

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for the Salentine Second Development Envelope Project

Hearing Date: June 17, 2009
Staff Report Date: May 29, 2009
Case No.: 07RMM-00000-00001

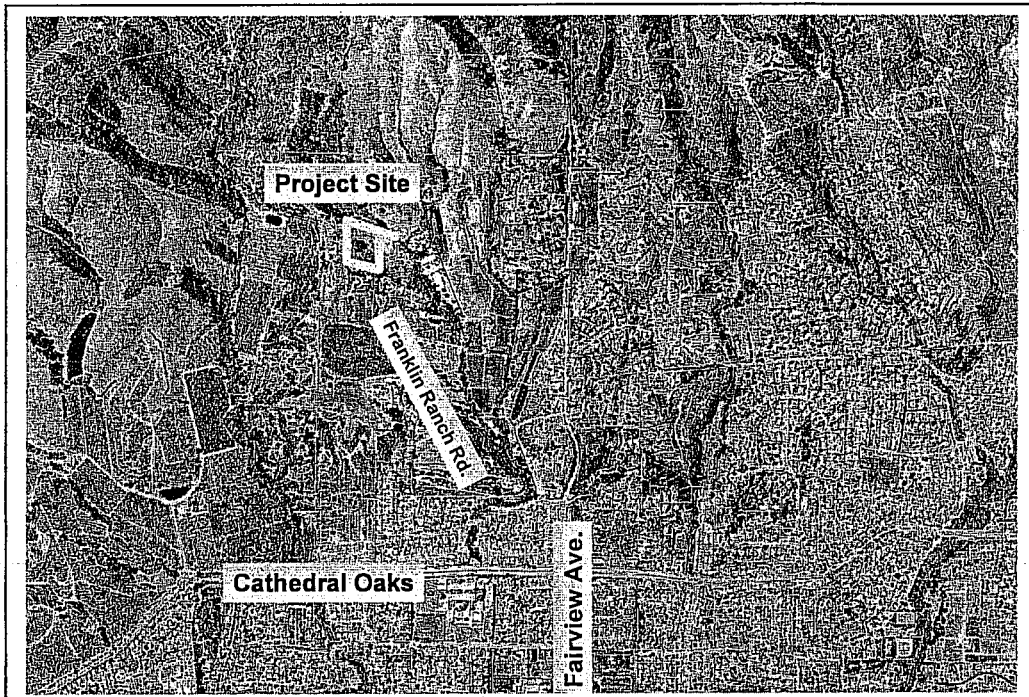
Deputy Director: Dave Ward *DWard*
Division: Development Review, South
Supervising Planner: Anne Almy
Staff Contact: Errin Briggs
Planner's Phone No.: 568-2047

Environmental Document: Addendum to 87-ND-15
Pursuant to CEQA Guidelines Section 15164

OWNER/APPLICANT:

John Salentine
105 Campo Vista
Santa Barbara, CA 93111
(805) 455-8319

VICINITY MAP



AGENT:

Jennifer Foster
P.O. Box 591
Summerland, CA 93067
(805) 565-8522

This site is identified as Assessor Parcel Number 077-030-025, located approximately ¼ mile north of the intersection of Franklin Ranch Road and La Goleta Road at 1225 Franklin Ranch Road in the Goleta area, Second Supervisorial District.

1.0 REQUEST

Hearing on the request of Jennifer Foster, agent for the owner John Salentine, to consider Case No. 07RMM-00000-00001, [application filed on January 8, 2007] in compliance with County Code Chapter 21, on property zoned RR-5 to allow the creation of a second Development Envelope on Parcel B of Parcel Map 13,861; and to approve the Addendum to Negative Declaration 87-ND-15 pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. There are no new significant environmental impacts as a result of this modification request. The original ND identified potentially significant but mitigable effects on the environment in the following categories: Aesthetics/Visual Resources, Geologic Processes and Water Resources.

The Addendum to the Negative Declaration and all reference documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara. The application

involves AP No. 077-030-025, located at 1224 Franklin Ranch Road, in the Goleta area, Second Supervisorial District.

Application Filed: January 8, 2007
Application Complete: February 7, 2007

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case No. 07RMM-00000-0001, marked "Officially Accepted, County of Santa Barbara, June 17, 2009, County Planning Commission Exhibits A-G", based upon the project's consistency with the Comprehensive Plan including the Goleta Community Plan and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Adopt the required findings for the project specified in Attachment A of this staff report, including the California Environmental Quality Act (CEQA) findings.
2. Approve the Addendum contained in Attachment D and adopt the mitigation monitoring program contained in the conditions of approval.
3. Approve the project subject to the conditions included as Attachment B.

Alternatively, refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

The project is being considered by the County Planning Commission based on Section 21-6 of the Chapter 21 Subdivision Regulations which states:

- (a) ***Discretionary Decision-Maker Jurisdiction and Designation of Responsibility.*** Planning Commission or Zoning Administrator. *The Santa Barbara County Planning Commission shall be the decision-maker, except that the Zoning Administrator shall be the decision-maker for the following:*

Because the Planning Commission was the decision-maker responsible for approving the map being modified, the decision-maker for the current application shall also be the Planning Commission.

4.0 ISSUE SUMMARY

The project proposed would add a second Development Envelope to a site with an already existing Development Envelope established by Parcel Map 13,861. The proposed Envelope would be located in a flat portion of the site that is not open to public views. Environmentally Sensitive Habitat (ESH) associated with Franklin Creek is located in a small portion of the

northeast corner of the property. However, the proposed additional Envelope would be located over 150 feet from this area and no impacts to ESH are expected to occur from future buildout of the Envelope.

Environmental review of the proposed project is being addressed by use of an Addendum (included as Attachment D) to the previously approved Mitigated Negative Declaration, 87-ND-15. Use of the addendum is necessary because the 87-ND-15 analyzed potential impacts from a historic lot split and did not consider the current condition of the subject property. Specifically, the topography of the parcel has been altered by the placement of approximately 20,000 cubic yards of fill material in a small, onsite drainage by the Santa Barbara County Flood Control District in 1995. The fill material effectively leveled a portion of the drainage and created a flat pad of approximately 22,000 square feet in size. The proposed Development Envelope would be located wholly within this flat area. While the fill material is currently unconsolidated, the fill area is considered adequate for structural development with implementation of the recommendations contained in the Preliminary Foundation Investigation (Pacific Materials Laboratory dated 9/22/06 and revised 9/4/07) and Geologic Hazards Evaluation (Campbell Geo dated 9/21/07), including recompaction of the fill beneath any future structures and/or the use of grade beams with caissons. Recompaction of specific areas beneath any future structural development would not affect the ability of the site to percolate for septic disposal as the dry well test pits would be located outside the footprint of soil recompaction.

The Cachuma Operations Management Board (COMB) South Coast Conduit waterline, a 48-inch waterline which supplies much of the Santa Barbara south coast with potable water, runs through the subject property. The proposed additional Envelope has been located outside the waterline easement and future development contained within the Envelope would not conflict with COMB's operation of the waterline. COMB Operations Manager, Brett Gray has reviewed the proposed map and submitted a February 23, 2009 letter stating COMB has no issues with the proposed project.

The project poses no significant planning issues.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Rural, RR-5 (Residential Ranchette, one dwelling unit per 5 acres), Goleta Community Plan area, Existing Developed Rural Neighborhood
Ordinance, Zone	Countywide Land Use Development Code, RR-5 (Residential Ranchette, 5-acre minimum parcel size), Environmentally Sensitive Habitat Overlay
Site Size	5.00 acres (gross)

Site Information	
Present Use & Development	Site is currently vacant
Surrounding Uses/Zone(s)	<i>North:</i> Residential/Agricultural, RR-5 <i>South:</i> Residential/Agricultural, RR-5 <i>East:</i> Residential/Agricultural, RR-5 & AG-I-5 <i>West:</i> Residential/Agricultural, RR-5 & AG-I-20
Access	Access is taken directly from Franklin Ranch Road
Other Site Information	Two Water Lines/easements located within the site: <ul style="list-style-type: none"> • Cachuma Operations Management Board (COMB) South Coast Conduit • Goleta Water District water line
Public Services	Water Supply: Goleta Water District Sewage: Private Septic System (for future development) Fire: County Fire Department

5.2 Description

The request is for a Recorded Map Modification to allow the addition of a second Development Envelope of approximately 21,703 square feet to Parcel B (APN 077-030-025) of the previously approved Parcel Map 13,861. The new and existing Development Envelopes would contain all future structural development and associated grading, ground disturbance and construction activities (including construction staging, stockpiling, and washout areas). Future grading for driveways, utilities and drainage improvements would be necessary outside the Development Envelopes. The existing Development Envelope located in the northwestern portion of the property would remain unchanged. Access to the site would continue to be from Franklin Ranch Road, an existing private roadway easement. The site would be served by the Goleta Water District, the County Fire Department and a private septic system. No grading would be necessary and no trees would be removed as part of the project. The parcel is currently vacant and no new structural development is proposed.

Condition no. 7 of Parcel Map 13,861 would be revised as part of the project. Condition no. 7 states: "All grading shall be performed outside the rainy season during the relatively dry season from April 1st to November 30th. All areas disturbed during grading or development shall be stabilized with native grasses and shrubs immediately following disturbance."

This condition would be replaced with the County's current standard condition which allows grading during the winter months with implementation of a Building & Safety approved erosion and sediment control plan. The condition also requires all exposed graded surfaces to be reseeded with ground cover vegetation to minimize erosion within 4 weeks of grading completion.

5.3 Background Information

The subject parcel was created as Parcel B of Parcel Map 13,861 as approved by the Santa Barbara County Planning Commission on June 3, 1987.

The parcel is currently vacant. However, an Emergency Permit (08EMP-00000-000007) and follow-on Land Use Permit (08LUP-00000-00525) were issued (2/10/09) to allow repair of an onsite slope failure located within an easement which contains the Cachuma Operations Management Board (COMB) South Coast Conduit waterline and a Goleta Water District waterline. At the time this report was released, the repair work was underway and near completion.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

Environmental analysis for the proposed project includes an Addendum to Mitigated Negative Declaration 87-ND-15 prepared for the James Lot Split, TPM 13,861, (which created the subject parcel). Consistent with CEQA Guidelines section 15150, all relevant studies and reports upon which analysis was based are incorporated by reference. For all environmental issue areas, there are no substantial changes in the severity of environmental impacts. No new significant environmental effects than those analyzed under 87-ND-15 have been found with respect to the proposed project, as analyzed in the Addendum to 87-ND-15 (contained in Attachment D of this staff report). Therefore, none of the requirements for preparation of a subsequent Negative Declaration or EIR listed in Section 15162 apply to the proposed project.

6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
Land Use	
<p>Land Use Element LUD Policy 4: <i>Prior to the issuance of a use permit, the County shall make the finding that adequate public or private services and resources (i.e. water, sewer, roads, etc.) are available to serve the development.</i></p> <p>Land Use Element LUD Policy 5: <i>Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district or an existing mutual</i></p>	<p>Consistent: Adequate public and private services would be available to serve future development within the existing and proposed Development Envelopes. The property would be served by the Goleta Water District (Water Service Classification Letter provided for the project and dated July 10, 2006), private septic system(s) and the County Fire Department. Environmental Health Services has reviewed the preliminary septic system and soils information and issued a January 8, 2008 letter stating that the site has adequate percolation and drywells would be feasible to</p>

water company, if such services are available.

serve future development. Access to the subject property would be taken directly from Franklin Ranch Road. The adjacent road network is adequate to serve future residential uses and the potential traffic generated by the construction of a future residence(s).

Hillside and Watershed Protection Policy

Land Use Element Hillside and Watershed Protection Policy 1: *Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.*

Land Use Element Hillside and Watershed Protection Policy 2: *All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms...shall be preserved to the maximum extent feasible. Areas of the site not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.*

Policy GEO-GV-5: *Ground disturbances and development on slopes of 20 percent or greater should be avoided, unless such avoidance would prohibit development, wherein the portion of the site which exhibits the least amount of slope shall be utilized. Development on these sites should be designed to minimize combined grading from driveway and building pad creation.*

Consistent: In association with the lot split which created the subject parcel, a Development Envelope was designated in the northwest corner of the property to limit ground disturbances associated with future development and to avoid future grading and development from occurring on slopes greater than 20%. The current project proposes to add a second Development Envelope located in a central flat portion of the site subsequent to approval of the original map and Development Envelope. Due to the designation of the existing and proposed Development Envelopes, on-site features and landforms (including the crescent-shaped slope and numerous eucalyptus trees) would be preserved in the event of future development. Because slopes within the existing Development Envelope are approximately 15% and slopes within the proposed Envelope are flat, grading associated with future development would be limited in scope. Due to the designation of Development Envelopes, future structural development would not occur on slopes greater than 20%. Areas of the site with slopes greater than 20% would be left in open space.

Land Use Element Hillside and Watershed Protection Policy 3: *For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time*

Consistent: Condition no. 6 of Attachment B would require all future site preparation be subject to best management practices including erosion and sediment control

during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.

Land Use Element Hillside and Watershed Protection Policy 4: *Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained through the development process to remove sediment from runoff waters. All sediment shall be retained on site unless removed to an appropriate dumping location.*

Land Use Element Hillside and Watershed Protection Policy 5: *Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.*

Land Use Element Hillside and Watershed Protection Policy 6: *Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.*

DevStd GEO-GV-5.3: *All surface water runoff shall be culverted and diverted to avoid exposed slopes and directed to the*

measures to prevent erosion and siltation from migrating off-site.

Consistent: During storm events, the project site currently sheet flows from the crescent-shaped bowl in the south, west and north portions of the lot to the eastern, flat portion of the lot. In order to prevent erosion of onsite slopes, stormwater falling upslope of any future development (in both the existing and proposed Envelopes) would be redirected to catch basins and carried downslope via underground drainpipes or overland drainage swales to the existing drainage improvements located along the eastern border of the project site. The water would then be directed to Franklin Creek where it would eventually be

<p><i>nearest natural drainage channel with an energy-dissipating outfall installed.</i></p>	<p>carried to the Pacific Ocean. Drainage improvements associated with future construction would be reviewed and approved by Building & Safety staff consistent with the County's Regional Water Quality Control District general permits. The remainder of the site outside the existing and proposed Development Envelopes would continue to sheet flow and percolate as it has historically.</p> <p>On July 12, 2007, a Land Use Permit was issued which allowed the property owner to construct a series of drainage improvements including swales, rip-rap and culverts along the eastern property line to limit the effects of stormwater runoff from the site on the downhill neighbor. These improvements have alleviated historical drainage problems along the eastern portion of the site and improved stormwater drainage conditions adjacent to the project area.</p>
<p>Land Use Element Hillside and Watershed Protection Policy 7: <i>Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</i></p> <p>DevStd BIO-GV-19.2: <i>Washing of concrete, paint, or other equipment shall be allowed only in areas where polluted water can be contained during construction and in industrial settings.</i></p>	<p>Consistent: For all future development, condition of approval no. 10 of Attachment B would require a designated washout area where polluted water and materials including concrete and paint could be contained for subsequent removal from the site.</p>
Biological Resources	
<p>Policy BIO-GV-2: <i>Environmentally Sensitive Habitat (ESH) areas and Riparian Corridors within the Goleta Planning Area shall be protected and, where feasible and appropriate,</i></p>	<p>Consistent: Environmentally Sensitive Habitat (ESH) associated with the Franklin Creek riparian corridor is located in a small portion of the northeast corner of the</p>

enhanced.

Policy BIO-GV-8: *The minimum buffer strip and setbacks from streams and creeks for new development and actions within the ESH overlay that are regulated by the County Zoning Ordinances shall be as follows, except on parcels designated for agriculture in inner rural areas where Policy BIO-GV-9 shall apply:*

a. *ESH areas within urban, inner rural and existing developed rural neighborhoods: a setback of 50 feet from either side of top-of-bank of creeks or existing edge of riparian vegetation, whichever is further, minimizing all ground disturbance and vegetation removal, shall be indicated on all grading plans;*

property. However, the proposed Envelope would be located over 150 feet from this area, over 200 feet from the top of bank of Franklin Creek. The existing Envelope is located upslope approximately 180 feet from the ESH area. No impacts to ESH are expected to occur from future buildout of the existing and proposed Envelopes. Condition of Approval No. 14 of Attachment B would require the location of the ESH area to be shown on the final map.

Visual Resources

Visual Resources Policy 3: *In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.*

Policy VIS-GV-1: *The County shall through its discretionary and design review process, ensure the maintenance and where necessary the improvement of the quality in the design and landscaping of industrial, commercial, institutional, and residential facilities.*

Policy VIS-GV-6: *Outdoor lighting in Goleta shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.*

Consistent: Although the project site is surrounded by numerous homes and open to private viewing areas to the north and east, the existing Development Envelope is not open to public viewing places. An isolated stand of mature eucalyptus trees at the eastern boundary of the site and the crescent-shaped bowl formed by onsite slopes effectively block all public views of the existing Development Envelope. The proposed Development Envelope would be completely screened by the site's topography and existing trees. Any future residence(s) on the property would be limited to the existing and proposed Development Envelopes and would not be visible to the public.

The surrounding neighborhood comprises rural-residential and agricultural properties which host residential/agricultural structures that vary greatly in size. Residential Ranchette properties from 5-10 acres in size are located to the south, west and east of the

project site and large agricultural lots of 10 to several hundred acres are located to the north, west and east of the site. Residences and agricultural accessory structures in the surrounding neighborhood are a mix of one and two stories and vary in size from less than 1,000 square feet to over 5,000 square feet. Designation of the proposed Development Envelope would allow more area for future construction of a residence and accessory structures of similar size to that of the surrounding neighborhood. While a residential second unit could also be developed in addition to a single-family residence, its size would be limited by ordinance to a maximum of 1,200 square feet. Within the existing Envelope, future development would be subject to the Hillside/Ridgeline Ordinance and therefore must comply with the Hillside/Ridgeline Development Guidelines height limit of 16 feet for rural areas. Future development in this Envelope would be subject to SBAR review and approval.

Because the area within it is flat, future development within the proposed Envelope would be limited to a maximum height of 35 feet. Such height limitations, in concert with SBAR review, would ensure that future development would be compatible with the surrounding neighborhood. Condition of Approval No. 5 of Attachment B requires that South Board of Architectural Review approval be obtained prior to issuance of a land use permit for future development.

Night lighting installed in association with future development could utilize inappropriate fixture and/or shielding and cause glare and spillover into adjacent parcels. Night lighting associated with future development would also be reviewed by the SBAR, ensuring that it would be fully hooded and directed

	downward so as to prevent spillover to adjacent parcels (Condition No. 7 of Attachment B)
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Cultural and Historic Resources

<p>Policy HA-GV-1: <i>Significant cultural, archaeological and historical resources in the Goleta area shall be protected and preserved to the maximum extent feasible.</i></p>	<p>Consistent: A phase I archeological study was completed for the subject property on December 16, 1986 in conjunction with the lot split which created the parcel. No archaeological resources were found during the site survey. Additionally, the area within the proposed Envelope was created by approximately 20,000 cubic yards of fill laid over the original landform and, as such, is unlikely to contain any cultural resources. However unlikely, in the event that archaeological resources and/or remains are encountered during grading activities, Condition of Approval No. 8 of Attachment B requires that activities shall be temporarily suspended in the area of the find and the applicant shall retain a P&D-approved archaeologist and Native American observer to carry out appropriate archaeological investigation.</p>
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Noise

<p>Policy N-GV-1: <i>Interior noise-sensitive uses (e.g., residential and lodging facilities, educational facilities, public meeting places and others specified in the Noise Element) shall be protected to minimize significant noise impacts.</i></p>	<p>Consistent: Construction of new residences and/or accessory structures in the existing and proposed Development Envelopes would have the potential to create short-term construction related noise impacts on sensitive receptors nearby. Therefore, the project has been conditioned to limit the hours of operation between 7:00 a.m. and 4:30 p.m. (Condition no. 9 of Attachment B).</p>
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Air Quality

<p>Policy AQ-GV-1: <i>The County shall impose appropriate restrictions and control measures</i></p>	<p>Consistent: Grading quantities associated with future construction of a residence(s)</p>
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<p><i>upon construction activities associated with each future development project, in order to avoid significant deterioration of air quality.</i></p> <p>DevStd AQ-GV-1.1: <i>Future project construction should follow all requirements of the SBCAPCD, and should institute Best Available Control Technology (BACT) where necessary to reduce emissions below APCD threshold levels.</i></p> <p>DevStd AQ-GV-1.2: <i>Project construction shall minimize the generation of pollution and fugitive dust during construction.</i></p>	<p>and/or accessory structure(s) in the existing and proposed Development Envelopes is currently unknown. However, condition of approval no. 11 of Attachment B would require measures to reduce fugitive dust generated by future construction activities including the use of sprinkler trucks on newly graded areas and the use of tarps on soil stockpiles. Heavy equipment operation for such construction is not expected to contribute significantly to particulate generation and therefore would not significantly deteriorate local air quality.</p>
Water Resources	
<p>Policy WAT-GV-1: <i>For discretionary projects which would result in a net increase in water use, there shall be a sufficient supply of water to serve known existing commitments plus the proposed project. This policy shall be implemented consistent with the direction of policy WAT-GV-2.</i></p> <p>Policy WAT-GV-6: <i>In order to minimize water use to the maximum extent possible all new development shall utilize water-conserving landscaping and low-flow irrigation.</i></p>	<p>Consistent: Prior to approval of a Land Use Permit for future development, a can-and-will-serve letter from the Goleta Water District would be required by Condition of Approval No. 13. Issuance of such a letter from the Water District would ensure that a sufficient supply of water would be available for the additional demand.</p> <p>Condition no. 15 of Attachment B would require any future construction to utilize water-conserving landscaping and low-flow irrigation.</p>

6.3 Zoning: Land Use and Development Code Compliance

The proposed Development Envelope would be consistent with the requirements of the Countywide Land Use Development Code including those for setbacks. The property is currently vacant and in compliance with all applicable zoning regulations.

6.4 Subdivision/Development Review Committee

The project was reviewed by the Subdivision/Development Review Committee on February 1, 2007. Departmental condition letters from the Air Pollution Control District and the Fire Department are attached and included as condition no. 21 of Attachment B.

7.0 APPEALS PROCEDURE

- The action of the Planning Commission may be appealed to the Board of Supervisors within 10 calendar days of said action. The appeal fee to the Board of Supervisors is \$443.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval with attached Departmental Letters
- C. 87-ND-15
- D. Addendum to 87-ND-15
- E. Tentative Map
- F. APN Sheet
- G. Driving Directions

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ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 FINDINGS FOR THE ADDENDUM

1.1.1 Consideration of the Addendum and Full Disclosure

The Addendum to Negative Declaration 87-ND-15, dated June 17, 2009 was presented to the County Planning Commission and all voting members of the County Planning Commission have reviewed and considered the Addendum and the Negative Declaration, as discussed in the County Planning Commission staff report dated June 17, 2009, prior to approving this proposal. In addition, all voting Commissioners have reviewed and considered testimony and additional information presented at or prior to public hearing[s] on the Salentine Second Development Envelope Project. The Addendum reflects the independent judgment of the County Planning Commission and has been completed in compliance with CEQA and, together with the 87-ND-15, is adequate for this proposal.

There has been no substantial changes proposed in the project, no substantial changes with respect to the circumstances under which the project would be undertaken and no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Negative Declaration was certified. On the basis of the whole record, including the Addendum, the previously certified Negative Declaration, and any public comments received, the County Planning Commission finds that the project changes described in the Addendum will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment.

1.1.2 Location of Record of Proceedings

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 Planning Commission, Dianne Black, of Planning and Development located at 123 E. Anapamu St., Santa Barbara, CA 93101.

1.1.3 Environmental Reporting and Monitoring Program

Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

1.1.4 Findings that Certain Impacts are Mitigated to Insignificance by Conditions of Approval

The Addendum, dated June 17, 2009, to Negative Declaration 87-ND-15 that was prepared for the James Lot Split identified several subject areas for which the project was considered to cause or contribute to potentially significant, but mitigable environmental impacts including Aesthetics/Visual Resources, Geologic Processes and Water Resources. Please see Attachment-B, Addendum, for further detail.

2.0 ADMINISTRATIVE FINDINGS

Map Modification Findings: Pursuant to Section 21-15.9.h of the Chapter 21 Subdivision Regulations, the following findings must be made in order for staff to recommend approval of the proposed map modification:

2.1 *There are changes in circumstances that make any or all of the conditions of such a recorded final or parcel map, lot split plat or lot line adjustment no longer appropriate or necessary;*

A change in circumstances has occurred on the subject property which fulfills the intent of this finding. Specifically, the topography of the parcel has been altered by the placement of approximately 20,000 cubic yards of fill material in a small, onsite drainage by the Santa Barbara County Flood Control District in 1995. The fill material effectively leveled a portion of the drainage and created a flat pad of approximately 22,000 square feet in size. The proposed additional Development Envelope would be located wholly within this flat area. While the fill material is currently unconsolidated, the fill area is considered adequate for structural development with implementation of the recommendations contained in the Preliminary Foundation Investigation (Pacific Materials Laboratory dated 9/22/06 and revised 9/4/07) and Geologic Hazards Evaluation (Campbell Geo dated 9/21/07), including the use grade beams and caissons.

These changes to the subject parcel meet the intent of this finding and provide the basis for allowing the designation of a second Development Envelope on the subject property. Therefore, this finding can be made.

2.2 *The modification does not impose any additional burden on the present fee owner(s) of the property;*

The proposed Recorded Map Modification has been initiated by a private landowner. The project would not impose any additional burden on the present owner of the subject property. Therefore, this finding can be made.

2.3 *The modification does not alter any right, interest or title reflected by the recorded final or parcel map, lot split plat or lot line adjustment;*

The proposed Map Modification would not alter any right, interest or title of PM 13,861.

2.4 *The recorded final or parcel map, lot split plat or lot line adjustment as modified conforms to the provisions of Section 66474 of the California Government Code;*

Parcel Map 13,861, as modified, would be consistent with the Santa Barbara County Comprehensive Plan including the Goleta Community Plan and the Countywide Land Use Development Code zoning requirements as discussed in sections 6.2 & 6.3 of the staff report dated June 17, 2009 and hereby incorporated by reference. The modified map would continue to be consistent with all findings required under California Government Code Section 66474 necessary for approval of tentative maps. Therefore, this finding can be made.

2.5 *The recorded final or parcel map, lot split plat or lot line adjustment as modified is consistent with the applicable zoning ordinance;*

Parcel Map 13,861, as modified, would continue to be consistent with all applicable provisions of the Countywide Land Use Development Code as discussed in section 6.3 of the staff report dated June 17, 2009 and hereby incorporated by reference. Therefore, this finding can be made.

2.6 *The property for which the modification is sought is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, height and setbacks, and any other provisions applicable to the property for which the modification is sought, and such enforcement fees as established from time to time by the Board of Supervisors have been paid;*

The subject property is in compliance with all requirements of the Countywide Land Use Development Code and is consistent with the policies contained within the Comprehensive Plan including the Goleta Community Plan as discussed in sections 6.2 & 6.3 of the staff report dated June 17, 2009 and hereby incorporated by reference. There are no outstanding violations associated with the subject parcel. Therefore, this finding can be made.

2.7 *The recorded final or parcel map or lot line adjustment as modified does not result in an increased number of dwelling units or a greater density than the recorded final or parcel map or lot line adjustment.*

The proposed Map Modification would add a second Development Envelope to the subject parcel. While the Countywide Land Use Development Code allows for the construction of a Residential Second Unit (RSU) in the RR-5 zone district, such a structure could be developed, along with the primary residence, within the existing Envelope. There is ample area in the existing Envelope to construct an attached RSU. The addition of the second Development Envelope would simply allow the property owner to develop a potential RSU in a detached location. Therefore, Parcel Map 13,861, as modified, would not result in an increased number of dwelling units or greater density than the originally recorded map. Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

07RMM-00000-00001

1. This Recorded Map Modification is based upon and limited to compliance with the project description, Planning Commission hearing exhibits A-G, dated June 17, 2009, and conditions of approval set forth below. 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 project description is as follows:

The request is for a Recorded Map Modification to allow the addition of a second Development Envelope of approximately 21,703 square feet to Parcel B (APN 077-030-025) of the previously approved Parcel Map 13,861. The new and existing Development Envelopes would contain all future structural development and associated grading, ground disturbance and construction activities (including construction staging, stockpiling, and washout areas). Future grading for driveways, utilities and drainage improvements would be necessary outside the Development Envelopes. The existing Development Envelope located in the northwestern portion of the property would remain unchanged. Access to the site would continue to be from Franklin Ranch Road, an existing private roadway easement. The site would be served by the Goleta Water District, the County Fire Department and a private septic system. No grading would be necessary and no trees would be removed as part of the project. The parcel is currently vacant and no new structural development is proposed.

Condition no. 7 of Parcel Map 13,861 would be revised as part of the project. Condition no. 7 states: "All grading shall be performed outside the rainy season during the relatively dry season from April 1st to November 30th. All areas disturbed during grading or development shall be stabilized with native grasses and shrubs immediately following disturbance."

This condition would be replaced with the County's current standard condition which allows grading during the winter months with implementation of a Building & Safety approved erosion and sediment control plan. The condition also requires all exposed graded surfaces to be reseeded with ground cover vegetation to minimize erosion within 4 weeks of grading completion.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of 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 hereto. 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.

APPLICABLE CONDITIONS FROM PM 13,861 (87-ND-15)

2. Any development (of Parcel B) shall use earth-tone colors and materials which are harmonious with the natural environment.
3. Drought tolerant plantings and landscaping for any development (of Parcel B) shall conform to the natural form of the hilltop (topography).
4. The height of any structures proposed (for Parcel B) shall be limited to 25 feet above the finished floor elevation.
5. Any structures proposed (for Parcel B) shall conform to the natural topography and be subject to approval by the Board of Architectural Review.

PROJECT SPECIFIC CONDITIONS FOR FUTURE DEVELOPMENT

6. **(Replaces Condition No. 7 of TPM 13,861)** The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety approved erosion and sediment control plan is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within 4 weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion. **Monitoring:** P&D shall site inspect during grading to monitor dust generation and 4 weeks after grading to verify reseeded and to verify the construction has commenced in areas graded for placement of structures.
7. **Night Lighting:** Any exterior night lighting shall be of low intensity, low glare design, and shall be fully hooded to direct light downward. **Plan Requirements/Timing:** The final plans submitted to the South Board of Architectural Review for approval prior to the issuance of the Land Use Permit shall include the locations of all exterior lighting fixtures, catalogue cut sheets of the fixtures showing the method for shielding the light source and reducing glare, information on the illumination levels, and provisions for automatic shut-off after 10 pm. **Monitoring:** P&D shall ensure that the final architectural building plans, the final landscape plans, and the final lighting plans approved by the SBAR are included in the plan set accompanying the building and electrical permits.
8. In the event that archaeological resources and/or remains are encountered during grading activities, activities shall be temporarily suspended in the area of the find and the applicant shall retain a P&D-approved archaeologist and Native American observer to carry out a Phase 1 archaeological investigation pursuant to County Archaeological Guidelines to

evaluate the significance of the find. If resources are found to be significant, the applicant shall fund a Phase 2 or Phase 3 data recovery program pursuant to the County's Archaeological Guidelines. P&D shall prepare the scope of work for all investigations. **Plan Requirements:** This condition shall be printed on all building and grading plans. **Monitoring:** P&D shall check plans prior to approval of Coastal Development Permit and shall spot check in the field.

9. **Construction Hours:** All site development and/or noise generating construction and construction equipment maintenance shall be limited to the hours between 7:00 a.m. and 4:30 p.m., Monday–Friday only and shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-noise generating construction activities, such as interior painting, are not subject to these restrictions. **Plan Requirements and Timing:** Two signs stating these restrictions shall be provided by the applicant and posted onsite. **Monitoring:** Building inspectors and compliance staff shall spot check in the field and respond to complaints.
10. **Washout Area:** During construction, the washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, water body or sensitive biological resources. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs. **Plan Requirements/Timing:** A washout area, acceptable to P&D, shall be shown on all grading and building plans prior to issuance of the Land Use Permit. This condition shall be printed on all grading and building plans. **Monitoring:** The washout area(s) shall be in place and maintained throughout construction. Permit Compliance shall site inspect throughout the construction period to ensure proper use, location, and maintenance of the washout area(s).
11. Dust generated by the development activities shall be retained onsite and kept to a minimum by following the dust control measures listed below:
 - a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this shall include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - c. After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to prevent wind pickup of the soil until the area is paved or otherwise developed so that dust generation will not occur.

- d. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- e. Trucks transporting soil, sand, cut or fill materials and/or construction debris to or from the site shall be tarped from the point of origin.

Plan Requirements: All requirements shall be shown on grading and building plans.

Timing: Condition shall be adhered to throughout all grading and construction periods.

Monitoring: Grading inspector and compliance staff shall spot check in the field and respond to complaints.

- 12. Development Envelopes:** The Planning Commission has determined Development Envelopes are necessary to identify and limit the area of future development in order to avoid development on slopes greater than 20%. **Project Applicability:** Development Envelopes shall be restricted to those areas shown on Exhibit E (Tentative Parcel Map), dated June 17, 2009, to avoid steep slopes. No structural development or earth disturbance shall occur outside of these areas with the exception of grading for utilities, access and drainage. Development Envelope boundaries shall be staked in the field. **Plan Requirements:** Development Envelope locations shall be described by metes and bounds and recorded on the final map. This condition shall be recorded with the final map and shown with the Development Envelopes on all grading and construction plans submitted for land use clearance. **Timing:** Development Envelopes shall be staked in the field prior to the start of future grading or structural development. **Monitoring:** During plan check, the planner shall ensure that all grading and construction is confined to approved envelopes. Staking shall be checked during pre-construction meeting. P&D grading inspectors and planners shall inspect and photo document during all grading and construction phases to ensure development is confined to Development Envelopes and that staking remains in place during site grading and construction.
- 13.** Prior to approval of a Land Use Permit for future development, a Can-and-Will-Serve letter or equivalent from the Goleta Water District shall be provided.
- 14.** The location of the mapped Environmentally Sensitive Habitat area associated with Franklin Creek shall be shown on the final map. **Timing:** The location of the ESH area shown on the final map shall be confirmed by P&D prior to recordation.
- 15.** The project landscaping shall consist of drought-tolerant native and/or Mediterranean type species which adequately screen the project site from surrounding land uses. Landscaping shall be compatible with the character of the surroundings and the architectural style of the structure. **Plan Requirements/Timing:** The applicant shall also submit four copies of a final landscape and water-conserving irrigation plan to P&D for review and approval. Prior to occupancy clearance, landscape and irrigation shall be installed. **MONITORING:** Prior to occupancy clearance, Permit Compliance staff shall photo document installation. Permit Compliance staff shall check maintenance as needed.

RECORDED MAP MODIFICATION CONDITIONS

16. This Recorded Map Modification (07RMM-00000-00001) shall be subject to all applicable Conditions of PM 13,861, which are incorporated herein by reference. (Included as conditions 2-5)
17. Prior to finalization of the Recorded Map Modification and subject to P&D approval as to form and content, the applicant shall include all new conditions associated with 07RMM-00000-00001, all original conditions and mitigation measures associated with PM 13,861, agreements, and specific plans associated with or required by this project approval on a separate informational sheet to be recorded with the final map. All applicable conditions and mitigation measures of the project shall be printed on all future grading and/or building plans and shall be graphically illustrated where feasible. If Land Use Permits are obtained prior to recordation, the conditions will not apply retroactively to the previously issued Land Use Permit.
18. The applicant shall record with the final map the proposed additional Envelope, as shown and approved on the Tentative Map included as Attachment E of this staff report.
19. If the proposed map is revised from the approved map modification, Case No. 07RMM-00000-00001, or if changes to conditions are sought, approval shall be in the same manner as for the originally approved tentative map (County Planning Commission).
20. Required review fees and three copies of the documents that the County Surveyor shall determine to be appropriate shall be submitted to Planning and Development (P&D) for compliance review of P&D conditions before P&D will issue modified map clearance to the County Surveyor.

COUNTY RULES AND REGULATIONS

21. Compliance with the following departmental condition letters:
 - a. Air Pollution and Control District letter dated January 12, 2007
 - b. Fire Department letter dated February 13, 2007
22. **Mitigation Monitoring required:** The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this the applicant agrees to:
 - a) Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.

- b) Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, compliance staff, other agency personnel and with key construction personnel.
- c) Pay a \$1,500 deposit fee prior to issuance of Land Use Permits for future development as authorized under ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.

23. Additional Permits Required: Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use and Building Permit from Planning and Development. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Planning Commission. Before any Permit will be issued by Planning and Development, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

24. Indemnification: Developer shall defend, indemnify and hold harmless the County or its agents, 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 Coastal Development Permit. In the event that the County fails promptly to notify the 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.

25. Legal Challenge: In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the County and substitute conditions may be imposed.

TO: Department of Planning and Development - South I
ATTN: Petra Leyva | *Lisa Hosale*
FROM: Vijaya Jammalamadaka *VJ*
DATE: January 12, 2007
CASE #: 07RMM-00000-00001 Salentine Adding 2nd Bld Envelop
(APN 077-030-025)

The Air Pollution Control District has reviewed the referenced case and offers the following:

- The APCD has no comment on this project at this time.
- Applicant must be issued an APCD permit prior to construction or operation of this project.
- Applicant must apply for an APCD permit exemption prior to land use clearance.
- The applicant should determine whether the structure(s) proposed for demolition contains asbestos that is friable or has the potential to become friable during demolition or disposal. If the structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal.
- Applicant is required to complete the attached "Asbestos Demolition/Renovation Notification" form. The completed form should be mailed to the Santa Barbara APCD and EPA Region IX no later than the date specified in number 2 of the instructions.
- Standard dust mitigation measures (dated September 1996) 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 issuance of land use clearance.

cc:

Jennifer Foster, Agent
~~Project File~~
TEA Chron File

Memorandum

Date: February 13, 2007

To: Lisa Hosale
Planning & Development
Santa Barbara

From: Jim Michalak, Inspector
Fire Department

JAM



Subject: APN: 077-030-025; Case #: 07RMM-00001
Site: 1225 Franklin Ranch Road, Goleta
Project Description: Add Building Envelope to Existing Parcel

Fire Department staff has reviewed the above referenced project and has no development conditions to place on the addition of a second building envelope, as presented at this time.

THE FOLLOWING CONDITIONS ARE ADVISORY ONLY AT THIS TIME AND SHOULD BE CONSIDERED IF FURTHER DEVELOPMENT IS PROPOSED FOR THIS PARCEL IN THE FUTURE

PRIOR TO ERECTION OF COMBUSTIBLE BUILDING MATERIALS THE FOLLOWING CONDITIONS MUST BE MET

1. Driveways serving one residential dwelling are required to have a minimum width of 12 feet. Driveways serving two residential dwellings are required to have a minimum width of 16 feet. Driveways serving three to nine residential dwellings are required to have a minimum width of 20 feet. If any future development is planned for this parcel or will be served by this driveway, the applicant is encouraged to coordinate these standards into their plans and with other interested parties.

Any portion of the driveway exceeding 10 percent in slope shall be paved.

2. Because the proposed project is located within the mapped boundaries of the High Fire Hazard Zone of Santa Barbara County, special provisions of the Building Code will apply. These provisions will influence both the design of the project and the type of building materials that may be utilized. Please refer to the Santa Barbara County Building and Safety Division for details.

Note: Owners of property located within a designated "Very High Fire Hazard Severity Zone" are required by state law (Government Code Section 51182) to create a firebreak of 100 feet (or to the property line, whichever is nearer) around any structures on their property. This does not apply to single specimens of trees, ornamental shrubbery, or similar plants that are used as ground cover if they do not form a means of rapidly transmitting fire from the native growth to any dwelling or structure.

3. **One (1)** fire hydrant shall be installed. The hydrant shall be located per fire department specifications and shall flow **750** gallons per minute at a 20 psi residual pressure. Prior to installation, plans showing locations, size and type of hydrant, valves, main lines and lateral lines shall be approved by the fire department.

**PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET**

4. Building address numbers must be a minimum height of three (3) inches and a color contrasting to the background color. The address number shall be elevated at least three (3) feet from the ground for clear visibility and easy directional identification. The numbers shall be visible from the access road when traveling in either direction. If the driveway is over 150 feet in length or the building is obstructed from view at the access road, numbers shall be posted at any driveway and road intersections as is necessary.
5. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit (HMU) at 686-8170 if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.
6. When access ways are gated, a fire department approved locking system shall be installed.
7. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved prior to installation. Location of any fire department connection shall be determined by the fire department.
8. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

Mitigation Fee at \$.20 per square foot for structures without fire sprinkler systems

Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems

Goleta Fees

The Fire Prevention Division must be notified of any proposed future development. These conditions are noted at this time for informational purposes only.

As always, if you have any questions or require further information please call 681-5500.

JM:reb

c: John Salentine, 105 Campo Vista, Santa Barbara, CA 93111
Jennifer Foster, PO Box 591, Summerland, CA 93067
APN/Chron

Attachment C:
Project ND

COUNTY OF SANTA BARBARA
DEPARTMENT OF RESOURCE MANAGEMENT
PROPOSED NEGATIVE DECLARATION

RECEIPT DATE: March 2, 1987
APPL: Jeffery James
AREA: Goleta area
PROJ: TPM 13,861
PUBLIC HEARING
DATE: March 26, 1987

NEGATIVE DECLARATION: 87-ND-15 Revised Final

The Department of Resource Management (DRM) has prepared this Negative Declaration (ND) pursuant to Section 15070 and 15071 of the State Guidelines for the Implementation of the California Environmental Quality Act and the County of Santa Barbara Environmental Guidelines. The ND is a written document which briefly describes the potential adverse impacts of a proposed project and why those impacts will not have a significant effect on the physical environment. The issuance of a Negative Declaration indicates there are no significantly adverse impacts associated with the proposed project and therefore the project does not require the preparation of an Environmental Impact Report (EIR).

LEAD DEPARTMENT CASE NUMBER: TPM 13,861

PROJECT APPLICANT: Jeffery R. James, 6044 La Goleta Road, Goleta, CA 93117

PROJECT LOCATION: The project site is located approximately two thirds of a mile northwest of the intersection of Fairview Avenue and Cathedral Oaks Road, commonly known as 6044 La Goleta Road in the north central Goleta area of the Third Supervisorial District.

PROJECT DESCRIPTION: The applicant proposes to divide 11.08 acres into two parcels of 6.08 acres (Parcel A) and 5.0 acres (Parcel B) respectively. Water is provided to Parcel A by a shared water system. The water source for proposed Parcel B would either be by a private well located on Parcel B or by the existing shared water system. Sewage disposal would be by a private septic system. Access to both parcels would be from La Goleta Road.

ASSESSOR'S PARCEL NUMBER AND TOTAL ACREAGE: 77-030-14; 11.08 acres (gross).

COMPREHENSIVE PLAN LAND USE AND CURRENT ZONING DESIGNATIONS: The Comprehensive Plan Land Use Designation is Urban Area Agriculture A-1, five or more acres minimum parcel size. The zoning is AG-1-5, five to fifty acre minimum parcel size.

ENVIRONMENTAL SETTING: The site is presently developed with a single story 3,000 square foot (s.f.) single family home and steel barn on Parcel A. Surrounding land uses are residential and agriculture. The topography of the site trends to the east with 7 to 40 percent slopes. The predominant ground cover of the site is chaparral and annual grasses. Three acres of avocados are planted in the southern area of Parcel A. There are also approximately 5 acres of old walnut trees in the center of the parcel. A grove of eucalyptus is located

along the west side of Parcel B. Soils onsite are classified as Ayer clay and Botella silty clay loam. The Seismic Safety and Safety Element indicates a moderate to high rating for slope stability and expansiveness, and a high groundwater rating. The inactive San Pedro Fault is approximately 500 feet north of the site. A branch of Las Vegas Creek runs along the existing 20 foot access easement to the northern boundary of the property. No archaeological sites are recorded for this parcel although sites are recorded within one half mile to the west of the site. No rare or endangered species are known to inhabit the site.

INITIAL STUDY SUMMARY: The staff of the DRM has determined that there are no potentially significant adverse environmental impacts associated with the project as proposed. The areas below were analyzed in the initial study. This study and background information are kept on file in the DRM office and are a part of these findings.

Flooding	_____	Risk of Upset	_____	Geology/ Minerals/Soils	<u>XX</u>
Air Quality	_____	Land Use	_____	Fire Hazards	_____
Groundwater Resources	<u>XX</u>	Public Services	_____	Recreation	_____
Flora	_____	Utilities/ Private Systems	_____	Housing	_____
Fauna	_____	Transportation/ Circulation	_____	Economics	_____
Noise	_____	Aesthetics	<u>XX</u>	Archaeological Resources	<u>XX</u>
Polluting Sources	_____	Energy	_____	Cultural/Ethnic Resources	_____
Schools	_____				

The checks indicate areas of potential impacts which were further investigated and are summarized in the following section or in the Environmental Assessment.

Geology/Soils: The eleven acre site is primarily underlain by the Rincon shale formation. The soils associated with this formation are considered some of the most expansive in southern California. The Soil Conservation Services classifies the predominate soil onsite as Ayer clay. Botella silty clay loam soils are also present. The County Seismic Safety and Safety Element and a soils report submitted by the applicant confirm that the soils onsite are highly expansive. Expansive soils contain clay materials that swell when moisture content increases and shrink when moisture content decreases. The volume changes resulting from variable moisture conditions can cause movement and cracking of structures. Both soils have a high erosion hazard and severe constraints for septic systems.

The entire site has slopes ranging from seven to forty percent. Under Environmental Resource Management Element policy development on slopes of 20-30 percent should be minimized. The impacts associated with ground disturbance from construction activities such as road improvements, septic system installation, building pad grading and brush clearance could be intensified by the erodible soils and slopes of the site. Available building sites on Parcel B are limited however, by South Coast Conduit easement. Permanent structural improvements are not permitted by right within the easement and must be discretionarily approved by the Cachuma Operation and Maintenance Board. The applicant has proposed a building envelope on the ~~northwest~~ northwest portion of proposed Parcel B. ~~With slopes of 16%, this area is the most level site on Parcel B and is the most suitable site for septic systems.~~ ~~The applicant originally proposed a building envelope downslope. After evaluation, this original building envelope was determined to be too steep (slopes greater than 20%) and not well suited for septic systems.~~

To address these concerns, the Public Works Department would require a preliminary soils report ~~and geologic investigation~~ prepared by a registered civil engineer experienced in soil mechanics and slope stability prior to ~~and geologic investigation~~ issuance of building permits. The report would include data regarding the distribution, stability and expansive nature of existing soils and conclusions with recommendations for grading procedures and design criteria. The findings of the soils report may indicate the need for a geologic investigation prior to building. ~~The applicant has proposed a building envelope on the northwest portion of proposed Parcel B. With slopes of 16%, this area is the most level site on Parcel B and is the most suitable site for septic systems. The applicant originally proposed a building envelope downslope. After evaluation, this original building envelope was determined to be too steep (slopes greater than 20%) and not well suited for septic systems.~~ A drainage control and grading plan would also be submitted to Public Works for review and approval ~~and geologic investigation~~. DER would also require that grading be minimized and that it be performed outside the rainy months of December through March (12/1/ - 3/31) and that all measures for removing sediments and stabilizing slopes shall be in place before the beginning of the rainy season. All areas which have been disturbed during grading or development shall be stabilized with native grasses and shrubs immediately after grading/development, consistent with Hillside Protection Policies. EHS would require a detailed soils report performed by a licensed soils engineer and an engineered design of a septic system meeting Uniform Plumbing Code requirements and Regional Water Quality criteria which would be reviewed and approved prior to map recordation. With the incorporation of the mitigation measures discussed above, geology and soil-related impacts would be less than significant.

Groundwater Resources: The water supply for this project would be drawn from a rock formation aquifer located outside the Goleta Groundwater Basin (Dave Doerner, DER). Rock formation aquifers in intermontane watersheds are relatively unstudied drainage basins. The drainage basin for the project site is estimated to cover 390 acres. The estimated Safe Yield for this basin was calculated to be 34 acre feet per year (AFY). County staff have reviewed the existing residential and agricultural operations within the waterbearing Vaqueros Formation of the drainage basin. Estimated water demand for an additional single family home on Parcel B is 0.88 AFY (DER water duty factors). It should be noted, however, that there is a limited surplus of water in this drainage basin and future water use should be monitored. DER

recommends installation of a water meter and water level gauge on the shared water system. Records of water level use and static water level should be maintained for public review. The Safe Yield appears to be adequate to serve the existing water demand plus the additional water demand of the proposed project without overdraft.

The existing house is served by a shared water system from a well located adjacent to but off of the project site in the northeast corner of the adjoining parcel. This well draws from the Vaqueros Formation and has a flow rate of 13 gallons per minute. The applicant has proposed as a water source for Parcel B a separate well located along the eastern side of the parcel at almost the lowest point on the parcel. The well has total dissolved solids (TDS) four times the acceptable level determined by the State and hydrogen sulfide gas (H₂S). EHS reviewed the well location and its water quality and finds that providing water service to Parcel B by the existing shared water system would be an environmentally superior option. The well produces adequate volumes of water to serve an additional residence. The applicant would be allowed to use the existing well on Parcel B for agricultural purposes. The applicant shall meet all EHS requirements for DOMESTIC WATER SUPPLY approval of a domestic water source (either the shared water system or the existing well) prior to recordation of the map. Impacts of the proposed project on groundwater resources would be insignificant.

Aesthetics: The project site is visually characterized by two east-trending hilltops separated by a steep ravine. The site occupies the southeastern edge of the San Pedro Canyon between San Pedro and Las Vegas Creeks in the foothills of the Santa Ynez Mountains which serve as the scenic backdrop for the urban area of the Goleta Valley. The County's Environmental Resources Management Element indicates that the site is in an area of "high scenic value". Because of the site's topography, the onsite south-facing slope can be seen from several adjacent areas. No scenic corridors however, will be adversely affected by the proposed project. In order not to interfere with the ridgeline view corridors of surrounding property owners, the applicant has agreed to blend any development of parcel B into the hill profile using earth-toned colors and materials which are harmonious with the natural environment.

Drought-tolerant plantings and landscaping shall complement the natural form of the hilltop. The height of any proposed structure shall be limited to 25 feet above the surrounding natural grade. Any proposed structure shall conform to the natural topography by using split pads, stepped footings and grade separations, and low profiles oriented in the same direction as the natural slope. Any proposed structure shall be subject to approval by the Board of Architectural Review. With the mitigation measures outlined above, no adverse aesthetic impacts are anticipated.

Archaeological Resources: Two significant archaeological sites are located approximately one half mile west of the project site. A Phase I Archaeological Assessment of the entire site completed 12/16/86 yielded no archaeological remains. The impact of the proposed project on archaeological resources is therefore considered insignificant.

FINDING OF NO SIGNIFICANT IMPACT: It is the finding of the DRM that this project does not have the potential to cause significant adverse environmental impacts for the following reasons:

MITIGATION MEASURES: The following mitigation measures are included in this project to avoid potentially significant adverse environmental effects:

- 1. *Υπερ/το/τεροραζιση/οφ/τηε/μαρζ/τηε/απολιεση/εθαλλ/εδομηλ/εο/εμδ/α δεξιδιεδ/εοιλε/τερορε/περφορεο/βγ/α/λιεσηεο/εοιλε/εθλιερε/αηδ/αη εθλιερερεο/δεξιη/οφ/α/ερελιε/εγδεση/κλιεη/μεελε/υλιφορη/πλωβιηο/εοδε τερολιεμεηε/αηδ/ρεγιεηαλ/καεε/ουαλιε/εοηερε/εοαρε/ερελερε*
- 2. *Υπερ/το/τεροραζιση/οφ/τηε/μαρζ/τηε/απολιεση/εθαλλ/μεε/αλλ/εμδ τερολιεμεηε/φορ/τηε/απορηαλ/οφ/α/αρηεσιε/καεε/εοηερε*
- 3. *Υπερ/το/εδομηε/εφ/υυιαιηο/περηεε/τηε/παβιε/κορε/εερατεμεηε εθαλλ/εελεε/αηδ/απορηε/α/εοιλε/αηδ/εελεε/ιηεεεεεεεε/τερορε/αηδ ερεδεηε/ερεηε//τηε/ερεηηε/ερεη/εθαλλ/ιηελεε/α/εοηερε/αηδ/αρεηερε εοηερε/ερεηε*

1. All grading shall be performed outside the rainy season during the relatively dry season from April 1st to November 30st. All areas disturbed during grading or development shall be stabilized with native grasses and shrubs immediately following disturbance.
2. Any development of Parcel B shall use earth-toned colors and materials which are harmonious with the natural environment.
3. Drought-tolerant plantings and landscaping for any development of Parcel B shall conform to the natural form of the hilltop.
4. The height of any structures proposed for Parcel B shall be limited to 25 feet above the finished floor elevation.
5. Any structures proposed for Parcel B shall conform to the natural topography and be subject to approval by the Board of Architectural Review.
6. Conditions 2 through 5 shall be recorded by separate document at the time the map records.

Recommended Mitigation Measure:

1. DER recommends installation of a water meter and water level gauge on the water source for proposed Parcel B. Records of water level use and static water level should be maintained for public review.

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CHANGES IN "PROJECT DESCRIPTION": Any element in the project description that is not met as described shall constitute an action not considered as part of the initial study for this ND. In these cases, the DRM requests a complete reevaluation in light of these element changes. This reevaluation may be subject to all regular fees and conditions.

PUBLIC HEARING: The public hearing will be held at 9:30 a.m. on March 26, 1987 in the Planning Commission Hearing Room, 123 East Anapamu Street, Santa Barbara, California. If you cannot attend this meeting, please make sure that written testimony reaches this office 24 hours in advance of the hearing. Telephone testimony also will be accepted. Copies of this ND may be obtained at our office. Anyone wishing to see the project file for this ND may do so by visiting our office.

TB:jmb:3090A

CEQA ADDENDUM

Mitigated Negative Declaration 87-ND-15

June 17, 2009

COUNTY OF SANTA BARBARA

123 East Anapamu

Santa Barbara, CA 93101

Staff Contact: Errin Briggs, 568-2047

SUMMARY OF THIS DOCUMENT

This addendum assesses the environmental impact(s) of adding a second Development Envelope to APN 077-030-025, as required by the California Environmental Quality Act (CEQA) (California Public Resources Code 21000 et seq.) and in compliance with the State CEQA Guidelines (14 California Code of Regulations 15000 et seq.).

The County of Santa Barbara, as the lead agency under CEQA, will consider the potential environmental impacts of the proposed addition of a second Development Envelope to APN 077-030-025 (Project) when it considers whether or not to approve these changes as part of the Salentine Second Development Envelope Project. This Addendum is an informational document, intended to be used in the planning and decision making process as provided for under Section 15164 of the CEQA Guidelines. The Addendum does not recommend approval or denial of the proposed refinements to the Project.

The fundamental conclusion of this addendum is that the proposed changes to the Project will not result in new significant impacts nor substantially increase the severity of previously disclosed impacts beyond those already identified in 87-ND-15. Thus, a subsequent or supplemental Negative Declaration need not be prepared.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Under CEQA Guidelines Section 15164, an addendum to an adopted negative declaration shall be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent negative declaration or Environmental Impact Report (EIR) have occurred. Under Section 15162, the lead agency shall prepare an (EIR) if there are any new significant environmental effects associated with the refined project. With respect to the Project, the refinements are only minor technical changes and do not result in any new significant environmental effect(s); therefore, the refined Project does not require an EIR. Therefore, this addendum analyzes the Project refinements as required under the CEQA Guidelines, Sections 15162 and 15164.

BACKGROUND

Mitigated Negative Declaration 87-ND-15 was drafted to analyze the potential environmental impacts of future development resulting from the creation of a new residential lot under the James Lot Split (PM 13,861). The Negative Declaration anticipated the construction of residential structure(s) to be developed within the designated Development Envelope located in the northwestern portion of the property. No structural development was to be located outside the Development Envelope due to the presence of onsite steep slopes and expansive soils. The James Lot Split was approved on June 3, 1987 and the Final Map was subsequently recorded later that year.

PROJECT DESCRIPTION

The request is for a Recorded Map Modification to allow the addition of a second Development Envelope of approximately 21,703 square feet to Parcel B (APN 077-030-025) of the previously approved Parcel Map 13,861. The new and existing Development Envelopes would contain all future structural development and associated grading, ground disturbance and construction activities (including construction staging, stockpiling, and washout areas). Future grading for driveways, utilities and drainage improvements would be necessary outside the Development Envelopes. The existing Development Envelope located in the northwestern portion of the property would remain unchanged. Access to the site would continue to be from Franklin Ranch Road, an existing private roadway easement. The site would be served by the Goleta Water District, the County Fire Department and a private septic system. No grading would be necessary and no trees would be removed as part of the project. The parcel is currently vacant and no new structural development is proposed.

Condition no. 7 of Parcel Map 13,861 would be revised as part of the project. Condition no. 7 states:

All grading shall be performed outside the rainy season during the relatively dry season from April 1st to November 30th. All areas disturbed during grading or development shall be stabilized with native grasses and shrubs immediately following disturbance.

This condition would be replaced with the County's current standard condition which allows grading during the winter months only with implementation of a Building & Safety approved erosion and sediment control plan. The condition also requires all exposed graded surfaces to be reseeded with ground cover vegetation to minimize erosion within 4 weeks of grading completion.

PROJECT IMPACTS

A summary of project specific, potentially significant impacts are as follows:

Aesthetics/Visual Resources

87-ND-15 identified the following project-specific impacts to Aesthetics/Visual Resources. Please refer to page 4 of 87-ND-15 for more detailed information.

- Inappropriate building colors and materials could cause visual impacts to ridgeline view corridors of surrounding property owners
- Inappropriate landscape materials could exacerbate visual impacts associated with structural development

The refined Project would not result in any effects to visual resources more severe than those described in 87-ND-15. Although the project site is surrounded by numerous homes and the existing Development Envelope is open to private viewing areas to the north and east, the site is not open to public viewing places. An isolated stand of mature eucalyptus trees at the western property boundary and the crescent-shaped bowl formed by onsite slopes effectively block all public views of the existing Development Envelope. The proposed Development Envelope would be located approximately 50 feet lower in elevation than the existing Envelope, would be completely screened by the site's topography and existing trees and, from a visual standpoint, would represent an improvement over the existing Envelope.

The mitigation measures contained in the Aesthetics/Visual section of 87-ND-15 would be adequate to mitigate potentially significant visual impacts associated with the proposed project. In addition, the following mitigation measure is recommended to further minimize glare generated by night-lighting associated with future development. As with the approved project, the proposed project's residual impact would be less than significant. Also consistent with the approved project, the proposed project's contribution to cumulative visual impacts would not be considerable.

Aes-1 Night Lighting: Any exterior night lighting shall be of low intensity, low glare design, and shall be fully hooded to direct light downward. **Plan Requirements/Timing:** The final plans submitted to the South Board of Architectural Review for approval prior to the issuance of the Land Use Permit shall include the locations of all exterior lighting fixtures, catalogue cut sheets of the fixtures showing the method for shielding the light source and reducing glare, information on the illumination levels, and provisions for automatic shut-off after 10 pm. **Monitoring:** P&D shall ensure that the final architectural building plans, the final landscape plans, and the final lighting plans approved by the SBAR are included in the plan set accompanying the building and electrical permits.

Geologic Processes

87-ND-15 identified the following project-specific impacts to Geological Processes. Please refer to pages 2 & 3 of 87-ND-15 for more detailed information.

- Ground disturbances from construction activities including road improvements, septic system installation, building pad grading and brush clearance could be intensified by the erodible soils and steep slopes of the site.

The refined project would not result in any effects to geologic resources more severe than those described in 87-ND-15. The proposed project would maintain the existing Development Envelope in the northwestern corner of the property and proposes a new Development Envelope to be located at the center of property within the onsite crescent-shaped bowl.

In response to the need to relocate flood debris resulting from the winter storms of 1994/1995, approximately 20,000 cubic yards of fill material was placed by the County Flood Control division on the subject parcel. The fill material was placed in the center of the site within the crescent-shaped bowl and created the existing-flat pad where the proposed new Development Envelope would be located. The material was compacted to 90% but not adequately compacted for residential development purposes. The applicant has provided a Preliminary Foundation Investigation (Pacific Materials Laboratory dated 9/22/06 and revised 9/4/07) and a Geologic Hazards Evaluation (Campbell Geo dated 9/21/07) which

evaluate the feasibility of future development within the existing and proposed Development Envelopes. Both reports were peer-reviewed in concert and accepted as adequate by the County's geologic consultant, FUGRO. The Preliminary Foundation Investigation concludes that the proposed Development Envelope containing the fill material is adequate to host future development on a drilled-pile and grade-beam foundation system. No further mitigation measures would be necessary.

Additionally, in order to respond to a superficial slide, the applicant obtained an Emergency Permit and follow-on Land Use Permit to complete an engineered repair of the south-facing slope located above the proposed Development Envelope. The slide area contains the Cachuma Operations Maintenance Board (COMB) South Coast Conduit waterline and a Goleta Water District waterline. These waterlines provide potable water for the majority of Santa Barbara south coast residents. In a May 15, 2008 letter, COMB's Operations Supervisor, Brett Gray, recommends that the repair work be implemented immediately in order to address the imminent threat to the two water lines posed by the existing, unrepaired slope failure. The repair work included excavating the slide area, installing an appropriate keyway and benching and replacing the removed surface-material. Grading included approximately 1,360 cubic yards of cut and 2,240 cubic yards of import. Completion of the repair work is anticipated in the summer of 2009.

The mitigation measures contained in the Geologic Processes section of 87-ND-15 would be adequate to mitigate potentially significant geologic impacts associated with the proposed project. In addition, substitution of the following mitigation measure is recommended to address site preparation associated with future development. Condition no. 1 of 87-ND-15 stated: "All grading shall be performed outside the rainy season during the relatively dry season from April 1st to November 30th. All areas disturbed during grading or development shall be stabilized with native grasses and shrubs immediately following disturbance." Due to the relatively recent development of Best Management Practices (BMP's) including implementation of an erosion and sediment control plan, it is no longer necessary to restrict grading activities to the non-rainy season. Mitigation Measure Geo-1 below would replace Condition no. 1 of 87-ND-15 with no increased impacts to Geological Processes. The refined Project would not result in any effects to Geologic Processes more severe than those described in 87-ND-15.

As with the approved project, the proposed project's residual impact would be less than significant. Also consistent with the approved project, the proposed project's contribution to cumulative geologic impacts would not be considerable.

Geo-1 (Replaces Condition No. 7 of TPM 13,861) The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety approved erosion and sediment control plan is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within 4 weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion.

Monitoring: P&D shall site inspect during grading to monitor dust generation and 4 weeks after grading to verify reseeded and to verify the construction has commenced in areas graded for placement of structures.

Water Resources

87-ND-15 identified the following project-specific impacts to Water Resources. Please refer to pages 3 & 4 of 87-ND-15 for more detailed information.

- Project use of a private well supplied by an un-named rock formation aquifer located outside the Goleta Groundwater Basin for domestic water supply could cause a water shortage in the aquifer.

The refined project would no longer rely on a private well for potable water as it would be served by a public water source, the Goleta Water District. Because future development on the project site would be served by the Goleta Water District (Water Service Classification Letter dated July 10, 2006) and not by private well supplied by the un-named rock aquifer, impacts to Water Resources would not be anticipated. As such, Mitigation Measure 1 of 87-ND-15 requiring the use of a water meter and a water level gauge would no longer be necessary.

As with the approved project, the proposed project's residual impact would be less than significant. Also consistent with the approved project, the proposed project's contribution to cumulative impacts to Water Resources would not be considerable.

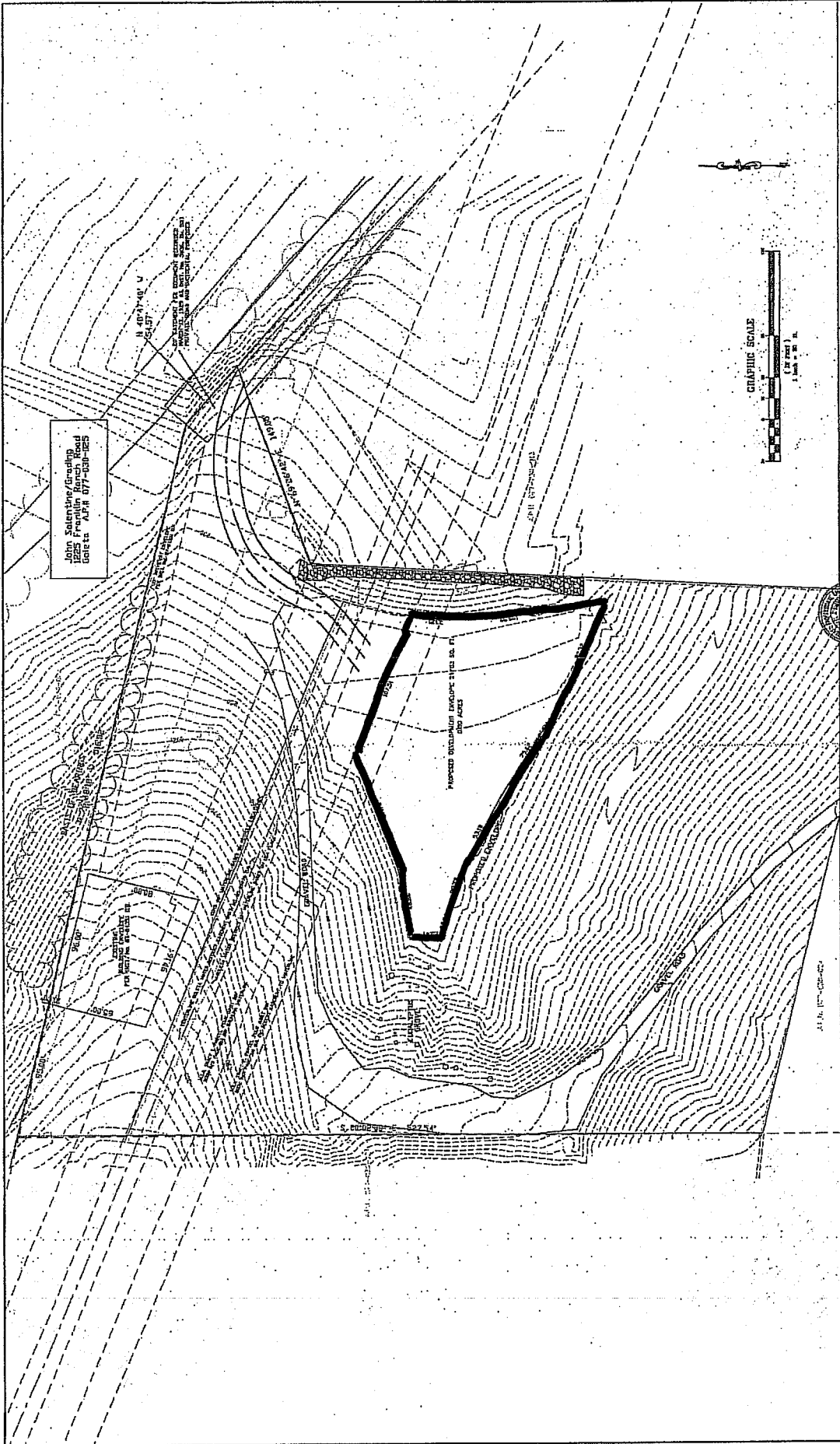
PLANNING AND DEVELOPMENT DEPARTMENT FINDINGS

It is the finding of the Planning and Development Department that the previous environmental document as herein amended may be used to fulfill the environmental review requirements of the current project, except for an evaluation of impacts on historic resources. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15164, preparation of a new EIR or Negative Declaration is not required for the issue areas discussed above.

Discretionary processing of the Salentine Second Development Envelope Project and Case no. 07RMM-00000-00001 may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

EXHIBITS

- A. Mitigated Negative Declaration 87-ND-15
- B. Proposed Tentative Map



John Salentine/Grading
 1234 Main Street
 Detroit, MI 48201-1234
 Phone: 313-555-1234
 Fax: 313-555-5678

SHEET NO. 01/30/09 DATE: 01/30/09 DRAWING NO. 2000-5		PROPOSED BUILDING ENVELOPE PLAN VIEW	
JOHN VALENTINE 1234 MAIN STREET DETROIT, MI 48201-1234		MIKE SIMONIS, P.E. 1234 MAIN STREET DETROIT, MI 48201-1234	
DESIGNED BY: CLASER ENGINEERING DATE: 01/30/09	CHECKED BY: TCG DATE: 01/30/09	DESIGNED BY: CLASER ENGINEERING DATE: 01/30/09	CHECKED BY: TCG DATE: 01/30/09
PREPARED BY: CLASER ENGINEERING DATE: 01/30/09	CHECKED BY: TCG DATE: 01/30/09	PREPARED BY: CLASER ENGINEERING DATE: 01/30/09	CHECKED BY: TCG DATE: 01/30/09



Directions to:

John & Liz Salentine
1225 Franklin Ranch Road
Goleta, CA 93117
(805) 455-8319

Please Note that the address and street names have changed from La Goleta Road to Franklin Ranch Road. So, you may see two different addresses during this transition.

- Exit Hwy. 101 onto Fairview Avenue and head north toward mountains
- Follow Fairview across Cathedral Oaks and proceed 2/10 mile ... turn LEFT onto La Goleta Road
- Proceed 1/10 mile and turn RIGHT onto Franklin Ranch Road (multiple addresses are posted)
- Proceed 4/10 mile to intersection of Sunset Ridge and Franklin Ranch Road, continue straight past mailboxes on Franklin Ranch Road
- Follow posted signs to 1225, staying to the LEFT at the "Y"
- Continue to follow posted signs to 1225 on the gravel road. The gravel road will make a LEFT hand turn.
- Continue straight through fencing to 1225 property.

