



Housing Authority of the County of Santa Barbara

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Honorable Board of Supervisors  
County of Santa Barbara  
105 E. Anapamu Street  
Santa Barbara, CA 93101

**Subject: Golden Inn and Village Project – Development Plan Revisions;  
I7RVP-00000-00046, 00071, -00072**

Honorable Supervisors,

On behalf of the Housing Authority of the County of Santa Barbara, RRM Design Group is requesting that the Board of Supervisors deny the appeal of the Planning Commission's approval of the Development Plan Revision application on September 27, 2017. This approval resulted in a change in the site lighting and revised the approved Development Plans and conditions of approval for the Golden Inn and Village project (12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006).

Foremost, the Golden Inn and Village is a truly important project for the community. The ownership structure is a partnership between the Housing Authority, Surf Development, and the Rona Barrett Foundation. It provides critically needed affordable housing opportunities and living facilities for seniors and families in the Santa Ynez Valley. There are 60 apartments for very low and low-income seniors, a senior community center, 27 apartments for very low and low-income families and employees, and a future assisted living/memory care facility. The senior apartments, community center, and employee/family apartments have been constructed and are fully occupied by very grateful residents.

The Rona Barrett Foundation is currently working with Hochhauser Blatter Architecture and Planning to refine the design of, and prepare construction documents for, the assisted living/memory care facility.

## **RESPONSE TO APPEAL**

The appellants make two key claims in their appeal: 1) light from the project trespasses onto their properties, and 2) the project did not adequately detain and divert stormwater from the project. This letter provides a response to these allegations.

## I. Project Lighting

The Housing Authority worked with the appellants for over one year to resolve their concerns regarding the projecting light. Below is a summary of the Housing Authority's efforts to date and a response to the specific allegation that the light from the project trespasses onto their properties.

Background: When the development plans were approved for the Golden Inn and Village in 2014, RRM Design Group had worked with a lighting consultant during the entitlement process who prepared an early conceptual site lighting plan incorporating 44 light standards, without the benefit of a photometric study. The approved conceptual lighting plan showed a range of light standard heights between eight (8) to 14 feet, however the project description, which was submitted with the initial application, stated that the poles would be eight (8) feet in height. Once the project moved into construction documents, Gray Electrical Consulting and Engineering, Corp. (GECE) was retained to provide electrical engineering services for the project. Upon preparation of a photometric study and review of the early conceptual lighting plan, GECE determined that eight (8) foot tall light standards would not provide sufficient lighting uniformity, nor did the calculated lighting levels fall within industry recommendations for safety (IESNA). GECE prepared a revised lighting plan which recommended the installation of fewer, 20-foot tall light standards, which increased photometric performance and uniformity to address site lighting safety, as well as increased energy efficiency (approximately 30% more efficient). In addition, the new system included night lighting controls and met dark sky standards.

The revised plan included twenty-five 20-foot lights, which were included in the Building Permit plan sets and approved by the Board of Architectural Review prior to installation. This change was not highlighted for Planning and Development staff because the architectural staff preparing the construction documents were not aware that the project description (Condition #1 of the Conditions of Approval) limited the height of the light standard to eight (8) feet. They were under the impression that changes could be made to meet the engineering standards, provided those changes complied with the Santa Ynez Valley Community Plan (SYVCP) ordinance, incorporating night controls and dark sky compliance. Subsequent to the lighting installation, Planning and Development indicated that a revision to the original development plan approval was needed to authorize the change in height. The Housing Authority submitted the application on June 15, 2016. Staff also asked that the lighting plan be returned to Central County Board of Architectural Review (CBAR) to be certain that they understood that the light poles would be 20 feet in height. The lighting plan, which fully complies with dark sky requirements and the Santa Ynez Valley Community Plan requirements, was reviewed and approved by CBAR on July 16, 2014.

As noted above, the Housing Authority sought and gained approval by the Planning Commission for the change in the height of the light poles from eight (8) feet to 20 feet on September 27, 2017.

As indicated in the appeal filed with the Board, two neighbors of the project, Mr. Mark Brooks and Ms. Patti Stewart raised concerns regarding the change in the lighting back in 2016. Mr. Brooks lives to the south of the on-site detention basins, and Ms. Stewart lives to the south of Mr. Brooks. Mr. Brooks approached the Housing Authority with his concerns regarding increase in the height of the lights before power was provided to the site and the change in lighting could be observed. The Housing Authority and their consultants worked with Mr. Brooks to resolve his key concerns even before power was provided. Once the lights were activated, the Housing Authority team continued to work with Mr. Brooks to address his concern that a portion of the senior apartment building and the project lighting (the two eastern most lights adjacent to the senior building) could be

viewed from his backyard. The Housing Authority and their consultants made the following changes to the project in response to Mr. Brooks' concerns:

- Graded the area (on Housing Authority property) behind Mr. Brooks' residence to raise the fence height per his request
- Constructed several hundred feet of six-foot redwood fence rather than the approved split rail fence behind the neighbor's yards to the south to reduce the visibility of the project from these properties
- Lowered the standard parking lot lighting from 100% to 80% in six locations to reduce light seen from adjacent properties to the south
- Dimmed the lights to 50% output at 9 p.m. per the conditions of approval
- Added six (6) pepper trees on the southern property line to reduce light seen from the properties to the south, including Mr. Brooks home. The Housing Authority also offered to plant a tree on Mr. Brooks' property to block the primary light that can be viewed from his property, but he did not accept the offer
- Modified the project landscape plan to provide better screening of the lights as follows:
  - Changed Cercis canadensis tree in the south parking lot finger to 36" box Standard Form Quercus agrifolia/Coast Live Oak
  - Changed 24" box Quercus lobata near the play area to 36" box Natural Form Quercus agrifolia/Coast Live Oak
  - Added 12 to 15-gallon Prunus lyonii/Catalina Cherry along south side of the parking lot
- Provided further adjustments to the lighting. After the initial installation, there was concern about the light reflecting off senior building and the southern-most family building. Pursuant to in-field inspection, it was discovered that the installing contractor improperly installed the optic configuration of select luminaire heads. Final adjustments were made in March 2017 to address this issue

During the Planning Commission hearing process, the Housing Authority met separately with the appellants and their attorney and with WE WATCH to address concerns regarding lighting. As a result, the Housing Authority committed to make the additional changes outlined below:

- Change the heads of the two (2) lights that Mr. Brooks and Ms. Stewart expressed concerned about. The replacement heads would reduce the reflection of light from the building while ensuring no light trespass on the immediate neighbor's property
- Reduce the output of all 20-foot lights on Parcel 2 (Senior Housing) to 80%
- Turn off all common area second-story balcony lights at 9:00 p.m.
- Reduce the output of the light at the tot lot to 50% at dusk
- Add cut-off visors to lights in Porte Cochere
- Reduced lumen output of the light illuminating the southeastern exit on the Senior Building
- Review all cylinder sconces to ensure they are properly installed and direct light downward

WE WATCH was supportive of the changes and did not object to the Planning Commission's approval of the Development Plan Revision. It should be noted that all of the proposed changes have been implemented and have addressed the stated concerns.

Response to Appeal: The appeal cites light trespass as a key issue. Pursuant to IESNA, light trespass is defined as the "encroachment of light causing annoyance, loss of privacy, or other nuisance." Determination of light trespass is subjective, as there is no single set of values identified within the Santa Ynez Valley Community Plan or California Energy Code, Title 24, which define "trespass." The IESNA "TM-11-00/R11 Light Trespass: Research, Results and Recommendations" suggests that "*light trespass can be evaluated by illuminance values measured at the eye in a place perpendicular to the line of sight when looking at the brightest source in the field of view.*"

The site lighting design at the Golden Inn and Village project complies with the California Energy Code, Title 24, such that illuminated areas do not extend beyond the project boundary (i.e. property line). However, as indicated previously, the Santa Ynez Valley Community Plan and California Energy Code, Title 24 are silent as to what specifically (i.e. measurable light) defines "light trespass" or "light spill." Pursuant to this, the IESNA recommendations, IESNA RP-33-14 "Lighting for Exterior Environments," provides an industry reference as to the amount of light and statistic threshold that can be considered "light trespass" and/or "light spill." Pursuant to IESNA RP-33-14, within lighting Zone 3 (urban areas as defined by the 2010 U.S. Census), 0.8 foot-candles would be permitted as the maximum vertical illuminance recommended at any point in the vertical calculation plane of the property line. It is important to note that the photometric analysis performed by GECE demonstrates statistical values of 0 foot-candles for vertical calculation planes along the Golden Inn property line (between grade to a height of 20-feet). Therefore, there is no measurable light at the project boundary and, subsequently, no measurable light at the appellants' property or within the appellants' line of sight when observing the brightest source within their field of view. Please see Attachment A for a photometric rendering that demonstrates that the lighting drops to 0-foot candles at the property line.

Nonetheless, limited portions of the project lights can be seen by the appellants but, based on IESNA recommendations, this does not equate to measurable light trespass. The 20-foot tall light standards are fully shielded (full cut-off) and are not targeted or directed towards the appellants' properties. Additionally, the intensity (lumen output) of the 20-foot tall light standards on Parcel 2 have been set precisely to the minimum recommendations for security and safety. These design considerations have been implemented to ensure that light trespass and glare are reduced to the maximum extent feasible. Nevertheless, as stated previously, the two (2) lights that generated the greatest concern from the appellants have had the heads replaced to further reduce the light reflection off the senior building.

It should be noted that the surrounding commercial/institutional uses, the Christian School, the YMCA, and the Santa Ynez High School, for example, all make use of 20-foot poles in parking areas. This pole height is generally used within pedestrian and parking areas where safety of pedestrians is a high priority. Portions of these light sources can also be seen by the appellants.

In addition, the appellants are seeking to have all lighting for "aesthetic and decorative purposes" be prohibited from 9:00 p.m. to sunrise on the following day. This request cannot be accommodated because all of the site lighting works together to provide the necessary safety lighting in the parking areas, along walkways, and at entrances and exits of the building.

We recognize that lighting system design and the issues surrounding outdoor lighting are complex in nature. As a result, the Housing Authority took great care to ensure the lighting system designed for the Golden Inn property was developed after careful consideration and engineering evaluation. Concerns presented by the appellants were taken seriously and evaluated carefully, and changes have been made. The Housing Authority is supportive of the measures for further improvement per the Planning Commission's approval on September 27, 2017 because they uphold a balance between the appellants' concerns and the constraints imposed by the California State Energy Code (Title 24) and the Santa Ynez Community Plan requirements. The Housing Authority's key goal is to maintain a design that is consistent with safety and security recommendations set forth by the IESNA. Unfortunately, the changes that have been made to the project do not appear to have satisfied Mr. Brooks and Ms. Stewart, and they are now requesting that the Board uphold their appeal and require the Housing Authority to enter into another protracted process with them to satisfy their concerns. The Housing Authority does not believe the appellants can be satisfied and still achieve the level of lighting necessary to protect their residents and to meet IESNA standards.

## **2. Stormwater**

The appellants make several claims in their letter regarding the adequacy of the stormwater system on-site including: 1) the Housing Authority failed to meet the County requirement that they detain off-site stormwater on-site to address existing flooding problems on Lucky Lane; 2) the Housing Authority failed to submit the drainage plans required by the County prior to project approval; and 3) the Golden Inn and Village stormwater system does not meet County and State requirements regarding stormwater detention, which as a result exacerbated existing flooding problems on Lucky Lane.

The Golden Inn and Village project fully complies with County and State stormwater retention and cleaning requirements. A response to the appellant's allegations is provided below.

Detention of Off-Site Stormwater: It is important to note that the flooding that has occurred on Lucky Lane prior to project construction and post construction is caused by an existing undersized culvert that conveys stormwater from the north under Lucky Lane. Currently, the culvert under Highway 246 is 24 inches and the culvert under Lucky Lane is 16-18 inches, which results in flooding during large storm events. At the beginning of the entitlement process, the appellants approached the Housing Authority and asked if the Housing Authority could provide some assistance with their existing flooding problem when they constructed the drainage facilities for the Golden Inn and Village project. Wanting to be a good neighbor, the Housing Authority was interested in assisting the neighbors with their pre-existing problem and agreed to try and accommodate some off-site stormwater in the proposed detention basins. The objective of detaining some off-site stormwater was written into the project description which later became a condition of approval. It should be noted that this is not a requirement of the County or the State and mixing on and off-site storm water is generally avoided. In addition, there was a condition of approval that stated, "*The proposed drainage plan shall accommodate the off-site runoff that currently flows through the site in the existing drainage swale.*" [Flood Control Condition of Approval – Condition Letter – December 19, 2012].

Unfortunately, as the engineers refined the grading and drainage plan for the Golden Inn and Village project, they determined that it wasn't advisable to detain off-site water from areas to the North of Highway 246 because the flow rate would not remain consistent. As a result, the approved and constructed drainage facilities did not change the historic condition and continued to allow all of the off-site stormwater from the north to traverse the site via the drainage channel that bisects the site. However, the existing drainage channel was widened and planted to better accommodate off-site flows, and energy dissipaters were added at the first outlet of the existing culvert under Highway 246 and at the new on-site culverts to help slow stormwater. In addition, the

project retained a larger portion of the on-site storm water runoff than required by the post construction storm water regulations, which reduces the volume of storm water run-off at the southern property line to below pre-development conditions. These changes modestly improved conditions for the downstream neighbors. Because the Housing Authority was not able to detain off-site stormwater on-site, they requested that the County amend the project description (now a condition of approval) to reflect the changed circumstances. The Planning Commission approved this change on September 27, 2017.

Pre-Approval Drainage Analysis: The appellants allege that the project was approved without the proper analysis of stormwater and that a Stormwater Control Plan had not been prepared prior to Planning Commission and Board of Supervisors approvals in May and June of 2014. At the time the application was submitted to the County in 2012, the County required the submittal of a preliminary drainage report which addressed two things; 1) how stormwater would be managed and detained on-site, and 2) how stormwater will be cleaned before it leaves the site. In 2012 a preliminary drainage report was prepared by EDA Design Professionals (November 21, 2012) for the proposed project and was submitted to the County. The preliminary drainage report was reviewed by Civil Design Studio in a letter dated March 13, 2013, and subsequently in a letter dated March 4, 2014, to ensure that the grading and drainage plan sufficiently addressed changes in the State's requirements, particularly related to how water is cleaned. The review concluded that *"these plans were prepared before the current standards were adopted, it is our opinion that we can meet the current standards with minor design revisions during the construction documentation preparation process."* The drainage plan that was prepared and submitted satisfied the County's entitlement process requirements at the time and, therefore, there were no irregularities with the approval process. After the discretionary approvals were granted in 2014, Flood Control required the submittal of *"all improvement plans, grading plans, drainage plans, drainage studies and landscape plans to the District for review and approval."* [Condition of Approval letter - December 19, 2012] Project Clean Water required the submittal of *"either A) improvement plans, grading & drainage plans, landscape plans, and a drainage study, or B) a Storm Water Quality Management Plan or its equivalent."* [Condition of Approval letter January 31, 2013]. RRM submitted the grading and drainage plan, the landscape plan, and a stormwater control plan (the equivalent of a stormwater quality management plan), and they were found to be consistent with the County's and State's regulations by Flood Control and Project Clean Water prior to zoning/land use clearance and prior to the issuance of a grading permit.

Construction of Facilities: The appellants also allege that the detention basin was not built per the approved grading and drainage plan which *"affected the stormwater quality and has resulted in flooding and damage to the neighboring properties."* This allegation is incorrect. The stormwater detention facilities were constructed per the approved drainage plan, and the volume detention is functioning as anticipated. The flooding that occurred on February 18, 2017, was a result of inadequate drainage facilities in Lucky Lane. As noted above, there is currently an undersized culvert that cannot accommodate the off-site stormwater that flows from the areas north of Highway 246.

It is true that the State Regional Water Quality Control Board did issue a notice of violation to the County of Santa Barbara for not properly implementing the State's requirements for multiple projects. The violation found that the way stormwater was cleaned prior to leaving the site was different than what was approved in the Stormwater Control Plan. There were minor in-field changes to the Stormwater Control Plan because some of the site's features were slightly different than anticipated. Those revisions were reviewed and signed off by the County of Santa Barbara during the grading process. Unfortunately, the Regional Water Quality Control Board did not have access to this information. In response to the violation, RRM prepared as-built plans after

construction which included all of the approved modifications to demonstrate that the constructed low impact development (LID) features cleaned the stormwater per state requirements. The County has supplied the State with the updated information, and the issues were resolved. The letter submitted by John Thyne, the appellant's attorney, on October 9, 2017, mistakenly assumes that the notice of violation was related to stormwater volumes.

Adequacy of Approved Drainage Plan: The appellants also claim that the Stormwater Control Plan does not adequately "address stormwater run-off from the project." Our original study/plans were approved by the County and signed off as complete after construction. Because of the review of the County's implementation of State requirements by the Regional Water Quality Control Board, the County asked RRM Design Group to prepare an "as-built" Hydrology Study to verify that the constructed drainage facilities met the State and County requirements. The "as built" study found that two minor changes to the facilities are needed to ensure full compliance with the County's conditions of approval. The changes include: 1) a minor modification to the outlet structures in the basins to account for a small portion of drainage from the right of way from Highway 246 and a slight increase in calculated impervious surfaces and 2) increasing the freeboard to one foot above the maximum height of the stormwater if there were a 100-year storm and the outlets were completely blocked. With these revisions, the Drainage Plan and the Stormwater Control Plan demonstrate that the project site is consistent with County and State Requirements to detain stormwater generated on-site to ensure that off-site flows remain at or below levels consistent with predevelopment (historic) flows during a storm event. The appellants have not produced any evidence to the contrary.

The appellants are requesting that the Housing Authority solve their historic flooding problem caused by an undersized culvert in Lucky Lane by constructing a "Texas crossing" at the location of the culvert to allow stormwater that cannot be accommodated in the culvert to flow over the top of the road. The Housing Authority is not in a position to make off-site improvements of this nature. In addition, the Housing Authority questions whether the use of a "Texas crossing" in this circumstance is appropriate or safe. If water was allowed to flow over the road during a large storm event, it could trap residents on the east side of the crossing, which includes Mr. Brooks and Ms. Stewart. This could make it impossible for emergency personnel to access these homes and provide service, if needed.

### **3. Change in Building Size and Height**

In the introduction of Mr. Thyne's October letter, he states that the newly-constructed buildings exceed approved building square footage and heights. It is common to make changes to a project during the construction document phase because the project's details are being fleshed out during this phase. In this case, there were changes to both the building footprint and building height to address requirements of the Tax Credit Financing process and the energy efficiency requirements of the green code. These changes were reviewed by staff prior to construction and, where necessary, substantial conformity determinations were made. The Planning Commission confirmed that these changes were acceptable in September of 2017.

### **Conclusion**

The Housing Authority has made substantial and costly efforts to address the concerns raised by the appellants regarding the project lighting. In addition, the Golden Inn & Village project complies with all County and State requirements regarding the detention and cleaning of stormwater and passed all inspections. Consistent with our commitment, we explored possible methods of assisting Lucky Lane residents with their previously existing



flooding problem, but we were unable to accept offsite stormwater into the on-site detention system. However, we did make improvements that provide minimal improvement to the historic flooding problem by 1) slowing the flow of the stormwater flowing onto our project site from north of highway 246 and 2) holding on-site stormwater in the basins longer than required thereby reducing the the flows to the south of our property to levels below the predevelopment flows. As always, the Housing Authority has complied with all County requirements throughout the permitting and construction process.

Finally, the Housing Authority is pleased to partner with the Rona Barrett Foundation to address critical affordable housing needs in the Santa Ynez Community. We are deeply grateful for the tremendous support we have received from the community at-large, and, as always, we remain committed to addressing reasonable concerns raised by community members.

Please let us know if you have any questions regarding the information provided herein.

Sincerely,



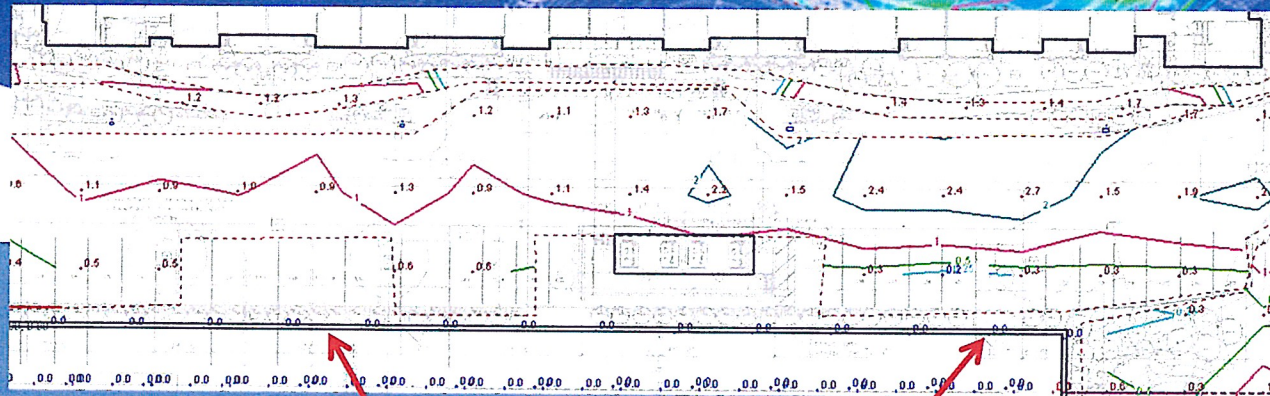
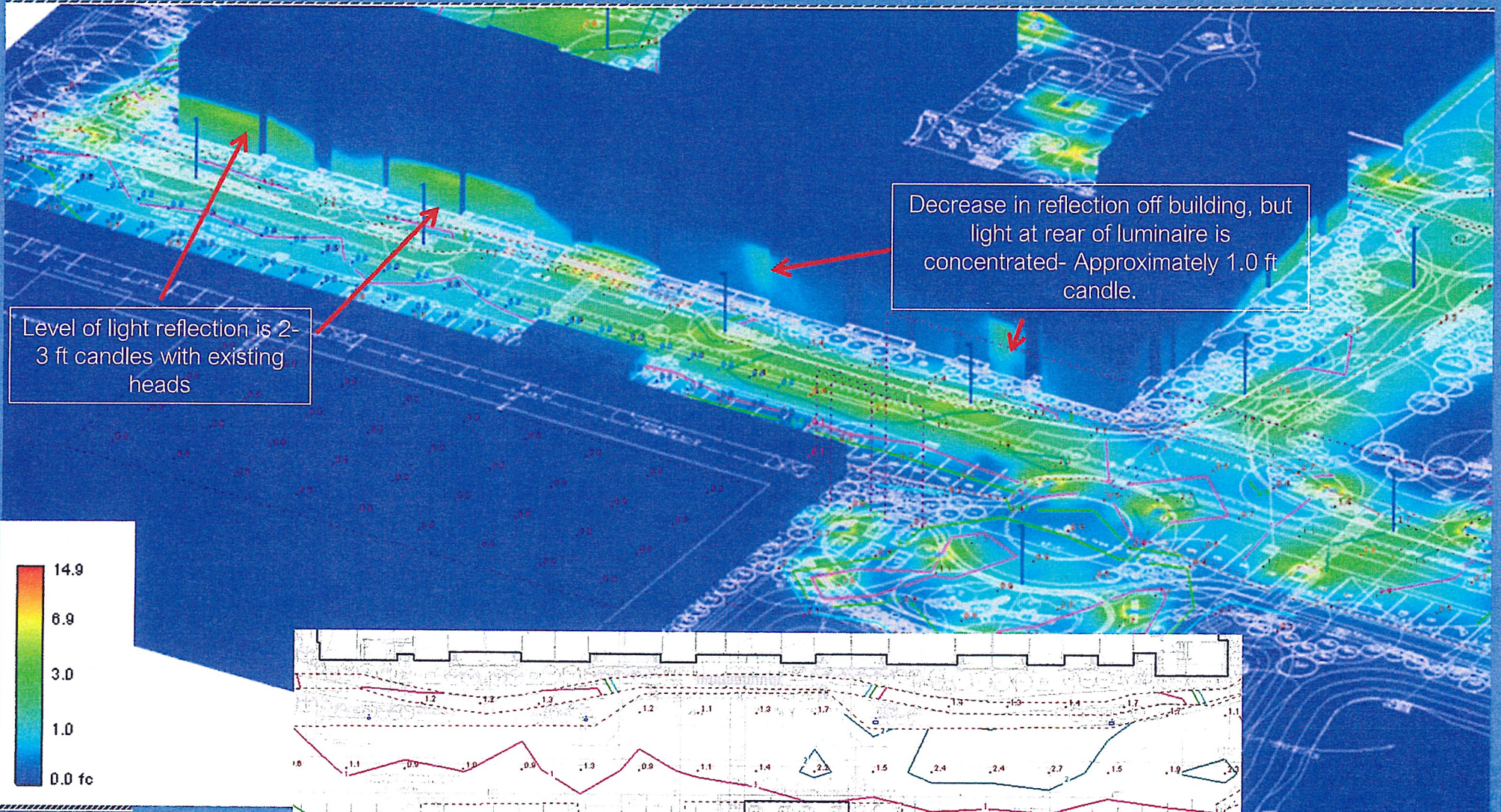
Bob Havlicek  
Executive Director

Attachment A – Photometric Renderings, GECE, September 12, 2017



# Updated Beacon Alternative Head

Lighting output at 80% for senior building and 50% for tot lot



0 ft candle at property line on ground and at top of fence