Development Plan to reconfigure a six-legged intersection at the Olive Mill Road, Coast Village Road, Jameson Lane, the HWY 101 northbound off-ramp, and HWY 101 southbound on-ramp to a single lane roundabout. The approaches to the intersection at each of the legs would be modified to include new road curvature (to slow traffic), pedestrian refuge islands, sidewalks, street lighting, signage, crosswalks, landscaping, and drainage facilities).

Pedestrian access would continue to be provided on the west and north legs of the intersection and discouraged on the eastern legs near the highway on-ramps and off-ramps (aligning with the recently-repaired Olive Mill Road highway overcrossing, which intentionally eliminated sidewalk on the east side of Olive Mill Road to concentrate pedestrian movement along the west side of Olive Mill Road). Pedestrian crossings would be improved with the addition of a crosswalk along the northern leg (Olive Mill Road North), shortened crossing lengths, refuge islands, and lighting.

The existing Class II bike lanes along Coast Village Road, Olive Mill Road (North), and North Jameson Lane would be maintained up to the roundabout approaches. The roundabout approaches would be narrowed to slow traffic and merge the vehicle lane and bike lane into a shared roadway facility. Once cyclists reach the roundabout, they would queue for their right to enter the roundabout in the same manner as vehicles. Upon exiting the roundabout, cyclists would be diverted back into the dedicated bike lanes along Coast Village Road, Olive Mill Road (North), and North Jameson Lane. Bikes would continue to share the lane on Olive Mill Road (South) because a dedicated bike lane does not exist. Cyclists wishing to not ride through the roundabout could dismount their bike and cross the west and north legs of the roundabout as pedestrians.

The 87,392-square-foot project footprint would extend beyond the existing road improvements; however, all improvements would be accommodated within existing Caltrans, City, and County right-of-way; no permanent property fee take acquisitions are needed. Temporary construction easements may be needed from the Montecito Inn at 1295 Coast Village Road. To accommodate the project footprint, existing vegetation within the right-of-way would need to be removed. Up to 50 trees would be removed or substantially impacted by the project. Coast live oaks and sycamores will be replaced on a 3:1 basis with 15-gallon container oaks and sycamores. Non-native trees will be also replaced on a 3:1 basis with 15-gallon container trees. The project includes approximately 30,000 square feet of

landscaping using low water use native and Mediterranean plant species. Water for proposed landscaping would be provided by the Montecito Water District.

Demolition of approximately 36,200 square feet of pavement would be required to construct the roundabout. The material removed from the site (road base, concrete, and soil if necessary) would be sampled, tested, handled and transported to a licensed disposal site per State and Federal regulations, including Caltrans Standard Specifications Sections 14-11.08 and 14-11.09). Grading would include approximately 1,400 cubic yards of cut and 2,000 cubic yards of fill (600 cubic yards of which would be imported fill). Proposed storm water bioretention basins would be constructed with imported engineered soils suitable for drainage and compliance with State and Regional Water Quality Control Board standards and the Clean Water Act. Relocation of some utility infrastructure would also be required to accommodate the project improvements. Utility infrastructure within the project area includes fire service facilities (fire hydrants), and telephone and cable television (CATV) services. The majority of construction activities would not have ground disturbance below 18 inches in depth. However, the bioretention basins located in five planter areas on the northwest, northeast and southeast legs of the roundabout would require disturbance to approximately 6 feet in depth, and larger tree plantings would require an estimated 4 feet depth of disturbance.

Construction is anticipated to be approximately one year in duration. Although some portions of construction would require full closure of the intersection, it is anticipated that the majority of the construction can be completed with only partial closures. Based upon the circulation conditions and local/regional roadway configurations, traffic rerouting assumptions have been made and are shown on the Olive Mill Roundabout Traffic Management Plan, City of Santa Barbara, May 2020; this plan is inclusive of emergency response vehicle access requirements, as well as pedestrian and bicycle circulation during construction. Construction staging would be located onsite and on the southeast quadrant of the existing Union Pacific Bridge at Cabrillo Boulevard.

- 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. Aest-04 BAR Required:** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Coastal Development Permit. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing. **MONITORING:** The Owner/Applicant shall demonstrate to the resident engineer that the project has been built consistent with approved BAR design and landscape plans prior to completion of construction.

- 4. Bio-01a Tree Protection Plan-Site Plan Component:** The Owner/Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site trees. The Owner/Applicant shall comply with and depict the following on the TPP exhibit and Grading and Building Plans.
- a. No grading shall take place within the dripline of trees unless otherwise approved by P&D staff.
 - b. Depict equipment storage (including construction materials, equipment, fill soil or rocks) and construction staging and parking areas outside of the protection area.
 - c. Depict the type & location of protective fencing (see below) or other barriers to be in place to protect trees in protection areas during construction.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) Submit the TPP; (2) Include all applicable components in Tree Replacement Plan and Landscape and Irrigation Plans; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: The Owner/Applicant shall comply with this measure prior to Coastal Development Permit issuance. Plan components shall be included on all plans prior to Coastal Development Permit issuance. The Owner/Applicant shall install tree protection measures onsite prior to construction. **MONITORING:** The Owner/Applicant shall demonstrate to the resident engineer that trees identified for protection were not damaged or removed or if damage, or removal occurred, that correction is completed as required by the TPP prior to project completion.

- 5. Bio-01b Tree Protection Plan–Construction Component:** The Owner / Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site trees. The Owner Applicant shall comply with and specify the following as notes on the TPP and Grading and Building Plans.
- a. Fencing of all trees to be protected at least six feet outside the dripline with fencing satisfactory to P&D. Fencing shall be at least 3 ft high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-ft intervals on the fencing.
 - b. Fencing/staking/signage shall be maintained throughout all grading and construction activities.
 - c. No irrigation is permitted within 6 ft of the dripline of any protected tree unless specifically authorized.
 - d. The following shall be completed only by hand and under the direction of a P&D approved arborist/biologist:
 - i. Any trenching required within the dripline or sensitive root zone of any specimen.
 - ii. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction.
 - iii. Tree removal and trimming.
 - iv. Special equipment: If the use of hand tools is deemed infeasible by P&D, P&D may authorize work 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 and under the direction of a P&D approved biologist.
 - v.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. **TIMING:** The Owner/Applicant shall comply with this measure prior to CDP issuance. Plan components shall be included on final grading/building plans. The Owner/Applicant shall install tree protection measures onsite prior to issuance of grading/building permits. **MONITORING:** The Owner/Applicant shall demonstrate to the resident engineer that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to project completion.

6. Bio-02 Tree Replacement:

1. The replacement trees shall be as follows: Each protected tree removed shall be replaced using the following ratio: 3:1 with 15-gallon container trees.
 - a. The final proposed size and quantity of replacement trees shall be detailed and delineated in the San Ysidro Road Roundabout Tree Protection and Replacement Plan. This Plan shall be reviewed and approved by P&D staff prior to Coastal Development Permit issuance.
2. Where feasible, species shall be from locally obtained plants and seed stock.
3. The trees shall be gopher fenced with root protectors.
4. The trees shall be irrigated with a low volume, water efficient, fully automatic remote irrigation system. Long term maintenance efforts of the system will provide supplemental water as necessary to keep plants in a healthy and vigorous condition.
5. Trees shall be watered during the three-year plant establishment period while reducing the water use each year. Once under the care of Public Works and/or Caltrans maintenance control, the watering times will be further reduced each year so that the plants adapt to the natural rainfall and climatic conditions.
6. If replacement trees cannot all be accommodated on site, the Owner/Applicant shall submit a plan for P&D approval for replacement trees to be planted off site.
7. All new and replanted 1-gallon trees shall be protected from predation by wild and domestic animals by the use of foliage protectors.

PLAN REQUIREMENTS: Show planting location, size quantities, species method of irrigation and provide details for root and foliage protection. **TIMING:** Plans shall be submitted prior to Coastal Development Permit issuance. **MONITORING:** The Owner/Applicant shall demonstrate to the resident engineer that all required components of the approved plan(s) are in place as required prior to project completion.

- **CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This condition shall be printed on all plans. **MONITORING:** P&D permit processing planner shall check plans prior to CDP issuance and the resident engineer

shall spot check in the field throughout grading and construction.

- **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 7:30 a.m. and 4:30 p.m, Monday through Friday, with the exception that limited work after hours is permitted under limited circumstances, and with at least two business days' prior notice to affected property owners, where required in order to avoid major traffic disruption associated with full closure of the intersection, as determined by the resident engineer. To the maximum extent feasible, noisier construction tasks exceeding 87dBA within 50 feet of residential areas shall be limited to weekdays from 7:30 a.m. to 4:30 p.m. Non-noise generating construction activities 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. The resident engineer shall notify the Caltrans District 5 Public Information Officer (PIO) to place notice of the proposed project in local news media in advance of construction. The notice will give estimated dates of construction and mention potential noise impacts. As directed by the resident engineer, the contractor will notify adjacent residents in advance of construction work. The Caltrans PIO telephone number to receive noise complaints shall be publicized in local newspapers, and by letter to residences near the construction area. In the case of construction noise complaints by the public, the construction manager would be notified and the specific noise-producing activity may be changed, altered, or temporarily suspended. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries. Notation of these construction requirements shall be included on final project plans prior to Coastal Development Permit issuance. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction. **MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to initiation of construction. The resident engineer shall spot check and respond to complaints. The resident engineer shall retain proof of notice to the local news media and measures undertaken to respond to complaints.
- **WatConv-07 SWPPP:** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to CDP issuance the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D permit processing planner shall review the documentation prior to CDP issuance. The resident engineer shall site inspect during construction for compliance with the SWPPP.
- **Rules-02 Effective Date-Appealable to CCC:** This Development Plan shall become effective upon 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 review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
- **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.

- **Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
 - a. Air Pollution Control District dated April 26, 2019
 - b. Flood Control/Project Cleanwater dated June 3, 2019
 - c. Montecito Fire Department dated May 14, 2019
- **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.
- **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.
- **Rules-18 CUP and DVP Revisions:** The approval by the Montecito Planning Commission of a revised Development Plan shall automatically supersede any previously approved Development Plan upon the effective date of the revised permit.
- **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.
- **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.
- **Mitigation Compliance and Monitoring:** The project applicant and designees shall comply with all applicable mitigation, minimization and avoidance measures specified in the July 2020 Addendum. The applicant shall prepare a Mitigation Compliance, Monitoring, and Reporting Plan for all mitigation measures identified in the July 2020 Addendum. **PLAN REQUIREMENTS:** The Plan shall include, but not be limited to the following:
 - a. Each of the projects mitigation measures.
 - b. Timing and specific responsible party for implementation of each mitigation measure.
 - c. Timing and party responsible for monitoring each mitigation measure and a list of monitors to be retained.

- d. Procedures, timing, and responsible party for reporting to P&D Permit Compliance staff on project mitigation compliance and monitoring.
- e. Specification of a qualified representative for the applicant to be designated as the coordinator responsible for ensuring full compliance with the provisions of the Plan. The designated coordinator shall have authority over all other monitors.

TIMING: The Plan shall be submitted to P&D staff for review and approval prior to Coastal Development Permit issuance. MONITORING: P&D staff will review the Mitigation Compliance, Monitoring, and Reporting Plan prior to Coastal Development Permit issuance. The resident engineer will conduct intermittent field inspections and respond to complaints.

- Per LU-M-2.1.1 and VIS M-1-3, the highest area(s) of the roundabout, including the plantings, shall not reduce the view corridors as shown in the Applicants' September 16, 2020 presentation depicting the view looking North on Olive Mill Road toward the San Ynez Mountains. Trees planted within the center roundabout shall be fruitless field grown olive trees. PLAN REQUIREMENTS AND TIMING. Prior to Coastal Development Permit issuance, the landscape plan shall be revised to include specific notation that the trees within the center roundabout shall be fruitless field grown olive trees. MONITORING. Prior to Coastal Development Permit issuance P&D shall confirm notations on plans. During construction, the resident engineer shall ensure installation of the trees.
- Per LU M 2.2, the lighting levels shall not exceed the minimum requirement of any applicable legal standard and dimmers shall be installed and maintained to attain the minimum lighting levels. Additionally, the “decorative lighting” shall all be “Mission Bell Style.”
- Per CIRC.M.1.1 and M-3.6, the establishment period for all plants shall be at least five (5) years. Additionally County of Santa Barbara Public Works Department and/or the City of Santa Barbara (or their successor(s) in interest) shall enter into a recorded, long-term (with an initial terms of thirty years), renewable, maintenance agreement, subject to County Board of Supervisors approval, if required, with adequate funding.
- Per CIRC-M 3.7, except as may be required by the Americans with Disabilities Act or any similar law, the hardscape surfaces of the pedestrian paths shall be decomposed granite and conform in color and type to the decomposed granite on the pathways on North Jameson Lane.
- Per GOAL F-M-2 and Policy F-M-2.3, all of the plants for landscaping shall be fire-resistant, desirable plants listed at the Montecito Fire Protection District's web site [<https://www.montecitofire.com/fire-prevention>; last visited May 26,2020]. Additionally, none of them shall be on its list of undesirable plants or deciduous.
- Per BIO M-1.1, the use of glyphosate and any other chemical herbicide is prohibited at all times, whether during construction, maintenance or otherwise.
- Per WAT-M-1.2.1, the landscape irrigation system shall be drip or water-saving.
- Per CIRC-M-1.6, with reference to the traffic management plan dated May 28, 2020 and any later such plan, San Ysidro Road shall not be used as an alternative vehicle route and further diminish the acceptable level of service, unless there is no other alternative. Additionally, no vehicle traffic shall be routed on any residential street.
- The Director shall report to the to the Montecito Planning Commission at its next scheduled public hearing, immediately following final approval by the Montecito Board of Architectural Review, on the compliance of additional conditions nineteen (19) through twenty six (26) above. Thereafter, the Director shall report at least annually to the

Montecito Planning Commission at a public hearing, on the compliance status of all of the then outstanding additional conditions of approval. The first report shall be within six (6) months after the completion of construction.

- If there is any difference between any condition of approval herein and a condition of approval of the City of Santa Barbara, the more restrictive condition shall apply.
- The driveway material for 110 Olive Mill, as noted on Sheet 7 of the project plans, shall be concrete pavers.

ATTACHMENT B-2

COASTAL DEVELOPMENT PERMIT CONDITIONS, 19CDP-00000-00048

- 1. Proj Des-01 Project Description:** This Coastal Development Permit is based upon and limited to compliance with the project description, project plans, 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: 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.

The proposed project is request for a Coastal Development Permit to reconfigure a six-legged intersection at the Olive Mill Road, Coast Village Road, Jameson Lane, the HWY 101 northbound off-ramp, and HWY 101 southbound on-ramp to a single lane roundabout. The approaches to the intersection at each of the legs would be modified to include new road curvature (to slow traffic), pedestrian refuge islands, sidewalks, street lighting, signage, crosswalks, landscaping, and drainage facilities).

Pedestrian access would continue to be provided on the west and north legs of the intersection and discouraged on the eastern legs near the highway on-ramps and off-ramps (aligning with the recently-repaired Olive Mill Road highway overcrossing, which intentionally eliminated sidewalk on the east side of Olive Mill Road to concentrate pedestrian movement along the west side of Olive Mill Road). Pedestrian crossings would be improved with the addition of a crosswalk along the northern leg (Olive Mill Road North), shortened crossing lengths, refuge islands, and lighting.

The existing Class II bike lanes along Coast Village Road, Olive Mill Road (North), and North Jameson Lane would be maintained up to the roundabout approaches. The roundabout approaches would be narrowed to slow traffic and merge the vehicle lane and bike lane into a shared roadway facility. Once cyclists reach the roundabout, they would queue for their right to enter the roundabout in the same manner as vehicles. Upon exiting the roundabout, cyclists would be diverted back into the dedicated bike lanes along Coast Village Road, Olive Mill Road (North), and North Jameson Lane. Bikes would continue to share the lane on Olive Mill Road (South) because a dedicated bike lane does not exist. Cyclists wishing to not ride through the roundabout could dismount their bike and cross the west and north legs of the roundabout as pedestrians.

The 87,392-square-foot project footprint would extend beyond the existing road improvements; however, all improvements would be accommodated within existing Caltrans, City, and County right-of-way; no permanent property fee take acquisitions are needed. Temporary construction easements may be needed from the Montecito Inn at 1295 Coast Village Road. To accommodate the project footprint, existing vegetation within the right-of-way would need to be removed. Up to 50 trees would be removed or substantially impacted by the project. Coast live oaks and sycamores will be replaced on a 3:1 basis with 15-gallon container oaks and sycamores. Non-native trees will be also replaced on a 3:1 basis with 15-gallon container trees. The project includes approximately 30,000 square feet of

landscaping using low water use native and Mediterranean plant species. Water for proposed landscaping would be provided by the Montecito Water District.

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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.
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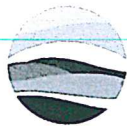
- 7. CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This

condition shall be printed on all plans. **MONITORING:** P&D permit processing planner shall check plans prior to CDP issuance and the resident engineer shall spot check in the field throughout grading and construction.

- 8. 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 4:30 p.m, Monday through Friday, with the exception that limited work after hours is permitted under limited circumstances where required in order to avoid major traffic disruption associated with full closure of the intersection, as determined by the resident engineer. To the maximum extent feasible, noisier construction tasks exceeding 87dBA within 50 feet of residential areas shall be limited to weekdays from 7:00 a.m. to 4:30 p.m. Non-noise generating construction activities 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. The resident engineer shall notify the Caltrans District 5 Public Information Officer (PIO) to place notice of the proposed project in local news media in advance of construction. The notice will give estimated dates of construction and mention potential noise impacts. As directed by the resident engineer, the contractor will notify adjacent residents in advance of construction work. The Caltrans PIO telephone number to receive noise complaints shall be publicized in local newspapers, and by letter to residences near the construction area. In the case of construction noise complaints by the public, the construction manager would be notified and the specific noise-producing activity may be changed, altered, or temporarily suspended. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries. Notation of these construction requirements shall be included on final project plans prior to Coastal Development Permit issuance. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction. **MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to initiation of construction. The resident engineer shall spot check and respond to complaints. The resident engineer shall retain proof of notice to the local news media and measures undertaken to respond to complaints.
- 9. WatConv-07 SWPPP:** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to CDP issuance the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D permit processing planner shall review the documentation prior to CDP issuance. The resident engineer shall site inspect during construction for compliance with the SWPPP.
- 10. Rules-02 Effective Date-Appealable to CCC:** This Coastal Development Permit shall become effective upon 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 review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].

11. **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.
12. **Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
 - a. Air Pollution Control District dated April 26, 2019
 - b. Flood Control/Project Cleanwater dated June 3, 2019
 - c. Montecito Fire Department dated May 14, 2019
13. **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.
14. **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.
15. **Mitigation Compliance and Monitoring:** The project applicant and designees shall comply with all applicable mitigation, minimization and avoidance measures specified in the July 2020 Addendum. The applicant shall prepare a Mitigation Compliance, Monitoring, and Reporting Plan for all mitigation measures identified in the July 2020 Addendum. **PLAN REQUIREMENTS:** The Plan shall include, but not be limited to the following:
 - a. Each of the projects mitigation measures.
 - b. Timing and specific responsible party for implementation of each mitigation measure.
 - c. Timing and party responsible for monitoring each mitigation measure and a list of monitors to be retained.
 - d. Procedures, timing, and responsible party for reporting to P&D Permit Compliance staff on project mitigation compliance and monitoring.
 - e. Specification of a qualified representative for the applicant to be designated as the coordinator responsible for ensuring full compliance with the provisions of the Plan. The designated coordinator shall have authority over all other monitors.**TIMING:** The Plan shall be submitted to P&D staff for review and approval prior to Coastal Development Permit issuance. **MONITORING:** P&D staff will review the Mitigation Compliance, Monitoring, and Reporting Plan prior to Coastal Development Permit issuance. The resident engineer will conduct intermittent field inspections and respond to complaints.

16. Per LU-M-2.1.1 and VIS M-1-3, the highest area(s) of the roundabout, including the plantings, shall not reduce the view corridors as shown in the Applicants' September 16, 2020 presentation depicting the view looking North on Olive Mill Road toward the San Ynez Mountains. Trees planted within the center roundabout shall be fruitless field grown olive trees. PLAN REQUIREMENTS AND TIMING. Prior to Coastal Development Permit issuance, the landscape plan shall be revised to include specific notation that the trees within the center roundabout shall be fruitless field grown olive trees. MONITORING. Prior to Coastal Development Permit issuance P&D shall confirm notations on plans. During construction, the resident engineer shall ensure installation of the trees.
17. Per LU M 2.2, the lighting levels shall not exceed the minimum requirement of any applicable legal standard and dimmers shall be installed and maintained to attain the minimum lighting levels. Additionally, the “decorative lighting” shall all be “Mission Bell Style.”
18. Per CIRC.M.1.1 and M-3.6, the establishment period for all plants shall be at least five (5) years. Additionally County of Santa Barbara Public Works Department and/or the City of Santa Barbara (or their successor(s) in interest) shall enter into a recorded, long-term (with an initial terms of thirty years), renewable, maintenance agreement, subject to County Board of Supervisors approval, if required, with adequate funding.
19. Per CIRC-M 3.7, except as may be required by the Americans with Disabilities Act or any similar law, the hardscape surfaces of the pedestrian paths shall be decomposed granite and conform in color and type to the decomposed granite on the pathways on North Jameson Lane.
20. Per GOAL F-M-2 and Policy F-M-2.3, all of the plants for landscaping shall be fire-resistant, desirable plants listed at the Montecito Fire Protection District's web site [<https://www.montecitofire.com/fire-prevention>; last visited May 26,2020]. Additionally, none of them shall be on its list of undesirable plants or deciduous.
21. Per BIO M-1.1, the use of glyphosate and any other chemical herbicide is prohibited at all times, whether during construction, maintenance or otherwise.
22. Per WAT-M-1.2.1, the landscape irrigation system shall be drip or water-saving.
23. Per CIRC-M-1.6, with reference to the traffic management plan dated May 28, 2020 and any later such plan, San Ysidro Road shall not be used as an alternative vehicle route and further diminish the acceptable level of service, unless there is no other alternative. Additionally, no vehicle traffic shall be routed on any residential street.
24. The Director shall report to the to the Montecito Planning Commission at its next scheduled public hearing, immediately following final approval by the Montecito Board of Architectural Review, on the compliance of additional conditions nineteen (19) through twenty six (26) above. Thereafter, the Director shall report at least annually to the Montecito Planning Commission at a public hearing, on the compliance status of all of the then outstanding additional conditions of approval. The first report shall be within six (6) months after the completion of construction.
25. If there is any difference between any condition of approval herein and a condition of approval of the City of Santa Barbara, the more restrictive condition shall apply.
26. The driveway material for 110 Olive Mill, as noted on Sheet 7 of the project plans, shall be concrete pavers.



RECEIVED

APR 29 2019

S B COUNTY
PLANNING & DEVELOPMENT

April 26, 2019

Tess Harris
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: **APCD Suggested Conditions on Olive Mill Road Roundabout, 19DVP-00000-00024**

Dear Ms. Harris:

The Air Pollution Control District (APCD) has reviewed the referenced project, which consists of the replacement of the existing five-way stop controlled, five-legged intersection with a six-legged roundabout. The project will include the removal of 36,100 SF of existing pavement and the subsequent replacement of 35,100 square feet (SF) of pavement. Grading is estimated at 1,400 cubic yards (CY) of cut, 2,000 CY of fill, and 600 CY of export. The subject property is located at Olive Mill Road in the unincorporated area of Montecito.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to grading/building permit issuance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. Please see www.ourair.org/wp-content/uploads/rule345.pdf.
3. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible.
4. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
5. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:

Aeron Arlin Genet, Air Pollution Control Officer

- Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
 - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - See www.arb.ca.gov/noidle for more information.
6. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8873 or via email at HoD@sbcapcd.org.

Sincerely,



Desmond Ho
Air Quality Specialist
Planning Division

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

cc: Planning Chron File



air pollution control district
SANTA BARBARA COUNTY

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required when sustained wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to grading/building permit issuance and/or map clearance.

PLAN REQUIREMENTS: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

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



ATTACHMENT B

DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

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

The following measures are required by state law:

- All portable diesel-powered construction equipment greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO_x), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO_x and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, limiting engine idling time. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO_x idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. Electric auxiliary power units should be used to the maximum extent feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

PLAN REQUIREMENTS AND TIMING: Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

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



**Santa Barbara County Public Works Department
Water Resources Division**

Flood Control ♦ Water Agency ♦ Project Clean Water
130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101
PH (805) 568-3440 FAX (805) 568-3434
<http://cosb.countyofsb.org/pwd/pwwater.aspx?id=2956>

SCOTT D. MCGOLPIN
Director Public Works

THOMAS D. FAYRAM
Deputy Director Water Resources

June 03, 2019

Nicole Lieu, Planner
County of Santa Barbara
Planning & Development Department
123 E. Anapamu Street
Santa Barbara, CA 93101

**Re: 19DVP-00000-00024; Olive Mill Road Roundabout
APN: Various; Montecito**

Dear Ms. Lieu:

The Public Works Department, Water Resources Division has no conditions for the project to reconfigure the intersection of Coast Village Road, Olive Mill Road, and North Jameson Lane into a roundabout adding sidewalks, directional crosswalk and connections to existing bike paths.

A. Flood Control & Water Conservation District

Flood Control has no conditions on the above referenced project as the impervious surface has decreased by 339 sf per preliminary stormwater management & BMP implementation report dated May 23, 2019. In addition, the project is partially located outside County jurisdiction, within the City of Santa Barbara.

B. Project Clean Water

Project Clean Water has no conditions on the above referenced project because it is being reviewed and approved under the City of Santa Barbara's post-construction program. The City's program is approved by the Central Coast Regional Water Quality Control Board to be equally protective of watershed processes.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: Y. Thierumaran
Yoganathan Thierumaran, P.E., CFM
Development Review Engineer