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November 5, 2020

Santa Barbara County Board of Supervisors
105 East Anapamu Street
Santa Barbara 93101

Subject: Olive Mill Roundabout Coastal Development Permit Application
19CDP-00000-00048

To: Santa Barbara County Board of Supervisors

Chair Hart and Board Members,

The City of Santa Barbara and County of Santa Barbara are writing to you as co-applicants regarding the Coastal Development Permit (CDP) Application for the Olive Mill Roundabout Project (Project) (19CDP-00000-00048). This Project achieves public improvements as specified by the Montecito Community Plan, County Board Policies, and Local Coastal Plan Amendment, serves as mitigation for the Caltrans Highway 101 HOV project as specified in its Environmental Impact Report, and is critical to the effective circulation of regional traffic. The Project was subject to review by the Montecito Board of Architectural Review and Montecito Planning Commission (MPC) as part of the permitting process, in addition to the City's Architectural Board of Review (ABR) and Planning Commission. The City's Planning Commission approved the City's CDP on August 20, 2020 and the MPC approved the County's CDP on September 16, 2020.

The conditions placed on the Project by the MPC are typical of conditions for private development, rather than projects built for public use by local and state agencies. The Co-Applicants (City and County) request that your Board consider minor modifications to these conditions in order to meet the intent of the conditions, while recognizing that the implementing agencies (the City of Santa Barbara, County, Caltrans, and SBCAG) are public agencies, and building this Project is for the public good. Specifically, modifications are requested where the MPC conditions conflict with standards of practice for engineering, design, County and State policies, safety, financial agreement, traffic circulation, traffic control, or coordination. The changes recommended by the Co-Applicants, as described further below, fall into two general categories: 1) those that clarify the conditions for implementation and 2) those that reconcile the intent of the conditions with standards of practice for public projects.

Changes Recommended by the Co-Applicants

Condition numbers below refer to conditions for the Development Plan. However, the comments and requested changes apply to the parallel conditions in the County's approved CDP as well.

Of the twenty nine (29) Project conditions, the Co-Applicants request changes to the following six (6):

19. **Per LU-M-2.1.1, and VIS M 1-3, the highest area(s) of the roundabout, including the plantings, shall not significantly reduce the view corridors ~~as shown in the Applicant's September 16, 2020 presentation depicting the view~~ looking north on Olive Mill Road toward the Santa Ynez Mountains. Trees planted within the center roundabout shall be fruitless field grown olive trees. Prior to the 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. Prior to Coastal Development Permit issuance, P&D shall confirm notations on plans. During construction, the Resident Engineer shall ensure installation of the trees.**

The recommended change to include "significantly" allows for installation of traffic safety devices and barriers that are required to meet engineering design standards. It also gives the Montecito Board of Architectural Review (MBAR), the body responsible for the aesthetics of the Project within County jurisdiction, flexibility to inform the Project and create the most context-sensitive project. As written, the condition conflicts with the design developed by the Project's Design Working Group, comprised of members of MBAR, MPC, City ABR, City Planning Commission, and City Historic Landmarks Commission (HLC), who have incorporated their knowledge of the community's desires into the proposed design. Adding "significantly" would give the agency implementing the Project the flexibility to increase the views in the corridor while still meeting other goals expressed by the community in numerous public outreach meetings. Additionally, removing the selected language, as shown above, would clarify the condition while maintaining its intent, as it will still require preserving the corridor views to the extent feasible. In addition, this recommendation is consistent with the California Environmental Quality Act analysis performed on the project.

20. **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"~~ Type B and C City standard Domas Style.**

The recommended change would allow for consistent lighting standards throughout the roundabout. As written, the intersection would have two separate lighting standards. Mission Bell Style lights would be installed within County jurisdiction and City Standard Domas Style lights would be located within the City jurisdiction. As written, the condition conflicts with the design developed by the Project's Design Working Group, comprised of members of MBAR, MPC, City ABR, City Planning Commission, and City HLC who have incorporated their knowledge of the community's desires into the proposed design. In addition, Mission Bell Style lights are not consistent with City standards and would likely require the County to maintain some of the lights, while the City maintains others, which would be inefficient.

21. **Per CIRC.M.1.1 and M-3.6, the establishment period for all plants shall be at least (5) five 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 term of thirty~~**

years), renewable maintenance agreement with, ~~subject to County Board of Supervisors approval, if required, with adequate funding, the State. This agreement will assign responsibilities to each party for maintenance as agreed upon by all parties.~~

The recommended changes would address the initial maintenance period, as well as future ongoing maintenance, in a manner consistent with how public agencies agree on maintenance for projects that cross agency lines. Throughout the County where there is shared maintenance on State facilities, including all the other Highway 101 HOV parallel projects in development, maintenance is covered through a Caltrans Freeway Maintenance Agreement (FMA). This agreement explicitly states which party is responsible for what items of work and where. The agreement is adopted by your Board on behalf of the County, which is why “Public Works” is recommended to be changed to “the County.” On this particular FMA, there would be shared responsibilities between the State, County, and the City of Santa Barbara.

Changes to remove “adequate funding” are recommended because the phrase is subjective and binds the Board to commit future funds beyond the approved budget cycle. The mechanism to dedicate long-term funding for these types of items would be a combination of a Memorandum of Understanding with the City of Santa Barbara and a Community Service Area for lighting and landscaping, similar to those in place for other locations in the County. MOUs can have long-term budgets secured for specific locations and scopes. Other Transportation funding is subject to annual budgeting availability and prioritization. The rest of the language proposed for replacement is to clarify that the agreement will be similar to FMAs approved by Caltrans at other similar locations within the County.

22. **Per CIRC-M 3.7, except as may be required by the Americans with Disabilities Act or any similar law, or within the State right of way, 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.**

The added language would address the fact that the State does not allow decomposed granite pathways on pathways within their right of way.

23. **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] or approved by MFPD. Additionally, none of them shall be its list of undesirable plants and deciduous.**

The recommended changes would clarify and allow flexibility to complete the Project in keeping with the recommended plant palates from the Design Working Group, comprised of members of the MBAR, MPC, City ABR, City Planning Commission, and City HLC, while meeting the intent of being fire-resistant and approved by Montecito Fire Protection District (MFPD). In working with the MFPD, the design team learned that some plants may be on the undesirable list for circumstances that don’t apply to this Project. Likewise, some plants may not be on the desirable list because it is an illustrative list, not an all-encompassing list of desired plants. This can easily be resolved by ensuring MFPD reviews and approves the planting plan.

26. **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 vehicular traffic shall be routed on any residential street.~~ the traffic management plan shall only use residential streets as a last resort except for use of bicycles and pedestrians detours.**

The County and City Public Works Departments' goal is to minimize disruption to local traffic circulation during construction as much as possible, especially to the local residential streets. However, the level of service of San Ysidro Road, and other nearby arterials and collectors will be temporarily impacted during construction and stating otherwise is not accurate. San Ysidro Road and all other impacted roadways will be monitored continuously throughout construction and adjustments will be made as needed. Also, allowing cyclists and pedestrians to use residential streets for detours would significantly reduce detour travel lengths for those users. California Vehicle Code 21200 imposes on bike riders the same duties and responsibilities as motor vehicle drivers, thus the modified language clarifies the condition acknowledging that bicycles would be allowed to use the residential streets along detour routes.

Thank you for your consideration of these changes. They are consistent with concerns staff raised during the 13-plus hours of hearings on this Project. Although the Project could still be built without modifying the conditions, these changes will help ensure good stewardship of public facilities and funds, reduce liability, increase safety, and improve the ability to build the Project as envisioned by the design review boards and Design Working Group.

Sincerely,

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City of Santa Barbara, Public Works

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