

ATTACHMENT A
PLANNING AND DEVELOPMENT DIRECTOR'S ANNUAL REPORT FOR 2011
ON THE MONTECITO GROWTH MANAGEMENT ORDINANCE

1.0 Conclusion

Based upon the considerations discussed in this report, the public health and safety continue to be jeopardized by residential construction regulated by the Montecito Growth Management Ordinance No. 4763 (MGMO). The MGMO remains necessary due to resource and service constraints and to protect public health and safety in the Montecito Planning Area. The ordinance criteria for expiration of the MGMO have not been satisfied in the areas of water resources, fire protection, waste water disposal and traffic and circulation.

2.0 Background

On March 12, 1991, the Board of Supervisors adopted the MGMO to pace development within the available services and resources in the Montecito Planning Area. The ordinance allows the issuance of a maximum of 19 land use permits for new residential market-rate units per year. This represents an annual growth rate of approximately one-half of one percent of the existing housing stock in Montecito in 1989. On October 5, 2010, the ordinance was renewed and extended through adoption of Ordinance 4763, with revisions to health and safety criteria based on an updated analysis of environmental resources and constraints.

The MGMO (Section 35B-11) requires that the Director of Planning & Development forward a report to the Board of Supervisors each year on the status of the health and safety criteria considerations that provide the basis for continuing the growth management ordinance. These considerations are water resources, fire protection, waste water disposal, and traffic and circulation. The ordinance requires that the Board receive the report. The Board may schedule a hearing to determine whether the public health and safety are no longer jeopardized by the residential construction which is regulated by MGMO.

3.0 Discussion

The ordinance specifies that the public health and safety are no longer jeopardized if all of the criteria regarding water resources, fire protection, waste water disposal, and traffic and circulation discussed in the following sections are met (Section 35B-11.4).

Water Resources Criterion:

Long and short term water demand is within reliable long- and short-term supply and is consistent with the 10 percent buffer as required by the Montecito Community Plan Policy WAT-M-1.5. If water demand approaches or exceeds water supply, the bi-annual allocation may be reduced until the situation is alleviated. If a reliable long-term water supply is achieved, the MGMO may expire.

The Montecito Water District (MWD) is the primary water purveyor to the Montecito Community Plan area serving the majority of properties with several private water companies and individual water systems serving the rest. This water comes from a combination of sources, including the State Water Project, and surface and groundwater supplies. In 1991, local water supplies totaled approximately 5,080 acre-feet/year (AFY). At the time of adoption of the MGMO, state water had not yet arrived, the water basin was in a state of over-commitment, and a MWD moratorium was in effect. In 1996, the

MWD began receiving its contracted water supplies from the State Water Project and the water moratorium was lifted. Water resources were fully analyzed in the Supplemental EIR certified by the Board of Supervisors on October 5, 2010. The following is summarized from the SEIR.

In 2008, the MWD recognized that water shortages had again become an issue when it identified that during 2007 the total demand for water exceeded the district's reliable supply by approximately 600 acre-feet. In response, the MWD adopted Ordinances 89 and 90, which established specific water allocations and redefined customer classifications. A Certificate of Water Service Availability (CWSA) stating the amount of water to be allocated to a property and new development is now required for all future development as the District moves toward the State mandated 20% reduction in water use by 2020. The MWD also adopted Resolution 2047 which established a new rate structure for water use designed to encourage water conservation.

The availability of a reliable water supply remains a serious challenge for MWD as State Water is not as abundant or reliable as anticipated under the MCP EIR. However, MWD customers have responded well to the conservation measures established by the MWD and continue to reduce water use. Recent water use levels are below the actual currently available supply and the 10% buffer required by the MCP under Policy WAT-M-1.5. As a result, along with two years of rainfall well above the average increasing local surface water supplies, the current short-term water supply outlook is positive.¹

Increased reliability for State Water deliveries and additional efficiencies are required to meet both State requirements of a 20% reduction by 2020 and future long-term demand. However, State Water allocations have fluctuated over the years as discussed in the SEIR. Although the State is working on solutions to these issues, supplemental water purchases from the State Water Project and other Central Coast Water Authority contractors are not considered sustainable sources for long-term supply, which is required along with the 10% buffer under Policy WAT-M-1.5.² Recent water use has dropped due to above average rainfall, conservation measures taken by MWD and the community, and current supplies are anticipated to be stable and reliable for at least the next two years.³ However, no reliable long-term water supply has been established in the last year, this criterion for MGMO expiration has not been met and the MGMO remains necessary from a water resources standpoint.

Fire Protection Criterion:

The ratio of firefighters per population served has reached and has been maintained at one per 2000 or better, response times to all areas within Urban Boundary Area of Montecito is five minutes or better, and/or a third fire station is operational.

The Montecito Fire Protection District operates two fire stations and is currently in the planning stages for a third to be located in the eastern portion of the community. The District currently meets the National Fire Protection Association standard of one fire engine company (station) per 10,000-11,000 people. When the MGMO was adopted, the ratio of firefighters to population served was also well within the standards; however, there was the potential for development of a large number of new residential units with their attendant influx of population. Potential development in the foothill areas of

¹ Montecito Water District. "Water Supply Condition Update." Memorandum from the General Manager to the Board of Directors dated October 18, 2011.

² MGMO Final Supplemental EIR. 2010.

³ *Ibid.*

Montecito presented significant potential impacts to fire protection due to the lack of access, the inadequacy of gravity pressurized water mains in the areas of higher elevation, long response times and the high danger posed by the chaparral prevalent in the foothills. Fire Protection was fully analyzed in the Supplemental EIR certified by the Board of Supervisors on October 5, 2010.

With the adoption of the Montecito Community Plan in 1992, the potential level of fire danger resulting from new residential units and population, particularly in the foothill areas, was significantly decreased due to the reduction in zoning densities. This reduction in the number of potential residential units has allowed the Montecito Fire Protection District to maintain a ratio of firefighters per population at one per 2,000 or better. However, the 2010 Supplemental EIR for the MGMO extension identified new information and circumstances determining that several locations within the urban area of Montecito remain outside of the desired five minute or better response time. Thus, the criterion has not been fully met and the MGMO remains necessary from a fire protection standpoint.

Wastewater Disposal Criterion:

Montecito Sanitary District infrastructure is sufficient to serve urban areas of the Montecito Planning Area at build-out under the land uses established as part of the Montecito Community Plan.

Wastewater disposal was fully analyzed in the Supplemental EIR certified by the Board of Supervisors on October 5, 2010. The SEIR concluded that aging infrastructure and the need for upgrades and/or replacements is necessary to continue to provide sufficient service to the urban areas of Montecito as build out continues under the land uses established by the Montecito Community Plan. Since 2010, the MSD has made several infrastructure improvements including lining of old pipes and replacing pumps; however, none of these improvements increase the capacity of the infrastructure or address the areas of particular concern.⁴ Therefore, the criterion has not been met and the MGMO remains necessary from a waste water disposal standpoint.

Traffic and Circulation Criterion:

Completion of improvements to the following identified roadways, intersections and interchanges identified in the Montecito Growth Management Ordinance Amendments and Extension Supplemental EIR, or completion of any equivalent or more effective measures :

- Roadways:
 - North Jameson Lane*
 - Sheffield Drive between Jelinda Drive and Birnam Wood Drive*
 - East Valley Road between Cota Lane and Picacho Lane*
 - Olive Mill Road between Olive Mill Lane and Hot Springs Road.*

- Intersections:
 - Sycamore Canyon Road/Barker Pass Road*
 - San Ysidro Road/North Jameson Lane*
 - Olive Mill Road/Spring Road*
 - San Ysidro Road/East Valley Road*

⁴ Diane Gabriel, General Manager, Montecito Sanitary District. November 30, 2011 personal communication to Julie Harris.

- *U.S. 101 Interchanges:*
Olive Mill Road
San Ysidro Road
Sheffield Drive

An updated traffic and circulation analysis was prepared in 2010 for the *Montecito Growth Management Ordinance Amendments and Extension Supplemental EIR (SEIR)* and the traffic and circulation criterion above was identified as a mitigation measure.

Roadways

In 2010, the MGMO Extension SEIR identified the current Levels of Service⁵ for the four identified roadways listed in the criterion above (LOS A for the first three and LOSB for the fourth). The Montecito Community Plan identifies LOS B as the acceptable Level of Service. The SEIR forecasts future LOS at build-out of the planning area to be LOS F, D, C and C for these four roadway segments, respectively. The SEIR identified road widening of these segments to mitigate the decrease in LOS at build-out but these measures have not been implemented. No other equivalent measures have been implemented.

Intersections

The 2010 MGMO Extension SEIR identified four intersections that would be impacted by future buildout of the MGMO:

- *Sycamore Canyon Road/Barker Pass Road*
- *San Ysidro Road/North Jameson Lane*
- *Olive Mill Road/Spring Road*
- *San Ysidro Road/East Valley Road*

These intersections currently operate at LOS B with the exception of San Ysidro Road/North Jameson Lane, which operates at LOS C.⁶ At buildout, the 2010 SEIR anticipates that all four will be operating at LOS C, except for San Ysidro Road/North Jameson Lane, which would operate at LOS F. The SEIR identified several intersection improvements as mitigation measures, including converting the Sycamore Canyon Road/Barker Pass Road and the Olive Mill Road/Spring Road intersections to all way stop controls, signaling San Ysidro Road/North Jameson Lane, and restriping the eastbound approach to San Ysidro Road/East Valley Road. To date, none of these improvements have occurred, nor have any other improvements been implemented.

Highway 101 Interchanges

Several operational improvements to the Highway 101 corridor through Montecito are in various stages of planning and construction by local and state agencies. Overall, they include a plan to widen Highway 101 from Sycamore Creek in the City of Santa Barbara to Carpinteria Creek in the City of Carpinteria, and include several interchange and frontage road upgrades (South Coast 101 High Occupancy Vehicle project). Portions of this project are under construction and nearing completion (between Milpas Street in Santa Barbara to the interchange with Cabrillo Boulevard near the west boundary of the Montecito

⁵ Roadway Level of Service is a qualitative measure which varies according to traffic volumes, speed, travel time, delay and freedom to maneuver. Level A represents free-flowing conditions while F is severe congestion with stop-and-go conditions.

⁶ LOS C is the Countywide threshold standard for traffic flow through intersections.

Community Plan area). This initial phase of the project includes changes to the Highway 101/Cabrillo Boulevard interchange and construction of a roundabout at Hot Springs Road and Coast Village Road. Other portions of the project are in the planning and environmental review stages and a Draft EIR is expected to be released in February 2012. Currently, no changes are proposed to the interchanges with Olive Mill and San Ysidro Roads; however, changes to the interchange with Sheffield Drive are proposed as the existing southbound off- and on-ramps would conflict with a High Occupancy Vehicle lane. Once completed, the operation of these interchanges and associated surface streets are expected to improve in terms of safety and level of service.

Although local and regional agencies are working to improve transportation system deficiencies, roadway volumes are continuing to increase within the Montecito Planning Area. Traffic and circulation in Montecito will not substantially improve until all planned and funded transportation projects are completed and additional improvements are carried out. Given the scope and cost of these projects, achieving a balance between transportation services and residential growth is not expected to occur within the next several years. The 2010 SEIR included a mitigation measure requiring a new traffic study once the Highway 101 improvements have been constructed in order to reassess traffic conditions in the Montecito area.

Therefore, as none of the identified improvements have occurred,⁷ the ordinance criterion for traffic and circulation has not been met and the continuation of the MGMO is necessary to preserve the public health and safety on the roadways of Montecito.

4.0 Ordinance Implementation

Since the MGMO became effective in July of 1991 and through December 2011, 318 allocations for the development of new residential units have been granted. Of this number, 109 residences have completed construction, four have either been issued a building permit or are under construction, 17 are undergoing Montecito BAR, zoning or building permit review, and 167 allocations have been allowed to expire. Under the terms of the existing ordinance, allocations that are allowed to expire are not reallocated, but landowners may apply and compete for new allocations.

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⁷ Information regarding roadway, intersection and interchange improvements has verified by Will Robertson, Public Works, Transportation Division, December 2, 2011, and Fred Luna, SBCAG, December 5, 2011.