

SANTA BARBARA COUNTY PLANNING COMMISSION
Coastal Zone Staff Report Olson Appeal of
The Trust for Public Land/Devereux Creek Properties Lot Split

Hearing Date: June 20, 2012
Staff Report Date: June 1, 2012
Case No.: 12APL-00000-00007
11TPM-00000-00007 & 12CDH-00000-00009
Environmental Document: CEQA Exemption
§15315 & 15301(I)(1)

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APPELLANT:

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APPLICANT:

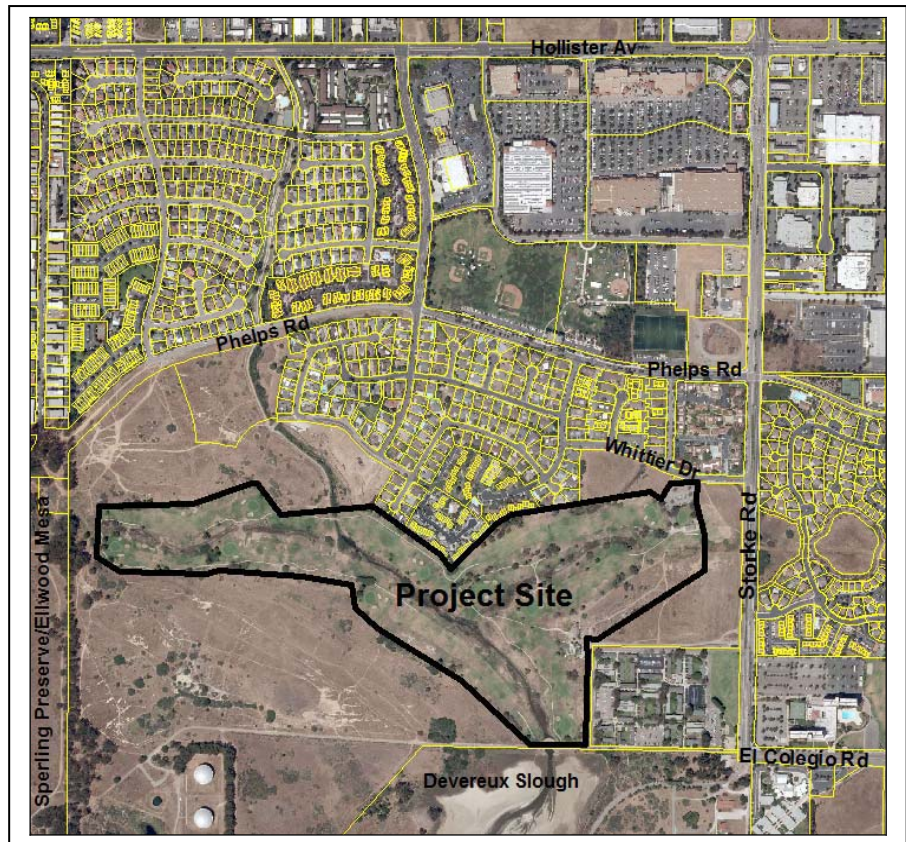
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AGENT:

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This site is identified as Assessor Parcel Number 073-090-062, located at 6925 Whittier Drive, Goleta, Third Supervisorial District.

1.0 REQUEST

Hearing on the request of John Olson to consider Case No. 12APL-00000-00007, [appeal filed on May 16, 2012] to consider the Appeal of the Zoning Administrator's decision to approve Case No. 11TPM-00000-00007 and Case No. 12CDH-00000-00007, in compliance with Section 35-182 of the Article II Coastal Zoning Ordinance, on property located in the PRD-58 zone; and to determine the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15315 & 15301(I)(1).

The application involves AP No. 073-090-062, located at 6925 Whittier Drive, in the Goleta area, Third Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below to deny the appeal, Case No. 12APL-00000-00007, and conditionally approve Case Nos. 11TPM-00000-00007 and 12CDH-00000-00009 marked "Officially Accepted, County of Santa Barbara (June 20, 2012) County Planning Commission Exhibit 1", based upon the project's consistency with the Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Deny the appeal, Case No. 12APL-00000-00007;
2. Make the required findings for approval of the project specified in Attachment A of this staff report, including CEQA findings;
3. Determine the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15315 and 15301(l)(1), included as Attachment D;
4. Approve Case No. 11TPM-00000-00007 subject to the conditions included as Attachment B; and
5. Approve Case No. 12CDH-00000-00009 subject to the conditions included as Attachment C.

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

3.0 JURISDICTION

This project is being considered by the County Planning Commission based on the Santa Barbara County Code Chapter 21 Land Division Section 21-71.4.030.A, which states:

The following decisions and determinations may be appealed to the Planning Commission provided the appeal complies with the requirements of Section 21-71.020, ...

2. Any final action of the Zoning Administrator to approve, conditionally approve, or deny an application where the Zoning Administrator is designated as the decision-maker in compliance with Section 21-6 (Discretionary Decision-Maker Jurisdiction and Designation of Responsibility) and the property that is the subject of the application is located outside of the Montecito Community Plan area may be appealed to the Planning Commission.

and Article II, Section 35-182.4.3 which states:

The following decisions of the Zoning Administrator may be appealed to the Planning Commission, ...

a. Any decision of the Zoning Administrator to approve, approve with conditions, or deny an application for a Coastal Development Permit ... where the Zoning Administrator is the designated decision-maker.

4.0 PROJECT INFORMATION

4.1 Site Information

Site Information	
Comprehensive Plan Designation	Coastal, Urban, Planned Development-58 (58 units maximum)
Zone	PRD-58 (Planned Residential Development 58 units maximum); Coastal Commission Permit Jurisdiction and Appeal Jurisdiction; Environmentally Sensitive Habitat (ESH) Overlay and Flood Hazard Overlay
Site Size	70.32 acres
Present Use & Development	Ocean Meadows Golf Course
Surrounding Uses/Zoning	<i>North:</i> Residential, City of Goleta and UCSB <i>South:</i> Open Space, UCSB <i>East:</i> Future Residential, UCSB <i>West:</i> Open Space, City of Goleta
Access	Whittier Drive and Storke Road (via existing easements)
Public Services	Water Supply: Goleta Water District Sewage: Goleta West Sanitary District Fire: County Fire

4.2 Description

The request is for a Tentative Parcel Map (TPM 14,784) to divide one 70.32-acre lot (net and gross) into three lots. Proposed Lot 1 would be 63.93 acres (net and gross) and is currently developed with the Ocean Meadows Golf Course, clubhouse, restaurant, golf cart storage building, parking lot and remote restroom. Proposed Lot 2 would be 5.89 acres (net and gross) and is currently developed with an employee dwelling (trailer) and maintenance building. Proposed Lot 3 would be 0.50 acres (net and gross) and is currently developed with a parking lot that serves the golf course. No new structural development, no grading and no tree removal are proposed.

The property is zoned Planned Residential Development (PRD-58) with a maximum base density of 58 residential units. The purpose of the zone is to plan development of the site as a whole, ensuring clustering of residential development and requiring the provision of open space; however, no

residential development is currently proposed as a part of this lot split. The proposal includes assignment of 30 of the base density residential units to proposed Lot 1 with the remaining 28 base density residential units to be split between proposed Lots 2 and 3 upon future development applications provided proposed development on Lots 2 and 3 is processed under one Development Plan application. In the event Lots 2 and 3 come under separate ownership and/or proposals to develop the lots are processed under separate Development Plan applications, the 28 residential units shall be allocated as follows, based on lot size: Lot 2 shall be assigned 26 base density residential units and Lot 3 shall be assigned two base density residential units.

Upon recordation of the lot split, Lot 1 would be sold to The Trust for Public Land. Immediately following the land acquisition by The Trust for Public Land, Lot 1 would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors. The Trust for Public Land would then convey the property to a long-term term steward for conservation and restoration, anticipated to be the University of California at Santa Barbara (UCSB). The PRD zone requires at least 40 % of the gross acreage be maintained in open space and the Goleta Community Plan requires at least 60% open space. These public and common open space requirements (found in Article II, Sec. 35-75.16 and Goleta Community Plan DevStd LUDS-GV.2.1), which require a minimum of 42.19 acres, will be satisfied on proposed Lot 1 for all three lots. Therefore, future development projects on proposed Lots 2 and 3 will already have met the open space requirements referenced above per this map.

An existing employee dwelling is located on proposed Lot 2. The Conditional Use Permit for the dwelling expired in 1990 without renewal and currently the dwelling is unpermitted. The applicant proposes to remove/demolish the dwelling prior to recordation of the Tentative Parcel Map. The application includes a Coastal Development Permit (Case No. 12CDH-00000-00009) to demolish the dwelling.

Existing access to the site is provided by an existing easement from Whittier Drive across a small triangular parcel just north of the golf course parking lot (the entire parcel is the easement) and by an existing 20-foot wide easement across UCSB property from Storke Road. Access to Proposed Lots 1 and 3 would continue to be from Whittier Drive via this easement. Access to Proposed Lot 2 would continue to be from Storke Road via the existing 20-foot wide easement across the adjacent UCSB property.

Proposed Lot 1 is currently served and would continue to be served by the Goleta Water District and Goleta West Sanitary District. A separate reclaimed water system, which irrigates the golf course, is also located on the lot. Proposed Lot 2 is currently served and would continue to be served by the Goleta Water District and would also receive reclaimed water after the lot split. Proposed Lot 2 is currently served by an onsite septic disposal system that will remain to serve the maintenance building. This system would be abandoned in the future upon demolition of the building and connection of new development to the Goleta West Sanitary District. Proposed Lot 3 would be served by the Goleta Water District and the Goleta West Sanitary District. The County Fire Department serves the entire property and would continue to serve the three proposed lots.

4.3 Background Information

The property is the site of the Ocean Meadows Golf Course, which has been operating since 1966. A Tentative Tract Map, Development Plan, Rezone and Local Coastal Program (LCP) Amendment (known as “Ocean Meadows Residences”) were processed in the early-mid 2000s to allow development of 56 residences and retention of the golf course use. However, final approval was never granted. On October 19, 2004, the Board of Supervisors granted approval of the Tentative Tract Map and Development Plan in concept only because adequate access for the proposed development had not been established. The Board approved the Rezone and LCP Amendment and submitted these components of the project to the Coastal Commission. On March 7, 2006 the Coastal Commission granted approval of the Rezone and LCP Amendment with modifications and granted a time extension on September 13, 2006. On August 7, 2007, the applicants of this project withdrew the item from the Board of Supervisors’ August 21, 2007 agenda requesting that the Board take no action because the Rezone and LCP Amendment were only requested in conjunction with the proposed development. Therefore, the Board of Supervisors took no final action to accept the modifications of the Coastal Commission or to approve the subdivision and development project. Subsequently, the Coastal Commission’s approval expired, and the project has since been closed.

5.0 PROJECT ANALYSIS

Please refer to Sections 5.2, 5.4 and 5.5 of the staff report to the Zoning Administrator (Attachment F to this staff report) for project analysis, including Article II Coastal Zoning Ordinance consistency and a discussion of Subdivision/Development Review Committee review. The Comprehensive Plan consistency analysis has been revised and the full analysis is included below. The findings, CEQA exemption, conditions of approval, and Coastal Development Permit have been updated and reflect the Planning Commission as the decision-maker on appeal. These documents are attached separately to this staff report (Attachments A-D).

5.1 COMPREHENSIVE PLAN CONSISTENCY

A Coastal Development Permit is required for the demolition of the employee dwelling. The dwelling is located in an area of the lot disturbed by past development and not located within an environmentally sensitive habitat area. It is approximately 300+ feet to the nearest part of Devereux Creek and associated wetlands. Consistency with water quality protection policies can be achieved through imposition of standard conditions of approval. With the exception of the water quality protection policies, there are no other applicable policies of the Coastal Land Use Plan or the Goleta Community Plan that would apply to the demolition of the dwelling. The policy consistency analysis below focuses on the proposed Tentative Parcel Map and includes discussion of the dwelling demolition only under the water quality policies.

Chapter 21 of the County Code, Subdivision Regulations, requires that proposed Tentative Parcel Maps comply with the Comprehensive Plan. The proposed project is located within the Coastal Zone and unincorporated Goleta. Therefore, the project is subject to the policies and development standards of the Coastal Land Use Plan (“Coastal Plan”) and the Goleta Community Plan (GCP). As discussed below, the proposed project is consistent with the Coastal Land Use Plan and the GCP.

REQUIREMENT	DISCUSSION
<p>Coastal Plan Policy 2-1: <i>In order to obtain approval for a division of land, the applicant shall demonstrate that adequate water is available to serve the newly created parcels except for parcels designated as “Not a Building Site” on the recorded final or parcel map.</i></p> <p>GCP 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>GCP Policy WAT-GV-2: <i>The County, in its land use planning decisions, shall consider the water resources analysis as contained in the Goleta Water Plan, as adopted by the Goleta Water District.</i></p> <p>GCP Policy WAT-GV-5: <i>Where physically and financially feasible, all new discretionary development shall utilize reclaimed wastewater for exterior landscaping consistent with State and County standards.</i></p> <p>GCP Action WAT-GV-5.1: <i>In areas where reclaimed water is available by pipeline, new development shall include dual plumbing systems for the use of reclaimed water unless infeasible due to the nature/scale of the development.</i></p> <p>Coastal Plan Policy 2-4: <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 water company, if such service is available.</i></p> <p>Coastal Plan Policy 2-6: <i>Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the</i></p>	<p>Consistent: The existing 70-acre parcel is currently served by the Goleta Water District including three existing domestic water meters, an irrigation meter, and a recycled (reclaimed) water meter connection, also used for golf course irrigation. The Goleta Water District stated its intent to serve the proposed three-lot subdivision indicating a reallocation of the existing domestic meters to serve the three new lots and reallocating the recycled water connection into two meters to serve proposed Lots 1 and 2 (email from Carrie Bennett to Julie Harris, dated February 27, 2012, confirmed by personal communication April 17, 2012). As proposed, Lot 3 would not use recycled water because the lot is mostly covered by a paved parking lot and no new structural development is proposed with this lot split. However, use of recycled water on proposed Lot 3 is physically feasible given the location of existing reclaimed water infrastructure. At such time that future residential development is proposed, a Development Plan application would be processed, and the financial feasibility of using reclaimed water on proposed Lot 3 would be assessed and required, if feasible.</p> <p>The existing 70-acre parcel is currently served by the Goleta West Sanitary District with two connections, one serving the golf course clubhouse and restaurant and the second connection serving a remotely sited restroom near the west end of the course (both of which are located on proposed Lot 1). The Goleta West Sanitary District confirmed that it will continue to serve proposed Lot 1 through the existing infrastructure and that it has sufficient capacity to serve proposed Lots 2 and 3 (letter from Mark Nation, Goleta West Sanitary District dated February 1, 2012). To ensure service for Lots 2 and 3, guarantees of service or connection permits from the district for the two lots are</p>

REQUIREMENT	DISCUSSION
<p><i>applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. ...</i></p>	<p>required prior to recordation of the final map (see Condition No. 16 and EHS conditions letter dated April 16, 2012).</p> <p>Access to the existing 70-acre parcel is provided across two easements. The first easement is a triangular shaped parcel of land located adjacent to Whittier Drive between Whittier and the northeast portion of the existing lot. The easement provides two points of ingress and egress to the parking lot for the existing golf course. The easement would remain in place to provide access to proposed Lots 1 and 3. The second point of access is an existing 20-foot wide easement from Storke Road across University owned land, known colloquially as Venoco Road. This easement provides existing access to the employee dwelling and golf course maintenance buildings. This easement would remain in place allowing access to proposed Lot 2.</p>
<p><i>GCP Policy CIRC-GV-3:</i> <i>A determination of project consistency with the standards and policies of this Community Plan Circulation Section shall constitute a determination of consistency with Local Coastal Plan Policy #2-6 and LUDP #4 with regard to roadway and intersection capacity.</i></p>	<p>Consistent: The proposed lot split would not change the maximum residential density allowed on the project site by the existing land use and zoning designations. No new development is currently proposed on any of the lots resulting from the proposed lot split. Although 30 dwelling units would be assigned to Lot 1, these units would not be developed because agencies providing grant funding to The Trust for Public Land will restrict future uses on the lot. Pursuant to the zoning ordinance requirements of the PRD zone, any future development would require the processing and approval of a Development Plan application. Therefore, because no development is proposed and no increase in allowable residential density would result, the proposed project is consistent with the policies and development standards in the Goleta Community Plan Circulation section.</p>
<p><i>Coastal Plan Policy 2-16:</i> <i>The entire site shall be planned as a unit. Preparation of a specific plan (Government Code Section 65450) may be required</i></p>	<p>Consistent: Consistent with Coastal Land Use Plan policies 2-16 and 2-17, Goleta Community Plan policies and development standards were</p>

REQUIREMENT	DISCUSSION
<p><i>when parcels comprising a site designated as PD are in separate ownerships.</i></p> <p>Coastal Plan Policy 2-17: <i>Use of flexible design concepts, including clustering of units, mixture of dwelling types, etc., shall be required to accomplish as much as possible all of the following goals:</i></p> <ul style="list-style-type: none"> a. <i>protection of the scenic qualities of the site;</i> b. <i>protection of coastal resources, i.e., habitat areas, archaeological sites, etc.;</i> c. <i>avoidance of siting of structures on hazardous areas;</i> d. <i>provision of public open, space, recreation, and/or beach access;</i> e. <i>preservation of existing healthy trees; and</i> f. <i>provision of low and moderate housing opportunities.</i> <p>GCP Policy LUDS-GV-2: <i>The entire Specific Plan area (APNs 79-090-10, 13, 50) shall have a maximum buildout of 409 units. The existing golf course (APN 79-090-10) shall be designated PD 58 and zoned PRD 58. The remainder of the site (APN 73-090-13, 50) shall be designated PD 351 and zoned PRD 351. All development within the Specific Plan area shall comply with the following [applicable] development standards:</i></p> <p>GCP DevStd LUDS-GV-2.1: <i>The County prefers that the golf course retain its existing use, with allowed units transferred as density credits off-site through the County TDR program. ... If any of the units assigned to the golf course are constructed on the golf course site, at least 60% of the golf course site shall be retained in open space. The County's preferred option for such open space would be habitat restoration and other passive public open space uses.</i></p> <p>GCP DevStd LUDS-GV-2.3: <i>As long as the entire site remains under the land use jurisdiction of the County, no applications for development shall be accepted prior to approval of a Specific Plan for</i></p>	<p>adopted to incorporate these requirements with the intent to plan future development on the subject golf course property, along with adjacent property that has since been conveyed to UCSB. GCP DevStd LUDS-GV-2.3 requires a specific plan for the “West Devereux Specific Plan Area” of which the subject golf course property is only one component. However, this development standard is no longer applicable because the entire “West Devereux Specific Plan Area” is no longer under the jurisdiction of the County. All of the property except for golf course site (the subject property of this proposed lot split) belongs to UCSB and development on that property is subject to UCSB’s Long Range Development Plan. Therefore, the requirement for a specific plan is moot.</p> <p>GCP DevStd LUDS-GV-2.3 also requires UCSB and the county to coordinate site planning so as to be consistent, to the fullest extent feasible, with the Santa Barbara coastal program. This effort was accomplished through completion of a separate, coordinated planning process.</p> <p>UCSB is developing and planning to develop student and faculty housing on portions of the property north and east of the golf course, while preserving the property southwest of the golf course in open space. As identified in these policies and on the adopted land use and zoning maps, the golf course property (now identified as APN 073-090-062) is designated PD-58 and zoned PRD-58 consistent with GCP Policy LUDS-GV-2. However, as discussed above, a specific plan is no longer required because those portions of the “entire Specific Plan area” (i.e., the West Devereux Specific Plan Area discussed above) that are not part of the existing golf course are now owned by UCSB and are outside of the County’s jurisdiction.</p> <p>Although no new development is currently</p>

REQUIREMENT	DISCUSSION
<p><i>the site. ...</i></p> <p><i>If the University of California purchases a portion of the site, the University shall coordinate its site planning with the County's planning for the remainder of the site, so as to be consistent, to the fullest extent feasible, with the Santa Barbara coastal program, as required by Pub. Res. Code § 30605.</i></p>	<p>proposed, planning for the entire site has been considered through the assignment of residential densities allowed under the assigned land use and zoning designations. The tentative parcel map assigns 30 units to proposed Lot 1 and 28 units to be divided between proposed Lots 2 and 3 upon future applications. Upon recordation of the map, Lot 1 will be sold to The Trust for Public Land.</p> <p>Various instruments will be recorded to prohibit any future residential development, as required by the various organizations providing the grant funds to The Trust for Public Land to enable the purchase of the property. The granting organizations require that Lot 1 be used for open space, habitat conservation and restoration, habitat protection for threatened and endangered species, passive recreation and public access, and education. The instruments, which run with the land, include, among others, restrictive use covenants and deed restrictions and will be recorded immediately following the purchase of Lot 1 by The Trust for Public Land.</p> <p>The Trust for Public Land would then convey Lot 1 to a long-term steward for conservation. As a result, any future development, if and when it occurs, would be clustered on Lots 2 and 3 (9% of the existing property), while Lot 1 would be conserved in open space. In practical terms, if or when residential development were to occur, substantially more than 60% of the original golf course site will be retained in open space.</p> <p>At a minimum, with future development clustered on Lots 2 and 3, the coastal resources and scenic qualities of the site would be protected, and hazardous areas would be avoided (Lots 2 and 3 are not located within the floodway and avoid a known earthquake fault) consistent with the requirements of Coastal Plan</p>

REQUIREMENT	DISCUSSION
	<p>Policy 2-17. Any future development on these two lots would be processed through a development plan.</p> <p>If for any reason Lots 2 and 3 came under separate ownership in the future, then a specific plan may be required at that time as called for by Coastal Plan Policy 2-16.</p>
<p>Coastal Plan Policy 2-11: <i>All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.</i></p> <p>Coastal Plan Policy 9-1: <i>Prior to the issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies of the land use plan. ...</i></p> <p>Coastal Plan Policy 9-9: <i>A buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands. No permanent structures shall be permitted within the wetland or buffer area except structures of a minor nature, i.e., fences, or structures necessary to support the uses in Policy 9-10. ...</i></p> <p>Coastal Plan Policy 9-37: <i>The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. ...</i></p>	<p>Consistent: ESH areas are designated onsite as both wetland and riparian (streams and creeks) habitat associated with Devereux Creek. Because the wetland buffer is more protective of the resource, the wetland buffer would apply. Onsite wetlands associated with Devereux Creek were delineated during the processing of a previous development application that was never granted final approval and the 100-foot (wetland) minimum buffer was applied (Watershed Environmental. 2003. <i>Wetland Delineation Report. Ocean Meadows Golf Course.</i>). This information is presented on the current project plans. Given the ongoing use of the site as a golf course, these habitat areas have not expanded.</p> <p>No development is proposed with this lot split with the exception of demolition of an employee dwelling and future residential development would be limited to proposed Lots 2 and 3. Proposed Lots 2 and 3 would not encroach into any existing ESH areas or buffers (based on wetlands mapping cited above, County ESH maps, and URS Corporation’s <i>Phase I Environmental Site Assessment of the Ellwood-Devereux Joint Proposal Area</i>, December 2003). Therefore, if or when development occurs on these lots, it will be located further away from the sensitive habitats than required by the minimum buffers of these policies. Note that habitat restoration on Lot 1 at some time in the future could potentially expand ESH areas adjacent to Lots 2 and 3 and any impacts from future development will be assessed at the time</p>

REQUIREMENT	DISCUSSION
<p>DevStd BIO-GV-2.2: <i>New development within 100 feet of an Environmentally Sensitive Habitat (ESH), shall be required to include setbacks or undeveloped buffer zones from these habitats ...</i></p> <p>GCP Policy BIO-GV-3: <i>Development within areas designated as ESH or Riparian Corridor shall comply with the applicable habitat protection policies.</i></p> <p>GCP Policy BIO-GV-8: <i>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:</i></p> <p><i>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, ...</i></p>	<p>of future development applications.</p>
<p>Coastal Plan Policy 3-8: <i>Applications for grading and building permits, and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami runup, landslides, beach erosion, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, a geologic report shall be required. Mitigation measures shall be required where necessary.</i></p> <p>Coastal Plan Policy 3-10: <i>Major structures, i.e., residential, commercial, and industrial, shall be sited a minimum of 50 feet from a potentially active, historically active, or active fault. Greater setbacks may be required if local geologic conditions warrant.</i></p> <p>GCP Policy GEO-GV-6: <i>Projects shall be designed and located to minimize the number of persons and amount of property exposed to seismic hazard.</i></p>	<p>Consistent: Planning documents and geotechnical reports on file at Planning & Development document the location of an earthquake fault crossing the property (Dibblee 1987, Olson 1972, Minor et al. 2002, and Gurrola et al. 2003). The North Branch More Ranch Fault trends east-west through proposed Lot 1. As a result of this project, Lot 1 would not support future residential development. Proposed Lots 2 and 3 are located more than 50 feet from the approximate location of the fault and therefore any future development that might occur on these two lots would minimize any potential threats arising from seismic events associated with this fault.</p>
<p>Coastal Plan Policy 3-11: <i>All development,</i></p>	<p>Consistent: No new residential development is</p>

REQUIREMENT	DISCUSSION
<p><i>including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</i></p> <p>GCP Policy FLD-GV-1: <i>The number of persons and amount of property exposed to flood hazard shall be minimized through requiring adequate setbacks from the floodway and/or other appropriate means.</i></p>	<p>currently proposed. As a result of this project, proposed Lot 1 would not support future residential development. Lots 2 and 3 are located out of the floodway and the majority of Lot 2 is located out of the floodway fringe (i.e., the 100-year floodplain). At such time as development is proposed for Lots 2 and 3, the design of the development would be reviewed for compliance with the Flood Plain Management Ordinance.</p>
<p>GCP DevStd FIRE-GV-1.3: <i>Two routes of ingress and egress shall be required for any discretionary new development or subdivision of land unless the Fire Department waives the requirement.</i></p>	<p>Consistent: The existing property and proposed Lots 1 and 3 have existing ingress and egress across a small parcel that serves as a full access easement to the parcel from Whittier Drive. The distance to Whittier Drive varies between 10 to 40 feet. The existing property and proposed Lot 2 are accessed from Storke Road via an existing 20-foot wide easement across adjacent UCSB property, approximately 1,050 feet. The Fire Department waived requirements to increase the width of this easement to 30 feet until such time as Lot 2 is developed in the future (letter dated April 5, 2012, and conditions letter dated April 13, 2012). No new development is proposed with this lot split; therefore, the Fire Department has concluded that existing access is adequate. Compliance with the conditions letter is included under Condition No. 16 of the lot split.</p>
<p>Coastal Plan Policy 3-19: <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>Consistent: No new development is proposed with this lot split; therefore, the lot split would not degrade the water quality of the nearby streams and wetlands.</p> <p>The project does include the demolition of an employee dwelling that is located 300+ feet from Devereux Creek and its associated wetlands. The</p>

REQUIREMENT	DISCUSSION
	Coastal Development Permit for the demolition is conditioned to require water quality protection measures/best management practices during demolition to ensure that no debris or pollutants migrate to the creek, ensuring protection of the water quality (Attachment C, Condition No. 4).

5.2 APPEAL ISSUE DISCUSSION

The appellant raises six issues in his written appeal (Attachment E to this staff report) which are analyzed below.

1. *The staff report avoided CEQA [California Environmental Quality Act] and EIR [Environmental Impact Report] requirements with exemption statements that were false and misleading. An EIR should be required to determine if a “reasonable foreseeable indirect physical change in the environment” is positive or negative.*

The project consists of the demolition of an employee dwelling and a three-lot subdivision with no associated development on a lot located in the urban area and zoned for residential use in the Goleta Community Plan. As discussed in Section 5.2 of the staff report to the Zoning Administrator (Attachment F to this staff report) and in the CEQA Notice of Exemption (Attachment D to this staff report), the demolition of the employee dwelling is exempt pursuant to CEQA Guidelines Section 15301(l)(1). Section 15301(l)(1) is a categorical exemption that exempts the demolition and removal of individual small structures from further environmental review. The lot split is exempt pursuant to CEQA Guidelines Section 15315. Section 15315 is a categorical exemption for minor land divisions in urbanized areas, zoned for residential use, into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in the division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

The policy consistency analysis in Section 5.1 of this staff report and the discussion in Section 5.4 of the staff report to the Zoning Administrator document the project’s consistency with the General Plan and the PRD-58 zone. The analysis included in the Notice of Exemption (Attachment D to this staff report) demonstrates that the proposed lot split meets the criteria for it to be found exempt pursuant to Section 15315. As discussed in the Notice of Exemption, apart from the assignment of base density residential units to the three lots included in the subdivision, determining the specific location, design, size and scale of any future development, including habitat restoration with its associated grading, would be speculative. Furthermore, given the PRD zone district processing requirements, any future development on the lots would require processing of applications for Development Plans. A Development Plan is a discretionary permit that requires environmental review to assess the physical impacts of such development. Although wetland habitat restoration is contemplated for the

future on proposed Lot 1 and the property owner would retain development rights to 28 residential units on proposed Lots 2 and 3, at this time no proposal for development or habitat restoration has been submitted and hence no environmental review beyond the exemptions is warranted.

2. *Treating the entire parcel as a whole is mentioned to exempt the owner from open space requirements on his future development projects on the high ground land he retains.*

As discussed in Sections 5.3 and 5.4 of the staff report to the Zoning Administrator, herein incorporated by reference, and Section 5.1 above (herein incorporated by reference), the Goleta Community Plan and the PRD-58 zone district require planning for the existing 70.32-acre lot to be considered as a whole. Consistent with the policies and standards of the Goleta Community Plan and the PRD-58 zone, the 58 units assigned to the parent lot are distributed to the proposed lots and open space is designated. Goleta Community Plan Development Standard LUDS-GV-2.1 requires that a minimum of 60% open space be retained over the whole of the “golf course site” (i.e., over the whole of the existing 70.32-acre lot). The purpose of this lot split is to allow The Trust for Public Land to purchase one lot of 63.93 acres to facilitate the preservation and restoration of this portion of the property. Therefore, given the deed restrictions for open space uses and restoration that will be placed upon proposed Lot 1 upon acquisition of the lot by The Trust for Public Land, the 60% open space requirement for the 70 acres would be met on Lot 1. Future development projects on proposed Lots 2 and 3 will already have met the open space requirements referenced above per this map.

3. *The staff presentation and associated documents did not consider this Lot Split as a development. EIR and CEQA requirements are required for developments.*

The proposed division of one lot into three would not increase the development potential of the property as the maximum residential density for the entire property is set by the PRD-58 zoning designation. By virtue of the PRD zone district, any future development on the lots would be subject to discretionary permits and future CEQA review. By definition, the subdivision of land is development. This development project (subdivision of one lot into three lots) was considered by staff and the Zoning Administrator and appropriate conditions of approval were applied to the lot split. As with all development projects, including land divisions, when a project is eligible for a categorical exemption pursuant to CEQA, a Notice of Exemption is prepared. As discussed in the Notice of Exemption (Attachment D) this three-lot subdivision is eligible for a categorical exemption from CEQA pursuant to CEQA Guidelines Section 15315 and none of the exceptions apply. Therefore, an EIR is not required for this three-lot subdivision and CEQA requirements have been met.

4. *The interesting history of this parcel was not mentioned in the report and it should be noted that in 2005 a development proposal was processed up to final Board of Supervisors approval and withdrawn.*

The staff report briefly noted in the parcel’s history (Section 4.0 of the staff report to the Zoning Administrator) that there was a previous proposal for development of this property. However, staff did not elaborate on the previous proposal because final approval was never granted and the case was

closed. In addition, the current project supersedes any previous proposals and therefore, the previous proposal is not relevant to the review and decision regarding the current project.

5. *The Goleta City Council has not examined the proposal.*

The City of Goleta was notified of the project and of the hearing before the Zoning Administrator. County staff did not receive any phone calls or written communications commenting on the project or requesting additional information. No one from the City of Goleta attended the Zoning Administrator hearing.

6. *The purchase of the property by The Trust for Public Land is a gifting of public funds, including CREF monies and collected mitigation fees. The planned gifting of more property to UCSB is inappropriate as well since UCSB development is exempt from all local government control.*

The Trust for Public Land has entered into a private sales agreement with the property owner to purchase a portion of the property. The sales contract is not a part of the proposed project before the Planning Commission. The Trust for Public Land has competed for and won a number of grants from various public agencies (including federal and state agencies and one Santa Barbara County grant program) and one private non-profit organization. The County grant program is the Coastal Resources Enhancement Fund (CREF), which grants mitigation monies from off-shore oil drilling operations for coastal land acquisition and coastal habitat restoration projects. All grant programs require applicants to meet strict eligibility criteria and involve competitive processes.

The appropriateness of transferring the property to UCSB as the intended long-term steward for the property is also not part of the proposed project before the Planning Commission. The use restrictions that will be placed on the property in compliance with the various grantors' requirements will limit UCSB's future development options to open space, restoration, education, and passive recreation (e.g., bird watching, trails, etc.). While UCSB is not subject to County land use regulations, it is subject to the Coastal Act and Coastal Commission review and approval of any projects.

6.0 APPEALS PROCEDURE

- The action of the Planning Commission may be appealed to the Board of Supervisors within ten (10) calendar days of said action. For developments which are appealable to the Coastal Commission under Section 35-182.6, no appeal fee will be charged.
- The action of the Board of Supervisors may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's notice of final action.

ATTACHMENTS

- A. Findings for Approval
- B. 11TPM-00000-00007 Conditions of Approval
- C. 12CDH-00000-00009 with Conditions of Approval
- D. CEQA Notice of Exemption
- E. Appeal Submittal
- F. Zoning Administrator Staff Report without attachments
- G. Written Comments to the Zoning Administrator
- H. Tentative Parcel Map Plans

ATTACHMENT A

FINDINGS OF APPROVAL

Case Nos. 11TPM-00000-00007 (TPM 14,784) and 12CDH-00000-00009

1.0 CEQA FINDINGS

1.1 CEQA Exemption

The Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Tentative Parcel Map) and 15301(l)(1) (Employee Dwelling Demolition). Please see Attachment D, Notice of Exemption, incorporated herein by reference.

2.0 SUBDIVISION MAP ACT FINDINGS

2.A. Findings for all Tentative Maps. *In compliance with the Subdivision Map Act, the review authority shall make the following findings for The Trust for Public Land/Devereux Creek Properties Lot Split, Case No. 11TPM-00000-00007 (TPM 14,784):*

2.A.1. State Government Code §66473.1. *The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.*

The proposed lot split is a simple three lot subdivision that does not include any new residential development. As a part of the subdivision, 30 of the allowed base density units are assigned to Lot 1 and 28 are assigned to Lots 2 and 3. Upon recordation of the Parcel Map, Lot 1 will be sold to The Trust for Public Land. Immediately following the land acquisition by The Trust for Public Land, Lot 1 would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors. Lots 2 and 3, which will accommodate some residential development in the future, are located on relatively level to gently sloping terrain which would allow for future passive or natural heating or cooling opportunities. Any future activity to develop 28 units on these two lots would require a subsequent subdivision and a Development Plan at which time detailed opportunities for passive or natural heating or cooling could be designed. Therefore, this finding can be made.

2.A.2. State Government Code §66473.5. *No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.*

As discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, and section 5.1 of the staff report to the Planning Commission dated June 1, 2012, both incorporated herein by reference, the design of the subdivision is consistent with the County's General Plan, including the Coastal Land Use Plan and the Goleta Community Plan. Therefore, this finding can be made.

2.A.3. State Government Code §66474. *The Planning Commission shall deny approval of a Tentative Parcel Map/Tract Map if it makes any of the following findings:*

- a. The proposed map is not consistent with applicable general and specific plans as specified in §65451.*

As discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, and section 5.1 of the staff report to the Planning Commission dated June 1, 2012, both incorporated herein by reference, the proposed map is consistent with the County's General Plan, including the Coastal Land Use Plan and the Goleta Community Plan.

- b. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.*

As discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, and section 5.1 of the staff report to the Planning Commission dated June 1, 2012, both incorporated herein by reference, the design of the subdivision is consistent with the County's General Plan, including the Coastal Land Use Plan and the Goleta Community Plan.

- c. The site is not physically suitable for the type of development proposed.*

No new development is proposed with this Tentative Parcel Map. However, the site is physically suited for the design and layout of the three resulting lots. Residential development on Lots 2 and 3 would require subsequent discretionary review via a Development Plan.

- d. The site is not physically suited for the proposed density of development.*

No new development is proposed with this Tentative Parcel Map. However, the site is physically suited for the density allowed by existing land use and zoning designations as discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, and section 5.1 of the staff report to the Planning Commission dated June 1, 2012, both incorporated herein by reference.

- e. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

As discussed in section 5.1 and Attachment D (Notice of Exemption) of the staff report to the Planning Commission dated June 1, 2012, incorporated herein by reference, there is no new development proposed with the project. The design of the subdivision will not cause environmental damage and will not injure fish or wildlife or their habitat. Upon recordation of the Parcel Map, Lot 1 will be sold to The Trust for Public Land. Immediately following the land acquisition by The Trust for Public Land, Lot 1 would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors.

- f. The design of the subdivision or type of improvements is likely to cause serious public health problems.*

There is no new development proposed with this project. The design of this three lot subdivision will not cause serious public health problems.

- g. *The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

There are no public easements for access through, or use of, the property, so no conflicts will occur.

- 2.A.4. State Government Code §66474.4.** *The legislative body of a county shall deny approval of a tentative map or parcel map if it finds that the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, is subject to an open space easement entered into pursuant to the Open Space Easement Act of 1974, is subject to an agricultural conservation easement entered into pursuant to Chapter 4 of Division 10.2 of the Public Resources Code, or is subject to a conservation easement entered into pursuant to Chapter 4 of part 2 of division 2 of the Civil Code.*

The land is not zoned or used for agriculture and is not subject to a contract pursuant to the California Land Conservation Act of 1965 or an agricultural conservation easement. The property is also not subject to an open space easement or a conservation easement. Therefore, this finding can be made.

- 2.A.5. State Government Code §66474.6.** *The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.*

No new development is proposed with this project. As discussed in Section 5.1 of the staff report to the Planning Commission dated June 1, 2012, incorporated herein by reference, the Goleta West Sanitary District confirmed that it will continue to serve proposed Lot 1 through the existing infrastructure and connections, and that it has sufficient capacity to serve proposed Lots 2 and 3 (letter from Mark Nation, Goleta West Sanitary District dated February 1, 2012). Thus, discharge into an existing community sewer system from this lot split would not result in a violation of requirements of the Regional Water Quality Control Board, and this finding can be made.

In addition to the findings above, the following findings apply to subdivisions in the Coastal Zone per Article II, Section 35-130:

- 2.B** *In order to obtain approval for a division of land, the subdivider shall demonstrate that adequate water is available to serve the newly created lots except for lots to be designated as "Not a Building Site" on the recorded subdivision or parcel map.*

As discussed in Section 5.1 of the staff report to the Planning Commission dated June 1, 2012, incorporated herein by reference, the Goleta Water District has indicated its intent to serve the three lots through a reallocation of the existing water meters that serve the existing property.

Lots 1 and 2 are currently served and will continue to be served. In addition, a Can and Will Serve letter for Lot 3 is required by County Environmental Health Services prior to recordation of the final Parcel Map, pursuant to its condition letter dated April 16, 2012. Therefore, adequate water is available to serve the new lots and this finding can be made.

- 2.C** *As a requirement for approval of any proposed land division of agricultural land designated as AG-I or AG-II, the County shall make a finding that the long-term agricultural productivity of the land will not be diminished by the proposed division.*

The project site is not designated or used for agriculture. Therefore, this finding does not apply.

3.0 CHAPTER 21 TENTATIVE PARCEL MAP FINDINGS

- 3.A** *The following, among others, shall be cause for disapproval of a tentative map including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:*

- 3.A.1.** *Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the Office of the County Recorder, provided, however, that the Director of Public Works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final subdivision map by the County Recorder, unless the Director of Public Works shall approve such grants. If the Director of Public Works does not grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the Director of Public Works to grant such approvals may be made in writing to the Board of Supervisors, which may overrule the Director of Public Works and grant such requested approvals in whole or in part.*

This Tentative Parcel Map includes no easements or rights-of-way along or across existing or proposed county streets. Thus, there is no cause for disapproval of this map.

- 3.A.2.** *Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street;*

Section 5.1 of the staff report to the Planning Commission dated June 1, 2012, incorporated herein by reference, demonstrates that the lots created by this Tentative Parcel Map have existing access roads and access easements of adequate width to access each proposed lot. Therefore, there is no cause for disapproval of this map.

- 3.A.3.** *Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view;*

There is no grading associated with this project. The lots created by the map do not have steep slopes or slopes of great heights. Any future development would not result in grading that would be unsafe or unattractive; all future grading greater than 50 cubic yards would

require permits and additional review. Therefore, there is no cause for disapproval of this map.

3.A.4. Grading or construction work on any proposed street or lot. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors;

There is no grading associated with this project. Therefore, there is no cause for disapproval of this map.

3.A.5. Potential creation of hazard to life or property from floods, fire, or other catastrophe;

There is no new development associated with this map. As discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, and Section 5.1 of the staff report to the Planning Commission dated June 1, 2012, all incorporated herein by reference, the design of the subdivision will not result in any future development being located in areas that would create hazard to life or property. Therefore, there is no cause for disapproval of this map.

3.A.6. Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation;

As discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, and Section 5.1 of the staff report to the Planning Commission dated June 1, 2012, all incorporated herein by reference, the Tentative Parcel map conforms to the County's Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan. The project site is not located near any existing or proposed state highway alignment. Therefore, there is no cause for disapproval of this map.

3.A.7. Creation of a lot or lots which have a ratio of depth to width in excess of 3 to 1;

The Tentative Parcel Map would create three lots from a 70.32-acre parcel. Lots 2 and 3 would be relatively small consisting of only 9% (combined) of the total area of the original parcel. Lot 1 would be 63.93 acres. The existing 70.32-acre parcel is of an irregular shape with a depth to width ratio much greater than 3 to 1. Lots 1 and 2 will continue to have irregular shapes with depth to width ratios greater than 3 to 1. Upon completion of the project (recordation of the parcel map and transfer of title to The Trust for Public Land), consistent with the limitations placed on the grant funds used by the Trust to purchase the property, Lot 1 uses will be restricted to various open space, habitat, restoration, recreation and educational uses; it will not be used for residential development. Therefore, lot geometry and creation of a lot with a depth to width ratio of 3 to 1 is not necessary for this parcel. No development is currently proposed for Lot 2 and any future development would require the processing of a Development Plan. The purpose of the PRD zone is to provide flexibility in planning and site design and also to allow for the development of other types of residential structures such as townhomes, condominiums and apartments, which allows development to be appropriately designed to fit lot irregularities. Lot 3 will have a depth to width ratio less than 3 to 1. Therefore, given the unique characteristics of the site, the project, and the PRD zone, the fact that two of the lots would not meet the 3 to 1 depth to width ratio is not a cause for disapproval of this map.

3.A.8. Subdivision designs with lots backing up to watercourses.

The design of the subdivision does not back up onto a water course. The water courses that cross the property (Devereux Creek and one tributary) would be located central to Lot 1 and none of the new lots would back up to these creeks. Therefore, this finding can be made.

3.B. A tentative map including tentative parcel map shall not be approved if the decision-maker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq., the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.

As discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, and section 5.1 of the staff report to the Planning Commission dated June 1, 2012, both incorporated herein by reference, the design of the subdivision is consistent with “this chapter” (i.e., Chapter 21), the County’s Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan, and the applicable Coastal Zoning Ordinance. As discussed in Section 2 of the Findings above (herein incorporated by reference), the tentative parcel map design is consistent with the findings of the State Subdivision Map Act. Therefore, this finding can be made.

4.0 COASTAL DEVELOPMENT PERMIT FINDINGS

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

The Coastal Development Permit would allow the demolition of an existing employee dwelling trailer, for which its permit expired in 1990. No services are required to demolish a structure; therefore, this finding can be made.

4.B. Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. In compliance with Section 35-169.5.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.2 the review authority shall first make all of the following findings:

4.B.1. The proposed development conforms:

a. To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;

As discussed in section 5.1 of the staff report to the Planning Commission dated June 1, 2012, incorporated herein by reference, the demolition conforms to the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan and the employee dwelling is not located in an environmentally sensitive area. Only Coastal Plan Policy 3-19, which requires protection of water quality of nearby streams and wetlands, is applicable to the demolition of the dwelling. The dwelling is located 300+ feet from Devereux Creek and its associated

wetland, and the Coastal Development Permit is conditioned to require use of water quality protection measures during demolition. Therefore, this finding can be made.

b. With the applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with [Section 35-161 \(Nonconforming Use of Land, Buildings and Structures\)](#).

As discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, incorporated herein by reference, demolition of the employee dwelling will bring the property into full compliance with this Article (i.e., the Coastal Zoning Ordinance). Therefore, this finding can be made.

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

The lot was created on August 9, 1994 as Lot 1 of a Lot Line Adjustment as filed in Book 146 of Record of Surveys, Pages 41 and 42. Therefore, this finding can be made.

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

As discussed in section 5.4 of the staff report to the Zoning Administrator dated April 19, 2012, incorporated herein by reference, demolition of the employee dwelling will bring the property into full compliance with this Article (i.e., the Coastal Zoning Ordinance). Therefore, this finding can be made. Demolition of the dwelling is conditioned to occur prior to map recordation.

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

The development would demolish an existing employee dwelling. Removal of the structure would not obstruct any public views from any public road or public recreation area. Therefore, this finding can be made.

4.B.5. The development is compatible with the established physical scale of the area.

The development would demolish an existing employee dwelling. Thus, removal of the structure would not conflict with the established physical scale of the area. Therefore, this finding can be made.

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

The development would demolish an existing employee dwelling. Thus, removal of the structure would not affect any public access and recreation policies of this Article (i.e., Coastal Zoning Ordinance) or the Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan. Therefore, this finding can be made.

4.C. In addition to the findings that are required for approval of a development project (as

development is defined in this Article), as identified in each section of Division 11 (Permit Procedures) of Article II, a finding shall also be made that the project meets all the applicable development standards included in the Goleta Community Plan of the Land Use Element of the Comprehensive Plan.

As discussed in section 5.1 of the staff report to the Planning Commission dated June 1, 2012, incorporated herein by reference, the project meets all the applicable development standards included in the Goleta Community Plan of the Land Use Element of the Comprehensive Plan. Therefore, this finding can be made.

ATTACHMENT B

CONDITIONS OF APPROVAL

Case No. 11TPM-00000-00007 (TPM 14,784)

1. **Proj Des-01 Project Description.** This Tentative Parcel Map is based upon and limited to compliance with the project description, the hearing exhibits marked “Zoning Administrator Exhibit 1, dated May 7, 2012, and Planning Commission Exhibit 1, dated June 20, 2012” and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The request is for a Tentative Parcel Map (TPM 14,784) to divide one 70.32-acre lot (net and gross) into three lots. Proposed Lot 1 would be 63.93 acres (net and gross) and is currently developed with the Ocean Meadows Golf Course, clubhouse, restaurant, golf cart storage building, parking lot and remote restroom. Proposed Lot 2 would be 5.89 acres (net and gross) and is currently developed with an employee dwelling (trailer) and maintenance building. Proposed Lot 3 would be 0.50 acres (net and gross) and is currently developed with a parking lot that serves the golf course. No structural development, no grading and no tree removal are proposed.

The property is zoned Planned Residential Development (PRD-58) with a maximum base density of 58 residential units. The purpose of the zone is to plan development of the site as a whole, ensuring clustering of residential development and requiring the provision of open space; however, no residential development is currently proposed as a part of this lot split. The proposal includes assignment of 30 of the base density residential units to proposed Lot 1 with the remaining 28 base density residential units to be split between proposed Lots 2 and 3 upon future development applications provided proposed development on Lots 2 and 3 is processed under one Development Plan application. In the event Lots 2 and 3 come under separate ownership and/or proposals to develop the lots are processed under separate Development Plan applications, the 28 residential units shall be allocated as follows, based on lot size: Lot 2 shall be assigned 26 base density residential units and Lot 3 shall be assigned two base density residential units.

Upon recordation of the lot split, Lot 1 would be sold to The Trust for Public Land. Immediately following the land acquisition by The Trust for Public Land, Lot 1 would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors. The Trust for Public Land would then convey the property to a long-term term steward for conservation and restoration, anticipated to be the University of California at Santa Barbara (UCSB). The PRD zone requires at least 40 % of the gross acreage be maintained in open space and the Goleta Community Plan requires at least 60% open space. These public and common open space requirements (found in Article II, Sec. 35-75.16 and Goleta Community Plan DevStd LUDS-GV.2.1), which require a minimum of 42.19 acres, will be satisfied on proposed Lot 1 for all three lots. Therefore, future development projects on proposed Lots 2 and 3 will already have met the open space requirements referenced above per this map.

An existing employee dwelling is located on proposed Lot 2. The Conditional Use Permit for the dwelling expired in 1990 without renewal and currently the dwelling is

unpermitted. The applicant proposes to remove/demolish the dwelling prior to recordation of the Tentative Parcel Map. The application includes a Coastal Development Permit (Case No. 12CDH-00000-00009) to demolish the dwelling.

Existing access to the site is provided by an existing easement from Whittier Drive across a small triangular parcel just north of the golf course parking lot (the entire parcel is the easement) and by an existing 20-foot wide easement across UCSB property from Storke Road. Access to Proposed Lots 1 and 3 would continue to be from Whittier Drive via this easement. Access to Proposed Lot 2 would continue to be from Storke Road via the existing 20-foot wide easement across the adjacent UCSB property.

Proposed Lot 1 is currently served and would continue to be served by the Goleta Water District and Goleta West Sanitary District. A separate reclaimed water system, which irrigates the golf course, is also located on the lot. Proposed Lot 2 is currently served and would continue to be served by the Goleta Water District and would also receive reclaimed water after the lot split. Proposed Lot 2 is currently served by an onsite septic disposal system that will remain to serve the maintenance building. This system would be abandoned in the future upon demolition of the building and connection of new development to the Goleta West Sanitary District. Proposed Lot 3 would be served by the Goleta Water District and the Goleta West Sanitary District. The County Fire Department serves the entire property and would continue to serve the three proposed lots.

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.

- 2. Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

PROJECT SPECIFIC CONDITIONS

- 3. Special Condition-01.** Prior to recordation of the Parcel Map the applicant shall demolish the existing employee dwelling located on proposed Lot 2. **Plan Requirements and Timing:** Prior to recordation of the Parcel Map, the applicant shall obtain issuance of the Coastal Development Permit for demolition and a Demolition Permit from Building and Safety. Demolition of the employee dwelling must be completed prior to recordation of the Parcel Map. **Monitoring:** Applicant shall submit photos to P&D after demolition and P&D shall inspect in the field.

TENTATIVE PARCEL MAP CONDITIONS

4. **Map-01 Maps-Info.** Prior to recordation of the tentative parcel map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Parcel Map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
5. **Map-01a Maps-Future Lots.** Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.
6. **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the Parcel Map, the Owner/Applicant shall submit a Parcel Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
7. **Map-08 Water and Sewer Connections.** If, prior to the Board action to approve the recording of the Final Map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the County or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the County Surveyor an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted, or letters from the County Health Department and P&D Building & Safety stating that the lots in the subdivision will be served by an approved potable source of water and an approved private sewage disposal system.

COUNTY RULES AND REGULATIONS

8. **Rules-02 Effective Date-Appealable to CCC.** This Tentative Parcel Map shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
9. **Rules-04 Additional Approvals Required.** Approval of this Tentative Parcel Map is subject to the Coastal Commission approving the required Coastal Development Permit because a portion of the site is located within the Coastal Zone Appeal Jurisdiction. The Coastal Development Permit is required prior to recordation of the Parcel Map.

10. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
11. **Rules-07 DP Conformance - Special.** No permits for new development, including grading, shall be issued except in conformance with an approved Final Development Plan.
12. **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.
13. **Rules-19 Maps/LLA Revisions.** If the unrecorded Tentative Parcel Map is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Tentative Parcel Map.
14. **Rules-23 Processing Fees Required.** Prior to issuance of recordation of the Parcel Map, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
15. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law at the time of payment. The total DIMF amount for Transportation is currently assessed currently at \$27,134. This is based on a project type of a three-lot subdivision resulting in two net new lots.

TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to recordation of the Parcel Map.
16. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
 - a. County Surveyor dated January 3, 2012;
 - b. Environmental Health Services Division dated April 16, 2012;
 - c. Fire Department dated April 13, 2012;
 - d. Flood Control District dated January 4, 2012;
 - f. Transportation Division dated April 18, 2012.
17. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that

the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

18. **Rules-36 Map/LLA Expiration.** This Tentative Parcel Map shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.
19. **Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT

123 East Anapamu Street
Santa Barbara, CA 93101
805\568-3000 FAX 805\568-3019



SCOTT D. MCGOLPIN
Director

January 3, 2012

County Subdivision Committee
123 East Anapamu Street
Santa Barbara, CA 93101

RE: Tentative Parcel Map No. 14,784 (11TPM-00000-00007)
Deveraux Creek Properties/ Trust for Public Land Split
6925 Whittier Drive, Goleta Area
APN 073-090-062

Owner : Deveraux Creek Properties, Inc.

Agent: Ginger Anderson
Penfield and Smith
111 East Victoria Street
Santa Barbara, CA 93101

Requirements of the County Surveyor's Office:

Pursuant to Section 66448 of the State Subdivision Map Act and County Subdivision Regulations Chapter 21, Section 21-9, the Parcel Map shall be based upon a field survey made in conformity with the Professional Land Surveyors Act. Furthermore, property lines shall be monumented in accordance with Section 21-16 of said County Code.

Very truly yours,

FOR: Michael B. Emmons
County Surveyor

TPM14784_subreview.doc

AA /EEO Employer

Thomas D. Fayram, Deputy Director

Rochelle Camozzi, Chief Financial Officer

Dacé B. Morgan, Deputy Director

Michael B. Emmons, County Surveyor

Mark A. Schleich, Deputy Director

www.publicworkssb.org

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333
Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: Julie Harris, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: April 16, 2012

SUBJECT: Case No. 11TPM-00000-00007, TPM14,784/12CDH-00000-00009 . Goleta Area

Applicant: Trust for Public Land
101 Montgomery St., Suite 900
San Francisco, CA. 94104

Assessor's Parcel No. 073-090-062, zoned PRD-58, located at 6925 Whittier Drive.

This is a revised letter based on information received by Environmental Health Services subsequent to the writing of the letter dated 4/4/12. 11TPM-00000-00007/12CDH-00000-00009 represents a request to divide one 70.32-acre lot into three lots. Proposed Lot 1 would be 63.93 acres and is currently developed with the Ocean Meadows Golf Course, clubhouse, restaurant, golf cart storage building, parking lot and remote restroom. Proposed Lot 2 would be 5.89 acres and is currently developed with an employee dwelling and maintenance building. Proposed Lot 3 would be 0.50 acres and is currently developed with a parking lot that serves the golf course. No structural development is proposed.

An existing employee dwelling is located on proposed Lot 2. The permit for the dwelling expired in 1990 without renewal and currently the dwelling is unpermitted. The applicant proposes to remove the dwelling prior to recordation of the Tentative Parcel Map.

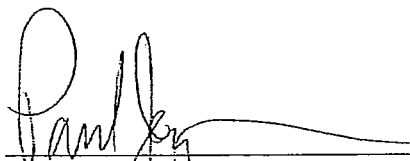
Domestic water supply is proposed to be provided by the Goleta Water District. Proposed Lot 1 is currently served and would continue to be served by the Goleta Water District. A separate reclaimed water system is also located on the lot, which irrigates the golf course. Proposed Lot 2 is currently served and would continue to be served by the Goleta Water District and would also receive reclaimed water after the lot split. Proposed Lot 3 would be served by the Goleta Water District.

Correspondence from the Goleta Water District indicates that adequate meters exist to serve the entire project but will need to be repurposed to serve each lot. This will need to be accomplished prior to recordation otherwise a "can and will serve" letter will be required.

Sewage disposal is proposed to be provided by the Goleta West Sanitary District. Proposed Lot 1 is currently served and would continue to be served by the Goleta West Sanitary District. Proposed Lot 2 is currently served by an onsite wastewater treatment system connected to the workshop and an employee trailer. The onsite wastewater treatment system will be abandoned when the lot is connected to the sewer. Proposed Lot 3 is proposed to be served by the Goleta West Sanitary District.

Providing the Zoning Administrator grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Recordation, Environmental Health Services shall receive and approve written notice from the Goleta Water District indicating that said district can and will provide domestic water service upon demand and without exception for proposed lots 2 & 3. If the existing water meters are to be repurposed then that shall be accomplished prior to recordation.
2. Prior to Recordation, Environmental Health Services shall receive a guarantee of service, typically a "can and will serve" letter or a connection permit from the Goleta West Sanitary District for sewage collection and disposal for proposed lots 2 & 3.
3. Concurrent to Connection to the Sewer, the existing onsite wastewater treatment system shall be abandoned under permit and inspection from Environmental Health Services.
4. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.



Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Ginger Anderson, Penfield & Smith
Goleta Water District
Goleta West Sanitary District
Office of the County Surveyor
Marilyn Merrifield, Environmental Health Services
Norman Fujimoto, Environmental Health Services

LU-5116

Memorandum

RECEIVED

APR 16 2012

S.B. COUNTY
PLANNING & DEVELOPMENT



DATE: April 13, 2012

TO: Julie Harris
Planning and Development
Santa Barbara

FROM: Eric Peterson, Fire Marshal *(ELP)*
Fire Department

SUBJECT: APN: 073-090-062; Permit: 11TPM-00007, TPM 14,784
Site: 6923 Whittier Drive, Goleta
Project: Lot Split

*This Condition Memorandum Supersedes the Previous Condition Memorandum
Dated January 13, 2012*

Fire Department staff has reviewed the above referenced project and has no development conditions to place on the project as presented at this time.

MAP RECORDATION

1. The fire department has no objection to the map recordation of Tract 14,784
2. The following information shall be recorded with the map.

In the event proposed Lot 2 (073-090-062, 00TPM-00007) is subdivided in the future, the owner/applicant of proposed Lot 2 shall obtain an access easement over "Venoco Road" as it runs east-west from Storke Road to proposed Lot 2, or other access way suitable to and approved by the County Fire Department. The access easement shall be a minimum of 30 feet in width and conform to the most current Fire Department Development Standards. The access easement shall be obtained prior to development on proposed Lot 2.

THE FOLLOWING IS ADVISORY ONLY

3. It is understood by all parties that this departure from the current Fire Department Standards is based on the establishment of an acceptable access by UCSB for this project and does not set a precedent or set a direction for applying conditions to future development(s).

As always, if you have any questions or require further information, please call 805-681-5523 or 805-681-5500.

DP:mkb

c Goleta Water District, 4699 Hollister Av, Goleta 93110



Santa Barbara County Public Works Department
Flood Control & Water Agency

January 4, 2012

Julie Harris, Planner
County of Santa Barbara
Planning & Development Department
123 E. Anapamu St.
Santa Barbara, CA 93101

RECEIVED

JAN 06 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

**Re: 11TPM-00000-00007; Devereaux Creek Properties/Trust
APN: 073-090-062; Goleta**

Dear Ms. Harris:

The District has no formal conditions prior to Map Recordation for the above referenced project. However, the project is located within a special flood hazard area and contains a Flood Control District access and maintenance easement. Therefore, the District wishes to use this letter to document the following advisories:


1. Prior to any future development

- a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated January 2011 (<http://www.countyofsb.org/uploadedFiles/pwd/Water/Development/StdConditionsJan2011.pdf>)
- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.
- c. The applicant shall submit all Maps, improvement plans, grading and drainage plans, drainage studies, and landscape plans to the District for review and approval.
- d. Any development within a Special Flood Hazard Area will be subject to the requirements of Chapter 15A (Floodplain Management) of the County Ordinance.
- e. Any development near a watercourse will be subject to the requirements of Chapter 15B (Development Along Watercourses) of the County Ordinance.
- f. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.

G:\WaterResources\Flood Control\Engineering\Development\DREV\CND\11TPM0000000007cnd.doc

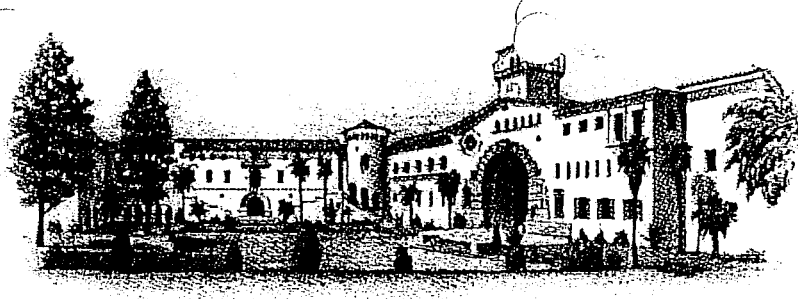
Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION
DISTRICT

By: 
Nick Bruckbauer
Development Review Engineer

Cc: Devereaux Creek Properties c/o Mark Gree, 6925 Whittier Dr., Goleta, CA 93111
Ginger Anderson, Penfield & Smith, 111 E. Victoria St., Santa Barbara, CA 93101

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



April 18, 2012

TO: Julie Harris, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval (1 page)**
Devereaux Creek Properties Tentative Parcel Map
11TPM-00000-00007; TPM 14,784
APN: 073-090-062/ Goleta

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Goleta Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is \$27,134 (2 new developable residential lots x \$13,567/lot). The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. **Fees are due prior to map recordation and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

If you have any questions, please contact me at 739-8785.

Sincerely,

 04/18/2012

William T. Robertson

Date

cc: 11TPM-00000-00007, TPM 14,784
Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
F:\Group\Transportation\Traffic\Transportation Planning\Development Review\Goleta\Devereaux Creek Properties Tentative Parcel Map 11TPM-Cond.doc



COUNTY OF SANTA BARBARA

Planning and Development

COASTAL DEVELOPMENT PERMIT

Case No.: 12CDH-00000-00009

Project Name: Employee Dwelling Demolition

Project Address: 6925 Whittier Drive

Assessor's Parcel No.: 073-090-062

Applicant Name: The Trust for Public Land/Devereux Creek Properties

The Planning Commission hereby approves this Coastal Development Permit for the development described below, based upon the required findings and subject to the attached terms and conditions.

Associated Case Number(s): 11TPM-00000-00007

Project Description Summary: Demolition of an employee dwelling.

Project Specific Conditions: See Attachment A.

Permit Compliance Case: ___ Yes X No

Permit Compliance Case No.: _____

Appeals: The approval of this Coastal Development Permit may be appealed to the Board of Supervisors by the applicant or an aggrieved person. The written appeal and accompanying fee must be filed with the Clerk of the Board of Supervisors at 105 Anacapa Street, Santa Barbara, by 5:00 p.m. on or before July 2, 2012.

The final action by the County on this Coastal Development Permit may be appealed to the California Coastal Commission after the appellant has exhausted all local appeals. Therefore a fee is not required to file an appeal of this Coastal Development Permit.

Terms of Permit Issuance:

1. **Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
2. **Date of Permit Issuance.** This permit shall not issue prior to the expiration of the appeal period, or if appealed, prior to the final action on the appeal by the decision-maker; nor shall this permit be issued until all prior-to-issuance conditions have been satisfied or any other necessary approvals have been obtained. This Permit shall be deemed effective and issued on the date signed and indicated below.
3. **Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

NOTE: Approval and issuance of a Coastal Development Permit for this project does not allow construction or use outside of the project description, terms or conditions; nor shall it be construed to

ATTACHMENT A: PROJECT SPECIFIC CONDITIONS

1. **Proj Des-01 Project Description.** This Tentative Parcel Map is based upon and limited to compliance with the project description and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is the demolition of an existing employee dwelling. Access to the project site is provided by an existing 20-foot wide easement across UCSB property from Storke Road. The site is currently served by the Goleta Water District, an onsite septic disposal system and the County Fire Department. The property is addressed as 6925 Whittier Drive, APN 073-090-062, Goleta, Third Supervisorial District.

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.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

CONDITIONS BY ISSUE AREA

3. **SolidW-02 Solid Waste-Recycle.** The Owner/Applicant and their contractors and subcontractors shall separate demolition and excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). The Owner/Applicant shall provide separate onsite bins as needed for recycling. **PLAN REQUIREMENTS:** The Owner/Applicant shall print this requirement on all demolition plans. **TIMING:** Materials shall be recycled as necessary throughout demolition. All materials shall be recycled prior to Final Building Inspection Clearance.
4. **WatConv-01 Sediment and Contamination Containment - Special.** The Owner/Applicant shall prevent water contamination during demolition by implementing Best Management Practices (BMP) designed to protect natural watercourses/creeks, prevent erosion, and convey clean storm water runoff to existing drainages while keeping contaminants and sediments onsite. Such measures may include but not be limited to:
 - a. Use of silt fences, coir rolls or other similar devised to prevent the migration of polluted storm water from the demolition area to the creek.
 - b. Stabilization of entrances/exits to the demolition site shall be stabilized using methods designed to reduce transport of sediment off site.
 - c. Cover storm drains and manholes within the demolition area.
 - d. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on demolition plans.

TIMING: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.

COUNTY RULES AND REGULATIONS

5. **Rules-02 Effective Date-Appealable to CCC.** This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
6. **Rules-03 Additional Permits Required.** The demolition of any structures authorized by this approval shall not commence until the all necessary planning and demolition permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
7. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
8. **Rules-10 CDP Expiration-No CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of action by the Zoning Administrator. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval one time for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use, building or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. Prior to the expiration of such two year period the Director may extend such period one time for one year for good cause shown, provided that the findings for approval required in compliance with Section 35-169.5, as applicable, can still be made.
9. **Rules-23 Processing Fees Required.** Prior to issuance of the Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
10. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
 - a. Air Pollution Control District dated April 16, 2012;
 - b. Environmental Health Services Division dated April 16, 2012.
11. **Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
12. **Rules-32 Contractor and Subcontractor Notification.** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all

contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.

13. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
14. **Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.



April 16, 2012

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

RECEIVED

APR 17 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

Re: **APCD Comments on Devereaux Creek Properties
TPM, 11TPM-00000-00007, 12CDH-00000-00009**

Dear Ms. Harris:

This comment letter supersedes the APCD comment letter dated January 9, 2012. Since the time of the last review the project has been revised to include the demolition of an existing employee dwelling. The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of dividing an existing 70-acre parcel into three lots of approximately 63 acres, 5.89 acres, and 0.5 acres. No other development is proposed. The subject property is zoned PRD-58 and is identified in the Assessor Parcel Map Book as APN 073-090-062. The parcel is located at 6925 Whittier Drive in the unincorporated Goleta area.

Air Pollution Control District staff offers the following suggested conditions:

1. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.
2. The applicant is required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at www.sbcapcd.org/eng/dl/dl08.htm) for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the Santa Barbara County Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at www.sbcapcd.org/biz/asbestos.htm or contact APCD's Engineering and Compliance Division at (805) 961-8800.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

April 16, 2012

Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Gage". The signature is stylized with a large initial "E" and "G".

Eric Gage,

Air Quality Specialist

Technology and Environmental Assessment Division

cc: Ginger Anderson
Project File
TEA Chron File

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333
Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: Julie Harris, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: April 16, 2012

SUBJECT: Case No. 11TPM-00000-00007, TPM14,784/12CDH-00000-00009 Goleta Area

Applicant: Trust for Public Land
101 Montgomery St., Suite 900
San Francisco, CA. 94104

RECEIVED

APR 19 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

Assessor's Parcel No. 073-090-062, zoned PRD-58, located at 6925 Whittier Drive.

This is a revised letter based on information received by Environmental Health Services subsequent to the writing of the letter dated 4/4/12. 11TPM-00000-00007/12CDH-00000-00009 represents a request to divide one 70.32-acre lot into three lots. Proposed Lot 1 would be 63.93 acres and is currently developed with the Ocean Meadows Golf Course, clubhouse, restaurant, golf cart storage building, parking lot and remote restroom. Proposed Lot 2 would be 5.89 acres and is currently developed with an employee dwelling and maintenance building. Proposed Lot 3 would be 0.50 acres and is currently developed with a parking lot that serves the golf course. No structural development is proposed.

An existing employee dwelling is located on proposed Lot 2. The permit for the dwelling expired in 1990 without renewal and currently the dwelling is unpermitted. The applicant proposes to remove the dwelling prior to recordation of the Tentative Parcel Map.


Domestic water supply is proposed to be provided by the Goleta Water District. Proposed Lot 1 is currently served and would continue to be served by the Goleta Water District. A separate reclaimed water system is also located on the lot, which irrigates the golf course. Proposed Lot 2 is currently served and would continue to be served by the Goleta Water District and would also receive reclaimed water after the lot split. Proposed Lot 3 would be served by the Goleta Water District.

Correspondence from the Goleta Water District indicates that adequate meters exist to serve the entire project but will need to be repurposed to serve each lot. This will need to be accomplished prior to recordation otherwise a "can and will serve" letter will be required.

Sewage disposal is proposed to be provided by the Goleta West Sanitary District. Proposed Lot 1 is currently served and would continue to be served by the Goleta West Sanitary District. Proposed Lot 2 is currently served by an onsite wastewater treatment system connected to the workshop and an employee trailer. The onsite wastewater treatment system will be abandoned when the lot is connected to the sewer. Proposed Lot 3 is proposed to be served by the Goleta West Sanitary District.

Providing the Zoning Administrator grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Recordation, Environmental Health Services shall receive and approve written notice from the Goleta Water District indicating that said district can and will provide domestic water service upon demand and without exception for proposed lots 2 & 3. If the existing water meters are to be repurposed then that shall be accomplished prior to recordation.
2. Prior to Recordation, Environmental Health Services shall receive a guarantee of service, typically a "can and will serve" letter or a connection permit from the Goleta West Sanitary District for sewage collection and disposal for proposed lots 2 & 3.
3. Concurrent to Connection to the Sewer, the existing onsite wastewater treatment system shall be abandoned under permit and inspection from Environmental Health Services.
4. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.



Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Ginger Anderson, Penfield & Smith
Goleta Water District
Goleta West Sanitary District
Office of the County Surveyor
Marilyn Merrifield, Environmental Health Services
Norman Fujimoto, Environmental Health Services

LU-5116

ATTACHMENT D

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Julie Harris, Planning & Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 073-090-062

Case No.: 11TPM-00000-00007 & 12CDH-00000-00009

Location: 6925 Whittier Drive, the location of the Ocean Meadows Golf Course, Goleta

Project Title: The Trust for Public Land/Devereux Creek Properties Lot Split

Project Description: The request is for a Tentative Parcel Map (TPM 14,784) to divide one 70.32-acre lot (net and gross) into three lots. Proposed Lot 1 would be 63.93 acres (net and gross) and is currently developed with the Ocean Meadows Golf Course, clubhouse, restaurant, golf cart storage building, parking lot and remote restroom. Proposed Lot 2 would be 5.89 acres (net and gross) and is currently developed with an employee dwelling (trailer) and maintenance building. Proposed Lot 3 would be 0.50 acres (net and gross) and is currently developed with a parking lot that serves the golf course. No structural development, no grading and no tree removal are proposed.

The property is zoned Planned Residential Development (PRD-58) with a maximum base density of 58 residential units. The purpose of the zone is to plan development of the site as a whole, ensuring clustering of residential development and requiring the provision of open space; however, no residential development is currently proposed as a part of this lot split. The proposal includes assignment of 30 of the base density residential units to proposed Lot 1 with the remaining 28 base density residential units to be split between proposed Lots 2 and 3 upon future development applications provided proposed development on Lots 2 and 3 is processed under one Development Plan application. In the event Lots 2 and 3 come under separate ownership and/or proposals to develop the lots are processed under separate Development Plan applications, the 28 residential units shall be allocated as follows, based on lot size: Lot 2 shall be assigned 26 base density residential units and Lot 3 shall be assigned two base density residential units.

Upon recordation of the lot split, Lot 1 would be sold to The Trust for Public Land. Immediately following the land acquisition by The Trust for Public Land, Lot 1 would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors. The Trust for Public Land would then convey the property to a long-term term steward for conservation and restoration, anticipated to be the University of California at Santa Barbara (UCSB). The PRD zone requires at least 40 % of the gross acreage be maintained in open space and the Goleta Community Plan requires at least 60% open space. These public and common open space requirements (found in Article II, Sec. 35-75.16 and Goleta Community Plan DevStd LUDS-GV.2.1), which require a minimum of 42.19 acres, will be satisfied on proposed Lot 1 for all three lots. Therefore, future development projects on proposed Lots 2 and 3 will already have met the open space requirements referenced above per this map.

An existing employee dwelling is located on proposed Lot 2. The Conditional Use Permit for the dwelling expired in 1990 without renewal and currently the dwelling is unpermitted. The applicant proposes to remove/demolish the dwelling prior to recordation of the Tentative Parcel Map. The application includes a Coastal Development Permit (Case No. 12CDH-00000-00009) to demolish the dwelling.

Existing access to the site is provided by an existing easement from Whittier Drive across a small triangular parcel just north of the golf course parking lot (the entire parcel is the easement) and by an existing 20-foot wide easement across UCSB property from Storke Road. Access to Proposed Lots 1 and 3 would continue to be from Whittier Drive via this easement. Access to Proposed Lot 2 would continue to be from Storke Road via the existing 20-foot wide easement across the adjacent UCSB property.

Proposed Lot 1 is currently served and would continue to be served by the Goleta Water District and Goleta West Sanitary District. A separate reclaimed water system, which irrigates the golf course, is also located on the lot. Proposed Lot 2 is currently served and would continue to be served by the Goleta Water District and would also receive reclaimed water after the lot split. Proposed Lot 2 is currently served by an onsite septic disposal system that will remain to serve the maintenance building. This system would be abandoned in the future upon demolition of the building and connection of new development to the Goleta West Sanitary District. Proposed Lot 3 would be served by the Goleta Water District and the Goleta West Sanitary District. The County Fire Department serves the entire property and would continue to serve the three proposed lots.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: The Trust for Public Land & Devereux Creek Properties

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 15315 (Tentative Parcel Map) and 15301(I)(1) (Employee Dwelling Demolition)

Reasons to support exemption findings: CEQA Guidelines Section 15315 describes the Class 15 categorical exemption, which exempts from CEQA minor land divisions in urbanized areas, zoned for residential use, into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in the division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20%. The project site is located in a designated Urban Area and is zoned for residential development. Specifically, the project site is zoned PRD-58, Planned Residential Development with an allowance for 58 units. The zone requires planning

for the site as a whole; however, no development is currently proposed. The zone also includes a requirement that at least 40 % of the gross acreage be maintained in open space. The Goleta Community Plan requires at least 60% of the gross acreage be maintained in open space.

The purpose of the lot split is to create a 63.93-acre parcel that will include the most sensitive resources of the property, which will be sold to The Trust for Public Land upon recordation of the lot split. The proposal also includes assignment of 30 of the base density residential units to proposed Lot 1 with the remaining 28 base density residential units to be split between proposed Lots 2 and 3. After the 63.93-acre parcel is sold to The Trust for Public Land, various instruments will be recorded as required by funding donors that will limit uses on the property for open space, habitat conservation and restoration, habitat protection for endangered species, passive recreation and public access, and education. Thus, no residential development will occur on proposed Lot 1. Therefore, while no development is currently proposed, consistent with Goleta Community Plan requirements planning for the site is considered as a whole. This is accomplished by the assignment of residential units to the three proposed parcels and the dedication of at least 60% of the gross acreage of the existing lot as open space (which is dedicated on proposed Lot 1 where the most sensitive resources, including riparian and wetland habitat, are located). No variances or exceptions are required to approve the proposed project. As a result, the proposed lot split would be consistent with the General Plan, including the Coastal Land Use Plan and the Goleta Community Plan, and the designated residential zone. All access and public services are available to serve the three proposed lots, as fully discussed in Section 5.3 of the staff report to the Zoning Administrator dated April 19, 2012, and the staff report to the Planning Commission dated June 1, 2012, both incorporated herein by reference. Finally, the parcel was created August 9, 1994 as Lot 1 of a Lot Line Adjustment and has not been involved in a division of a larger parcel within the previous two years and it does not have an average slope greater than 20 percent (slopes average less than 15 percent across the project site).

CEQA Guidelines Section 15301(l)(1) describes the Class 1 categorical exemption for the demolition and removal of individual small structures, including a dwelling. The exemption would allow up to three dwellings to be demolished in an urbanized area. The project includes a Coastal Development Permit to allow the demolition/removal of one employee dwelling that serves the golf course. It is currently unpermitted since its previous permit expired.

There is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

This exception does not apply to Class 15 and Class 1 exemptions.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

An existing employee dwelling would be demolished and no new development is proposed with this project. The project would not change the development density allowed by the designated zoning on the property. Given the unique circumstances of this case, successive projects of the same type have not occurred in the past, are not reasonably foreseeable, and therefore, would not create a cumulative impact.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There are no unusual circumstances that would cause the activity to create a significant effect on the environment. An existing employee dwelling would be demolished and no new physical development is proposed with this project. Apart from the assignment of base density residential units, the specific location, design, size and scale of any future development, including habitat restoration with its associated grading, would be speculative. Furthermore, any future development would require the submittal and review of applications for a Development Plan, which would require environmental review to assess the impacts of such development. Given the fact that 28 units would be assigned to proposed Lots 2 and 3, which are not located in sensitive areas of the site and require processing of discretionary permits and environmental review, and that the 30 units assigned to proposed Lot 1 would be extinguished upon sale of the property to The Trust for Public Land, there is no reasonable possibility that this project, a simple three lot subdivision to allow the purchase of 63.93 acres of land for preservation of open space and habitat restoration, will have a significant effect on the environment.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The project site is not located near a scenic highway and is not visible from a scenic highway. Therefore, there would be no significant damage to scenic resources near a state scenic highway.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project has not been identified on any list as a hazardous waste site.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

There are no historical resources on or adjacent to the project site and therefore, no potential to cause a substantial adverse change to a significant historical resource.

The Trust for Public Land/Devereux Creek Properties Lot Split
Case No. 11TPM-00000-00007 & 12CDH-00000-00009
Hearing Date: June 20, 2012
Page D-5

Lead Agency Contact Person: Julie Harris

Phone #: (805) 568-3518

Department/Division Representative: _____

Date: _____

Acceptance Date: _____

Distribution: Hearing Support Staff
 Case File 11TPM-00000-00007
 Case File 12CDH-00000-00009

Date Filed by County Clerk: _____

G:\GROUP\PERMITTING\Case Files\APL\2000s\12 cases\12APL-00000-00007 Olson-Dev CreekTPL\CEQA Exemption PC.doc



PLANNING & DEVELOPMENT
APPEAL FORM

SITE ADDRESS: 6925 Whittier Drive, Goleta, CA 93111

ASSESSOR PARCEL NUMBER: 073090062

PARCEL SIZE (acres/sq.ft): Gross 70.31 acres Net

COMPREHENSIVE/COASTAL PLAN DESIGNATION: PD-58 ZONING: PRD-58

Are there previous permits/applications? X yes numbers: ? 2003-2005 PRD (include permit# & lot # if tract)

Are there previous environmental (CEQA) documents? ? yes numbers: ?

1. Appellant: John Olson Phone: (805) 685-5761 E-mail: Zjolson@aol.com

Mailing Address: 7041 Marymount Way, Goleta, CA 93117
Street City State Zip

2. Owner: Devereux Creek Properties c/o Mark Green Phone: (310) 864-2222

Mailing Address: 6925 Whittier Drive, Goleta, CA 93111
Street City State Zip

3. Agent: Ginger Andersen Penfield & Smith Phone: (805) 963-9532

Mailing Address: 111 E. Victoria St., Santa Barbara, CA 93101
Street City State Zip

4. Attorney: Phone: FAX:

Mailing Address: Street City State Zip E-mail

12APL-00000-00007

COUNTY USE ONLY

Case Numl DEVEREAUX CREEK PROPERTIES/TRUST FO
Supervisor 6925 WHITTIER DR 5/16/12
Applicable
Project Plan GOLETA
Zoning Des., 073-090-062

Companion Case Number:
Submittal Date:
Receipt Number:
Accepted for Processing
Comp. Plan Designation

COUNTY OF SANTA BARBARA APPEAL TO THE :

BOARD OF SUPERVISORS

PLANNING COMMISSION: COUNTY MONTECITO

RE: Project Title: The Trust for Public Lands/Devereux Creek Properties Lot Split

Case No. 11TPM-00000-00007 and 12CDH-0000--00009

Date of Action May 7, 2012

I hereby appeal the approval approval w/conditions denial of the:

Board of Architectural Review – Which Board? _____

Coastal Development Permit decision

Land Use Permit decision

Planning Commission decision – Which Commission? _____

Planning & Development Director decision

Zoning Administrator decision

Is the appellant the applicant or an aggrieved party? Aggrieved party

This lot split is the beginning of a major project that will lower neighboring property value and greatly alter the environment that I call home. The purchase is a bad idea!

I am forced to object for many reasons: The 63 acre purchase is a gifting of public funds including CREF monies and collected mitigation fees. The planned gifting of more property to UCSB is inappropriate as well since UCSB development is unfortunately exempt from all local government control. Further, Goleta City Council has not examined the proposal which has ignored sphere of influence policies. This County island has never been offered for sale and this fact makes the back room deal being put forth very suspect.

No consideration has been given to the existing irrigated habitats or the long term impacts of massive grading and dredging. The vague plans presented will increase the threat of tsunami run-up and expand the seasonal “mud flat” that only collects water during the winter from storm run-off. Devereux Creek is a dry creek and there is no open connection with ocean water as with most wetland estuaries. The stated environmental goals will fail!

Hopefully this \$7,000,000+ gifting is brought forward with the best intentions but the development needs reconsideration by the County with expert environmental review being part of the process. Restoring wetlands requires more than lobbying and wishful thinking.

The major flaw in the May 7 hearing was the staff presentation and associated documents did not consider this Lot Split as a “development” when it clearly is. This grievance simply points out the obvious misleading and biased methods being used by the Land Owner and the Trust to slide this project through the planning process avoiding proper, reasonable review. EIR and CEQA requirements are required for developments.

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

The staff report submitted is an abuse of discretion because the report presented avoided CEQA and EIR requirements with exemption statements that were false and misleading. Findings that the lot split action is not a "development" but rather a lot split to facilitate the purchase and stating that no "new residential development is requested at this time" clearly skirt the transparency the written laws and citizens expect and deserve. Future plans for the properties are expressed in the report and clearly represent a major project that kills a recreational facility that is a community asset. The interesting history of this parcel was not mentioned in the report and it should be noted that in 2005 a development proposal was processed up to final BOS approval and withdrawn. Findings that CEQA exemptions apply also fail to consider the existing habitat the golf course provides.

An EIR should be required to determine if a "reasonable foreseeable indirect physical change in the environment" is positive or negative. No expert analysis has been presented. To me the 63 acres are too high above sea level to create a viable wetland.

Allowing this lot split is unlawful because it will allow/support the "gifting of public funds" and more importantly will be irreversible. Treating the entire parcel as a whole is mentioned to exempt the owner from open space requirements on his future development projects on the high ground land he retains. The "whole parcel" concept is then cleverly avoided by planners supporting an exempt lot split that is clearly the first step in a major development but asks for no new "residential" development at this time.

Planners must avoid even the perception of insider influence and this simple lot split fails the smell test. I feel strongly that "gaming" the system should be discouraged at all levels of the planning and land use processes.

I assure you it is not easy for me to conflict with the powerful, established environmental folks but the expansion of the Devereux Slough vision being sought is unrealistic. The Trust does not generally purchase developed property and then restore it to nature but rather purchases open land that might be developed and protects it.


Returning property to a natural state is commendable so I attached a photo of the area taken about 1960. The photo looks north from over the ocean south of Storke Road. The expansive mud flat was the natural state mainly because there is no natural water source in the local creeks. Silting over time raised the mud flat until the ocean connection closed. The current land use is best left as is. Good buffer, good habitat, and good for people. I suggest the Trust enhance the Creeks and a new owner operate the golf course properly.

Please support this appeal and guide this application back to the drawing board.

CERTIFICATION OF ACCURACY AND COMPLETENESS Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

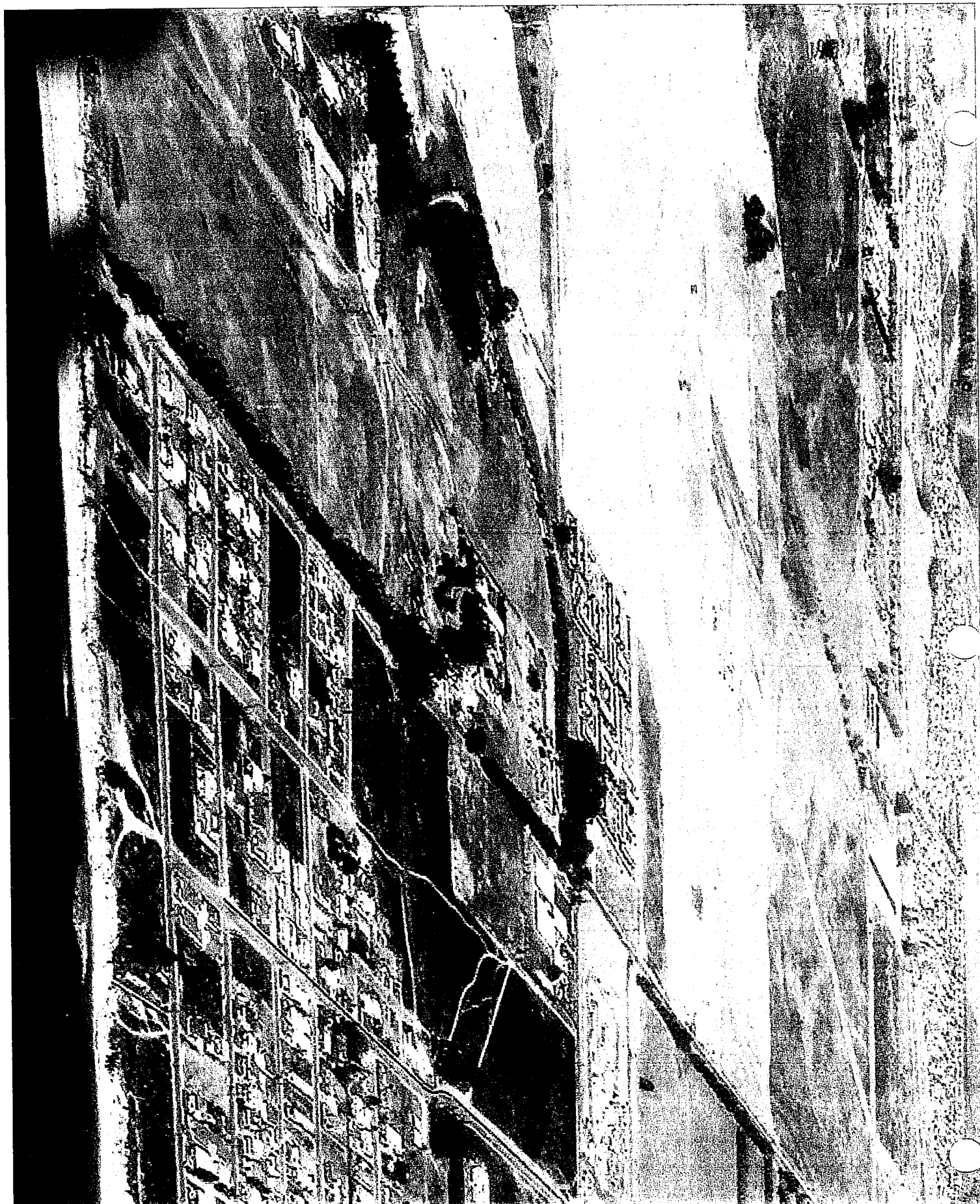
I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Print name and sign - Firm	Date
John Olson 	May 15, 2012
Print name and sign - Preparer of this form	Date

Print name and sign - Applicant	Date
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Print name and sign - Agent	Date
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Print name and sign - Landowner	Date
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SANTA BARBARA COUNTY ZONING ADMINISTRATOR STAFF REPORT

1

April 19, 2012

PROJECT: The Trust for Public Land/Devereux Creek Properties Lot Split
HEARING DATE: May 7, 2012
STAFF/PHONE: Julie Harris, (805) 568-3518

GENERAL INFORMATION

Case No.

11TPM-00000-00007
 12CDH-00000-00009

Applicant/Phone:

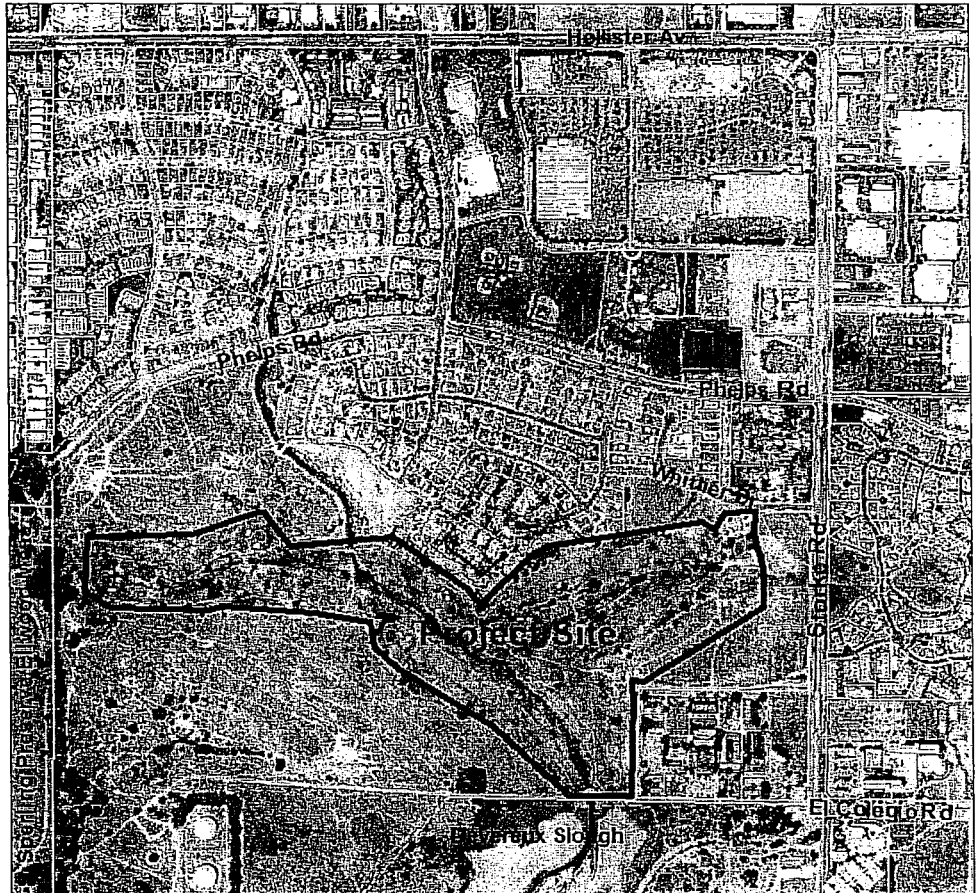
The Trust for Public Land
 c/o Tily Shue
 101 Montgomery St., Suite 900
 San Francisco, CA 94194
 (415) 800-5296

Owner/Phone

Devereux Creek Properties
 c/o Mark Green
 6925 Whittier Drive
 Goleta, CA 93111
 (310) 864-2222

Agent/Phone

Ginger Andersen
 Penfield & Smith
 111 E. Victoria St.
 Santa Barbara, CA 93101
 (805) 963-9532



1.0 EXECUTIVE SUMMARY

The proposed project is a Tentative Parcel Map to divide a 70.32-acre parcel into three lots of 63.93 acres, 5.89 acres and 0.50 acres. Upon recordation of the lot split, the 63.93-acre lot (Lot 1) would be sold to The Trust for Public Land. The Ocean Meadows Golf Course and most of its support buildings are located on this parcel, which includes Devereux Creek, degraded wetlands, and adjacent uplands within the larger Devereux Slough watershed. Immediately following the land acquisition by The Trust for Public Land, Lot 1 (including 30 assigned residential units) would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors. The Trust for Public Land would then convey the property to a long-term steward for conservation, anticipated to be the University of California at Santa Barbara (UCSB). The two smaller lots would retain development rights to 28 residential units and could be developed at some time in the future. However, no development is currently proposed. An existing golf course employee dwelling would be demolished under case number 12CDH-00000-00009. The project would reduce the density of residential development that could otherwise

occur on the existing parcel under its current zoning (PRD-58) and would lead to the preservation and ultimate restoration of a significant component of the Devereux Slough ecosystem.

Portions of the site are located within the Coastal Commission's Appeal Jurisdiction. Thus, any decision on the Tentative Parcel Map could eventually be appealed to the Coastal Commission. However, portions of the site are also located within the Coastal Commission's Permit Jurisdiction. Therefore, if the County takes action to approve the Tentative Parcel Map, the applicant must then submit an application for a Coastal Development Permit for a lot split to the Coastal Commission and receive approval of the permit before the County could record a final Parcel Map.

2.0 REQUEST

Hearing on the request of Ginger Andersen, Penfield & Smith, on behalf of The Trust for Public Land and Devereux Creek Properties, to consider:

- a) Case No. 11TPM-00000-00007 [application filed on December 12, 2011], for approval of a Tentative Parcel Map in compliance with County Code Chapter 21 to divide 70.32 acres into three lots of 63.93 acres, 5.89 acres, and 0.50 acres, on property zoned PRD-58;
- b) Case No. 12CDH-00000-00009 [application filed on March 1, 2012], for a Coastal Development Permit in compliance with Section 35-169 of Article II, the Coastal Zoning Ordinance, on property zoned PRD-58 to allow the removal and demolition of an employee dwelling;

and to determine the project is exempt pursuant to sections 15315 and 15301(I)(1), respectively, of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 073-090-062, located at 6925 Whittier Drive, in the Goleta area, Third Supervisorial District.

3.0 RECOMMENDATION

Follow the procedures outlined below and conditionally approve Case Nos. 11TPM-00000-00007 and 12CDH-00000-00009 as depicted on the site plans (Attachment __), based upon the project's consistency with the Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan and the ability to make the required findings.

The Zoning Administrator's action should include the following:

- Make the required findings for the project as specified in Attachment A of this staff report, including CEQA findings;
- Determine the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15315 and 15301(I)(1) of CEQA, included as Attachment D; and
- Approve 11TPM-00000-00007 subject to the Conditions of Approval in Attachment B; and
- Approve 12CDH-00000-00009 subject to the Conditions of Approval in Attachment C.

4.0 PROJECT SPECIFICATIONS

Site Size: 70.32 acres

Comprehensive Plan Designation: Coastal, Urban, Planned Development-58 (58 units maximum)

Ordinance/Zoning: Article II Coastal Zoning Ordinance / PRD-58 (Planned Residential Development 58 units maximum); Coastal Commission Permit Jurisdiction and Appeal Jurisdiction; Environmentally Sensitive Habitat (ESH) Overlay and Flood Hazard Overlay

Surrounding Use, Zoning: **North:** Residential, City of Goleta

South: Open Space, UCSB

East: Future Residential, UCSB

West: Open Space, City of Goleta

Services/Systems: **Water:** Goleta Water District

Sewer: Goleta West Sanitary District

Fire: County Fire

Access: Whittier Drive and Storke Road (via easement)

History: The property is the site of the Ocean Meadows Golf Course, which has been operating since 1966. A Tentative Tract Map, Development Plan and Rezone were processed in the early 2000s to allow development of 56 residences. However, final approval was never granted.

Present Use and Development: Ocean Meadows Golf Course

5.0 PROJECT ANALYSIS

5.1 Project Description

The request is for a Tentative Parcel Map (TPM 14,784) to divide one 70.32-acre lot (net and gross) into three lots. Proposed Lot 1 would be 63.93 acres (net and gross) and is currently developed with the Ocean Meadows Golf Course, clubhouse, restaurant, golf cart storage building, parking lot and remote restroom. Proposed Lot 2 would be 5.89 acres (net and gross) and is currently developed with an employee dwelling (trailer) and maintenance building. Proposed Lot 3 would be 0.50 acres (net and gross) and is currently developed with a parking lot that serves the golf course. No new structural development, no grading and no tree removal are proposed.

The property is zoned Planned Residential Development (PRD-58) with a maximum base density of 58 residential units. The purpose of the zone is to plan development of the site as a whole, ensuring clustering of residential development and requiring the provision of open space; however, no residential development is currently proposed as a part of this lot-split. The proposal includes assignment of 30 of the base density residential units to proposed Lot 1 with the remaining 28 base density residential units to be split between proposed Lots 2 and 3 upon future development applications. Upon recordation of the lot split, Lot 1 would be sold to The Trust for Public Land. Immediately following the land acquisition by The Trust for Public Land, Lot 1 would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors. The Trust for Public Land would then convey

the property to a long-term term steward for conservation and restoration, anticipated to be the University of California at Santa Barbara (UCSB). The PRD zone requires at least 40 % of the gross acreage be maintained in open space and the Goleta Community Plan requires at least 60% open space. These public and common open space requirements, which require a minimum of 42.19 acres, will be satisfied on Lot 1 for the entire property, including Lots 2 and 3.

An existing employee dwelling is located on proposed Lot 2. The Conditional Use Permit for the dwelling expired in 1990 without renewal and currently the dwelling is unpermitted. The applicant proposes to remove/demolish the dwelling prior to recordation of the Tentative Parcel Map. The application includes a Coastal Development Permit (Case No. 12CDH-00000-00009) to demolish the dwelling.

Existing access to the site is provided by an existing easement from Whittier Drive across a small triangular parcel just north of the golf course parking lot (the entire parcel is the easement) and by an existing 20-foot wide easement across UCSB property from Storke Road. Access to Proposed Lots 1 and 3 would continue to be from Whittier Drive via this easement. Access to Proposed Lot 2 would continue to be from Storke Road via the existing 20-foot wide easement across the adjacent UCSB property.

Proposed Lot 1 is currently served and would continue to be served by the Goleta Water District and Goleta West Sanitary District. A separate reclaimed water system, which irrigates the golf course, is also located on the lot. Proposed Lot 2 is currently served and would continue to be served by the Goleta Water District and would also receive reclaimed water after the lot split. Proposed Lot 2 is currently served by an onsite septic disposal system that will remain to serve the maintenance building. This system would be abandoned in the future upon demolition of the building and connection of new development to the Goleta West Sanitary District. Proposed Lot 3 would be served by the Goleta Water District and the Goleta West Sanitary District. The County Fire Department serves the entire property and would continue to serve the three proposed lots.

5.2 Environmental Review

The Tentative Parcel Map is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, which exempts minor land divisions in urbanized areas, zoned for residential, into four or fewer parcels when the division is in conformance with the General Plan and zone and all services and access are available. The demolition of the employee dwelling is exempt pursuant to CEQA Guidelines Section 15301(l)(1) which exempts the demolition of a dwelling within an urbanized area. See Attachment D for a detailed discussion.

The purpose of the Tentative Parcel Map is to facilitate the preservation and restoration of 63.93 acres of the property. No development is currently proposed and any new development would require the processing of a Development Plan. If more than one unit each on Lot 2 or 3 were to be proposed a new Tentative Tract or Parcel Map would also be required. As the location and design of any future development on Lots 2 and 3 are currently unknown and speculative, a requirement for environmental review would be premature.

5.3 Comprehensive Plan Consistency

A Coastal Development Permit is required for the demolition of the employee dwelling. The dwelling is located in an area of the lot disturbed by past development and not located within an environmentally sensitive habitat area. It is approximately 300+ feet to the nearest part of Devereux Creek and associated wetlands. Consistency with water quality protection policies can be achieved through imposition of standard conditions of approval. With the exception of the water quality protection policies, there are no other applicable policies of the Coastal Land Use Plan or the Goleta Community Plan that would apply to the

demolition of the dwelling. The policy consistency analysis below focuses on the proposed Tentative Parcel Map and includes discussion of the dwelling demolition only under the water quality policies.

Chapter 21 of the County Code, Subdivision Regulations, requires that proposed Tentative Parcel Maps comply with the Comprehensive Plan. The proposed project is located within the Coastal Zone and unincorporated Goleta. Therefore, the project is subject to the policies and development standards of the Coastal Land Use Plan and the Goleta Community Plan (GCP).

REQUIREMENT	DISCUSSION
<p><i>Coastal Plan Policy 2-1: In order to obtain approval for a division of land, the applicant shall demonstrate that adequate water is available to serve the newly created parcels except for parcels designated as "Not a Building Site" on the recorded final or parcel map.</i></p> <p><i>GCP Policy WAT-GV-1: 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><i>GCP Policy WAT-GV-2: The County, in its land use planning decisions, shall consider the water resources analysis as contained in the Goleta Water Plan, as adopted by the Goleta Water District.</i></p> <p><i>GCP Policy WAT-GV-5: Where physically and financially feasible, all new discretionary development shall utilize reclaimed wastewater for exterior landscaping consistent with State and County standards.</i></p> <p><i>GCP Action WAT-GV-5.1: In areas where reclaimed water is available by pipeline, new development shall include dual plumbing systems for the use of reclaimed water unless infeasible due to the nature/scale of the development.</i></p> <p><i>Coastal Plan Policy 2-4: 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 water company, if such service is available.</i></p>	<p>Consistent: The existing 70-acre parcel is currently served by the Goleta Water District including three existing domestic water meters, an irrigation meter and a recycled water meter connection, also used for golf course irrigation. The Goleta Water District stated its intent to serve the proposed three-lot subdivision indicating a reallocation of the existing domestic meters to serve the three new lots and reallocating the recycled water connection into two meters to serve proposed Lots 1 and 2 (email from Carrie Bennett to Julie Harris, dated February 27, 2012, confirmed by personal communication April 17, 2012). Lot 3 will not use recycled water.</p> <p>The existing 70-acre parcel is currently served by the Goleta West Sanitary District with two connections, one serving the golf course clubhouse and restaurant and the second connection serving a remotely sited restroom near the west end of the course (both of which are located on proposed Lot 1). The Goleta West Sanitary District confirmed that it will continue to serve proposed Lot 1 through the existing infrastructure and that it has sufficient capacity to serve proposed Lots 2 and 3 (letter from Mark Nation, Goleta West Sanitary District dated February 1, 2012). To ensure service for Lots 2 and 3, guarantees of service or connection permits from the district for the two lots are required prior to recordation of the final map (see Condition No. 16 and EHS conditions letter dated April 16, 2012).</p> <p>Access to the existing 70-acre parcel is provided across two easements. The first easement is a</p>

REQUIREMENT	DISCUSSION
<p><i>Coastal Plan Policy 2-6: Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. ...</i></p>	<p>triangular shaped parcel of land located adjacent to Whittier Drive between Whittier and the northeast portion of the existing lot. The easement provides two points of ingress and egress to the parking lot for the existing golf course. The easement would remain in place to provide access to proposed Lots 1 and 3. The second point of access is an existing 20-foot wide easement from Storke Road across University owned land, known colloquially as Venoco Road. The easement provides existing access to the employee dwelling and golf course maintenance buildings. This easement would remain in place allowing access to proposed Lot 2.</p>
<p><i>GCP Policy CIRC-GV-3: A determination of project consistency with the standards and policies of this Community Plan Circulation Section shall constitute a determination of consistency with Local Coastal Plan Policy #2-6 and LUDP #4 with regard to roadway and intersection capacity.</i></p>	<p>Consistent: Although no new development is currently proposed, upon recordation of the map the potential to develop a new dwelling on proposed Lots 2 and 3 (two net new dwellings) would be possible. No new residential development would occur on proposed Lot 1. Any development would be subject to processing of a Development Plan. Such development would result in a negligible increase in traffic to the neighborhood and would not adversely affect area roadways or intersections and would therefore be consistent with the policies and development standards in the Goleta Community Plan Circulation section.</p>
<p><i>Coastal Plan Policy 2-16: The entire site shall be planned as a unit. Preparation of a specific plan (Government Code Section 65450) may be required when parcels comprising a site designated as PD are in separate ownerships.</i></p> <p><i>Coastal Plan Policy 2-17: Use of flexible design concepts, including clustering of units, mixture of dwelling types, etc., shall be required to accomplish as much as possible all of the following goals:</i></p> <ol style="list-style-type: none"> a. <i>protection of the scenic qualities of the site;</i> b. <i>protection of coastal resources, i.e., habitat areas, archaeological sites, etc.;</i> c. <i>avoidance of siting of structures on hazardous areas;</i> d. <i>provision of public open, space, recreation,</i> 	<p>Consistent: Consistent with these Coastal Plan policies, Goleta Community Plan policies and development standards were adopted with the intent to plan future development on the subject golf course property, along with adjacent property that has since been conveyed to UCSB. UCSB is developing or planning to develop student and faculty housing on portions of the property north and east of the golf course, while preserving all of the property south of the golf course in open space. As identified in these policies, the golf course property (now identified as APN 073-090-062) is designated PD-58 and zoned PRD-58.</p> <p>Although no new development is currently</p>

REQUIREMENT	DISCUSSION
<p><i>and/or beach access;</i></p> <p>e. <i>preservation of existing healthy trees; and</i></p> <p>f. <i>provision of low and moderate housing opportunities.</i></p> <p><i>GCP Policy LUDS-GV-2: The entire Specific Plan area (APNs 79-090-10, 13, 50) shall have a maximum buildout of 409 units. The existing golf course (APN 79-090-10) shall be designated PD 58 and zoned PRD 58. The remainder of the site (APN 73-090-13, 50) shall be designated PD 351 and zoned PRD 351. All development within the Specific Plan area shall comply with the following [applicable] development standards:</i></p> <p><i>GCP DevStd LUDS-GV-2.1: The County prefers that the golf course retain its existing use, with allowed units transferred as density credits off-site through the County TDR program. ... If any of the units assigned to the golf course are constructed on the golf course site, at least 60% of the golf course site shall be retained in open space. The County's preferred option for such open space would be habitat restoration and other passive public open space uses.</i></p>	<p>proposed, planning for the entire site has been considered through the assignment of residential densities allowed under the assigned land use and zoning designations. The tentative parcel map assigns 30 units to proposed Lot 1 and 28 units to be divided between proposed Lots 2 and 3 upon future applications. Upon recordation of the map, Lot 1 will be sold to The Trust for Public Land.</p> <p>Various instruments will be recorded to prohibit any future residential development, as required by the various organizations providing the grant funds to The Trust for Public Land to enable the purchase of the property. The granting organizations require that Lot 1 be used for open space, habitat conservation and restoration, habitat protection for threatened and endangered species, passive recreation and public access, and education. The instruments, which run with the land, include, among others, restrictive use covenants and deed restrictions and will be recorded immediately following the purchase of Lot 1 by The Trust for Public Land.</p> <p>The Trust for Public Land would then convey Lot 1 to a long-term steward for conservation. As a result, any future development, if and when it occurs, would be clustered on Lots 2 and 3 (9% of the existing property), while Lot 1 would be conserved in open space. In practical terms, if or when residential development were to occur, substantially more than 60% of the original golf course site will be retained in open space.</p> <p>At a minimum, with future development clustered on Lots 2 and 3, the coastal resources and scenic qualities of the site would be protected, and hazardous areas would be avoided (Lots 2 and 3 are not located within the floodway and avoid a known earthquake fault). Any future development on these two lots would be processed through a development plan.</p>

REQUIREMENT	DISCUSSION
	<p>If for any reason Lots 2 and 3 came under separate ownership in the future, then a specific plan may be required at that time as called for by Coastal Plan Policy 2-16.</p>
<p>Coastal Plan Policy 2-11: <i>All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.</i></p> <p>Coastal Plan Policy 9-1: <i>Prior to the issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies of the land use plan. ...</i></p> <p>Coastal Plan Policy 9-9: <i>A buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands. No permanent structures shall be permitted within the wetland or buffer area except structures of a minor nature, i.e., fences, or structures necessary to support the uses in Policy 9-10. ...</i></p> <p>Coastal Plan Policy 9-37: <i>The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. ...</i></p> <p>DevStd BIO-GV-2.2: <i>New development within 100 feet of an Environmentally Sensitive Habitat (ESH), shall be required to include setbacks or undeveloped buffer zones from these habitats ...</i></p> <p>GCP Policy BIO-GV-3: <i>Development within</i></p>	<p>Consistent: ESH areas are designated onsite as both wetland and riparian (streams and creeks) habitat associated with Devereux Creek. Because the wetland buffer is more protective of the resource, the wetland buffer would apply. Onsite wetlands associated with Devereux Creek were delineated during the processing of a previous development application that was never granted final approval and the 100-foot (wetland) minimum buffer was applied (Watershed Environmental. 2003. <i>Wetland Delineation Report. Ocean Meadows Golf Course.</i>). This information is presented on the current project plans. Given the ongoing use of the site as a golf course, these habitat areas have not expanded.</p> <p>No development is proposed with this lot split with the exception of demolition of an employee dwelling and future residential development would be limited to proposed Lots 2 and 3. Proposed Lots 2 and 3 would not encroach into any existing ESH areas or buffers (based on wetlands mapping cited above, County ESH maps, and URS Corporation's <i>Phase I Environmental Site Assessment of the Ellwood-Devereux Joint Proposal Area, December 2003</i>). Therefore, if or when development occurs on these lots, it will be located further away from the sensitive habitats than required by the minimum buffers of these policies. Note that habitat restoration on Lot 1 at some time in the future could potentially expand ESH areas adjacent to Lots 2 and 3 and any impacts from future development will be assessed at the time of future development applications.</p>

REQUIREMENT	DISCUSSION
<p>areas designated as ESH or Riparian Corridor shall comply with the applicable habitat protection policies.</p> <p>GCP Policy BIO-GV-8: <i>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:</i></p> <p>a. <i>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, ...</i></p>	
<p>Coastal Plan Policy 3-8: <i>Applications for grading and building permits, and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami runup, landslides, beach erosion, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, a geologic report shall be required. Mitigation measures shall be required where necessary.</i></p> <p>Coastal Plan Policy 3-10: <i>Major structures, i.e., residential, commercial, and industrial, shall be sited a minimum of 50 feet from a potentially active, historically active, or active fault. Greater setbacks may be required if local geologic conditions warrant.</i></p> <p>GCP Policy GEO-GV-6: <i>Projects shall be designed and located to minimize the number of persons and amount of property exposed to seismic hazard.</i></p>	<p>Consistent: Planning documents and geotechnical reports on file at Planning & Development document the location of an earthquake fault crossing the property (Dibblee 1987, Olson 1972, Minor et al. 2002, and Gurrola et al. 2003). The North Branch More Ranch Fault trends east-west through proposed Lot 1. As a result of this project, Lot 1 would not support future residential development. Proposed Lots 2 and 3 are located more than 50 feet from the approximate location of the fault and therefore any future development that might occur on these two lots would minimize any potential threats arising from seismic events associated with this fault.</p>
<p>Coastal Plan Policy 3-11: <i>All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor</i></p>	<p>Consistent: No new residential development is currently proposed. As a result of this project, proposed Lot 1 would not support future residential development. Lots 2 and 3 are located out of the floodway and the majority of Lot 2 is located out of the floodway fringe (i.e., the 100-year floodplain). At such time as development is proposed on Lots 2 and 3, the design of the development would be reviewed for compliance</p>

REQUIREMENT	DISCUSSION
<p><i>elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</i></p> <p>GCP Policy FLD-GV-1: <i>The number of persons and amount of property exposed to flood hazard shall be minimized through requiring adequate setbacks from the floodway and/or other appropriate means.</i></p>	<p>with the Flood Plain Management Ordinance.</p>
<p>GCP DevStd FIRE-GV-1.3: <i>Two routes of ingress and egress shall be required for any discretionary new development or subdivision of land unless the Fire Department waives the requirement.</i></p>	<p>Consistent: The existing property and proposed Lots 1 and 3 have existing ingress and egress across a small parcel that serves as a full access easement to the parcel from Whittier Drive. The distance to Whittier Drive varies between 10 to 40 feet. The existing property and proposed Lot 2 are accessed from Storke Road via an existing 20-foot wide easement across adjacent UCSB property, approximately 1,050 feet. The Fire Department waived requirements to increase the width of this easement to 30 feet until such time as Lot 2 is developed in the future (letter dated April 5, 2012, and conditions letter dated April 13, 2012). No new development is proposed with this lot split; therefore, the Fire Department has concluded that existing access is adequate. Compliance with the conditions letter is included under Condition No. 16 of the lot split.</p>
<p>Coastal Plan Policy 3-19: <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>Consistent: No new development is proposed with this lot split; therefore, the lot split would not degrade the water quality of the nearby streams and wetlands.</p> <p>The project does include the demolition of an employee dwelling that is located 300+ feet from Devereux Creek and its associated wetlands. The Coastal Development Permit for the demolition is conditioned to require water quality protection measures/best management practices during demolition to ensure that no debris or pollutants migrate to the creek, ensuring protection of the water quality (Attachment C, Condition No. 4).</p>

5.4 Article II Coastal Zoning Ordinance Consistency

Chapter 21 of the County Code, Subdivision Regulations, requires that proposed Tentative Parcel Maps comply with applicable zoning regulations. The project site is zoned Planned Residential Development (PRD-58), which allows development of 58 residential units. The zone also requires planning for the site as a whole, with at least 40% of the gross acreage of the site to be maintained in open space.

Although no development is currently proposed, planning for the site as a whole has been considered through the assignment of 30 residential units to proposed Lot 1 with the remaining 28 residential units to be split between proposed Lots 2 and 3. Upon recordation of the lot split and following the land acquisition by The Trust for Public Land, Lot 1 would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors. The Trust for Public Land will then convey Lot 1 to a long-term steward for conservation. As a result, any future development, if and when it occurs, would be clustered on Lots 2 and 3 (9% of the existing property), while Lot 1 would be conserved in open space, providing significantly more than the minimum 40% of the open space required by the PRD zone. (In fact, Lot 1 will provide significantly more than 60% open space, which is the minimum required by Goleta Community Plan policy for this specific parcel, as discussed in Section 5.3 above.)

The existing employee dwelling is located on proposed Lot 2. The dwelling was originally permitted in the early 1980s but its last permit expired in 1990 without renewal and the property has been out of compliance with Article II since. To be consistent, the dwelling must be demolished prior to recordation of the final Parcel Map. Therefore, the Coastal Development Permit, 12CDH-00000-00009, would permit the demolition/removal of the dwelling. The existing golf course and support structures were originally permitted in 1966 with additional permits granted as needed over the years for minor additions.

5.5 Subdivision/Development Review Committee

The proposed Tentative Parcel Map was reviewed by the Subdivision/Development Review Committee on January 5, 2012. Comments raised at the meeting were subsequently addressed and County agencies requiring conditions of approval prior to recordation of the final Parcel Map have provided conditions letters, incorporated into the attached project conditions of approval (Attachment B, Condition No. 16).

6.0 APPEALS PROCEDURE

The action of the Zoning Administrator may be appealed to the Planning Commission within the 10 calendar days following the date of the Zoning Administrator's decision by the applicant or an aggrieved person. There is no appeal fee as the project is appealable to the Coastal Commission.

The action of the Planning Commission may be appealed to the Board of Supervisors within the 10 calendar days following the date of the Planning commission's decision by the applicant or an aggrieved person. There is no appeal fee as the project is appealable to the Coastal Commission.

The action of the Board of Supervisors may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's Notice of Final Action.

6.0 ATTACHMENTS

- A. Findings
- B. 11TPM-00000-00007 Conditions of Approval
- C. 12CDH-00000-00009 Conditions of Approval
- D. CEQA Notice of Exemption
- E. Tentative Parcel Map

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Foster, Sharon

Subject: FW: Devereaux Creek Properties (Ocean Meadows) Lot Split

RECEIVED

MAY 02 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

AGENDA ITEMS

ITEM #: 1

MEETING
DATE: 5-7-12

To: Jeff Hunt, Zoning Administrator, County of Santa Barbara

I support staff's recommendation for approval of the subject lot split project and the acquisition and restoration of Ocean Meadows by The Trust for Public Land.

Vijaya Jammalamadaka
1304 Ferrelo Road
Santa Barbara, CA 93103-2122
(805) 963-2622

Foster, Sharon

Subject: FW: Ocean Meadow Parcel

RECEIVED

MAY 08 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

AGENDA ITEMS

ITEM #: 1

MEETING

DATE: 5/7/12

HI Jeff, My name is Steve Vonderahe and I live in a condo in the Meadowtree Condominiums on the Ocean Meadows Golf Course. I am also on the board of directors and serve as VP and Landscape Chairman. I have attended the meetings put together by Carla Fisk of the TPL and Lisa Stratton of CCBER regarding the of approval of the parcel map for the Ocean Meadows project. Everything looks good going forward with the project as we continue to discuss our options for development. Looking forward to more information as it develops.

Best Regards,
Steve Vonderahe
MOA Director

Foster, Sharon

Subject: FW: Case # 11TPM-00000-00007 & 12CDH-00000-00009

Importance: High

RECEIVED

MAY 04 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

AGENDA ITEMS

ITEM #: 1

MEETING
DATE: 5-7-12

Dear Mr. Foster:

I am a homeowner living on the edge of the current Ocean Meadows Golf Course. This letter is written regarding the hearing on the request of the Trust for Public Land and Devereaux Creek Properties, which addresses the lot split and a subsequent Coastal Development Permit, which is scheduled on May 7 @ 9:30 am in the county Planning and Engineering Building.

Our homeowners (Fairways & Meadowtree Condos) have meet with representatives from the Trust and UCSB twice. We are aware of the plan for this property, and are willing to work with the these representatives to help make the transition from a golf course to an open natural habitat as smooth as possible.

Sincerely yours,
Pat Kistler, President
Board of Directors
Meadowtree Homeowners Association
(805) 729-2267 = c

Foster, Sharon

Subject: FW: Devereux Creek Properties Lot Split

RECEIVED

MAY 04 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

AGENDA ITEM

ITEM #: 1

MEETING
DATE: 5-7-12

Jeff Hunt, Zoning Administrator

Dear Administrator Hunt:

I would be grateful if you would register my overwhelming support for the Devereux Creek Properties (Ocean Meadows) Lot Split.

This worthy project will provide, IN PERPETUITY:

Habitat restoration benefiting plants and wildlife immediately adjacent to Devereux Slough.

Public access thru the property to other protected lands and the beach.

Existing visual qualities of the area will retained and enhanced.

Educational opportunities for students from both UCSB and local public schools

With other work along the beautiful Gaviota Coast, this wetland can become a huge attraction to wildlife and native species, many diminishing in number as I write. I thank you for considering my request.

Carole Thompson
434 Lemon Grove Lane
Santa Barbara, CA

Foster, Sharon

Subject: FW: Devereux Creek Properties (Ocean Meadows) Lot Split

RECEIVED
MAY 07 2012
S.B. COUNTY
PLANNING & DEVELOPMENT

AGENDA ITEMS
ITEM #: 1
MEETING DATE: 5-7-12

Dear Mr. Hunt,

I have been a long time resident of Santa Barbara and Goleta and fully support the plan to protect the Devereux Creek property. This will be a nice way to rehabilitate that region with native plants and restore it to its previous glory.

Best regards,

Mark Morey
5006 Carbo Circle
Santa Barbara, CA 93111
(805)698-8244

Foster, Sharon

Subject:

FW: Parcel Map for Devereux Creek Properties/Ocean Meadows

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MAY 07 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

AGENDA ITEMS

ITEM #: 1

MEETING
DATE: 5-7-12

Dear Mr. Hunt,

I was the County Supervisor for the Third District for 8 years. I am very familiar with the 70 acre property noted above. I am also aware of the current plans by the Trust for Public Lands to split the property so that 63 acres of it can be acquired for restoration.

I want to express my strong support for this parcel map as it will lead to the preservation of additional acreage within the Ellwood Devereux joint proposal area, as well as the potential for a future wildlife corridor between the Devereux and Goleta Sloughs.

Thanks for the opportunity to comment.

Gail Marshall

Foster, Sharon

Subject:

FW: The Trust for Public Land/Devereux Creek Properties Lot Split

AGENDA ITEMS

ITEM #: _____

MEETING
DATE: _____

5-7-12

Good morning Mr. Hunt. I am emailing to offer my support for the proposed The Trust for Public Land/Devereux Creek Properties Parcel Map today. I own a condo in the Fairways Condominiums, which is adjacent to Ocean Meadows Golf Course. I have attended the very informative meetings put together by Carla Fisk of the TPL and Lisa Stratton of CCBER regarding this property.

I look forward to seeing the deed restrictions and/or conditions of approval for the three resulting lots to ensure public trail access across these properties. I am also interested in seeing the deed restrictions for Lot 1 for future use, management and operations of the property.

Thank you,
-Jessica W. Grant

MAY 07 2012

My name is Gary Tomczik and I own a Fairways condo on the 9th fairway.

S.B. COUNTY
PLANNING & DEVELOPMENT

I paid a premium for the condo because it overlooks the golf course so I have an obvious financial interest in the proposed conversion to wetland.

I like the idea of living on the golf course – the recreational opportunity the golfing affords – and in the words of Santa Barbara gardening professional, Billy Goodnick, I very much like the idea of having ‘borrowed landscaping.’

I like how Ocean Meadows golf course, although challenged by flooding in major storms, provides a year round habitat for a wide variety of birds, waterfowl and wildlife.

I also like open space and wetlands, of which there is a very significant amount in close proximity to the golf course.

My feeling is that the golf course, like open space, is an asset for the local and greater community.

As it is now, we have both a recreational asset and an environmental asset.

I think this is very ideal, and suspect there are many other condo owners on the golf course, and members of the local, and greater community who feel the same.

All this said, I am also a person who values the rights historically associated with ownership, and recognize that Ocean Meadows Golf Course is privately owned.

Although currently zoned to allow some building to occur it is my understanding that due to the topography very little of the acreage is buildable, but at one time there was an approved plan to allow the owner to put up new construction in those areas, with the provision that the main golf course remain as a condition.

If this is accurate then I would suggest:

- That the plan to eliminate the golf course and convert it to wetland be well published, and public meetings held, and ultimately put to public vote, such as was done when the ‘Clearview’ slant drilling project was proposed by Mobil Oil.
- That a determination be made as to the appropriateness and/or legality of using coastal resources enhancements funds, impact of oil and gas mitigation fees, CA Coastal Conservancy or other public funds to acquire the property.

Thank you for your consideration.

Gary S. Tomczik
Owner, 7011 Marymount Way, Goleta, CA 93117

SURVEYOR'S NOTES

1. MAPPIING
 TOPOGRAPHIC MAPPIING WAS COMPILED AT A SCALE OF 1"=40', WITH A 5 FOOT CONTOUR INTERVAL, USING STANDARD PHOTOGRAMMETRIC METHOD AND PROCEDURES BY ANTILOGRAD MAPPIING CORP., FROM AERIAL PHOTOGRAPHY TAKEN JUNE 2004.

2. TITLE REPORT
 THIS MAP WAS PREPARED IN CONNECTION WITH A PRELIMINARY TITLE REPORT ISSUED BY FIRST AMERICAN TITLE COMPANY AS COMMITMENT NO. 1624-000-04-01, DATED OCTOBER 14, 2011, SAID REPORT IS INCORPORATED BY REFERENCE AND ACCURACY THEREOF IS SHOWN DOES NOT WARRANT THE ACCURACY OR COMPLETION OF THIS PARCEL MAP.

3. BASIS OF MEASUREMENT
 THE BEARING OF S 89°07'12" E FOR A PORTION OF THE EASTERLY LINE OF PARCEL ONE, AS SHOWN ON A RECORD OF SURVEY RECORDED IN BOOK 194, PAGE 41 & 42 OF RECORDS OF SURVEY, WAS USED AS THE BASIS OF MEASUREMENT FOR THIS MAP.

4. ELEVATIONS
 ELEVATIONS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FEET AND ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83). POINTS MEASURED LOCALLY BY THE LEASO CONTROL NETWORK AS SHOWN ON RECORDS OF SURVEY RECORDED IN BOOK 173, PAGE 27 AND RECORDS OF SURVEY, THIS SURVEY WAS TO STATION 1, BEING A 2" BRASS CAP MARKED "LEASO CONTROL STATION 1, P.D. 8407" IS 7.93 FEET LOCATED IN THE CENTERLINE NEARBY TRAIL ON STONE ROAD, APPROX. 80 FEET SOUTHWESTLY OF THE APPARENT CENTERLINE OF WHITTIER DRIVE. ELEVATION=38.30 FEET.

5. LAND AREA
 TOTAL AREA: 79.28 ACRES MORE OR LESS

6. THE INFORMATION
 APN: 073-080-001, COUNTY OF SANTA BARBARA
 LAND USE DESIGNATION: PLANNED RESIDENCE DEVELOPMENT, COUNTY OF SANTA BARBARA
 ZONING DESIGNATION: PD-38, COUNTY OF SANTA BARBARA

7. FLOOD HAZARD
 FLOOD HAZARD INFORMATION HAS BEEN PLOTTED PER FLOOD INSURANCE RATE MAP (FIRM) FOR THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, COMMUNITY NO. 02021, PARCEL NUMBER: 0143-01-01-0101, DATED SEPTEMBER, 2004. THIS PROPERTY LIES WITHIN THE FOLLOWING FLOOD ZONE:
 ZONE A: AREAS OF 100-YEAR FLOOD. BASE FLOOD ELEVATIONS DETERMINED. THE BASE FLOOD ELEVATIONS (FINISH FLOOR) ARE EXPRESSED IN METERS, HAVING BEEN CONVERTED FROM THE HIGHER ELEVATIONS OF THE FIRM, BY A FACTOR OF 1.093.
 ZONE X: AREAS OF SPECIAL FLOODING

8. UTILITIES
 OLETA WATER DISTRICT
 OLETA WEST SANITARY DISTRICT
 AND PRIVATE SEPTIC SYSTEMS
 SOUTHERN CALIFORNIA GROUND COMPANY
 THE GAS COMPANY
 OR COMMUNICATIONS

LEGAL DESCRIPTION

PARCEL ONE
 LOT 1 AS SHOWN ON SAID CERTAIN RECORD OF SURVEY IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS PER SAID FILE IN BOOK 148, PAGE 18 AND 19 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

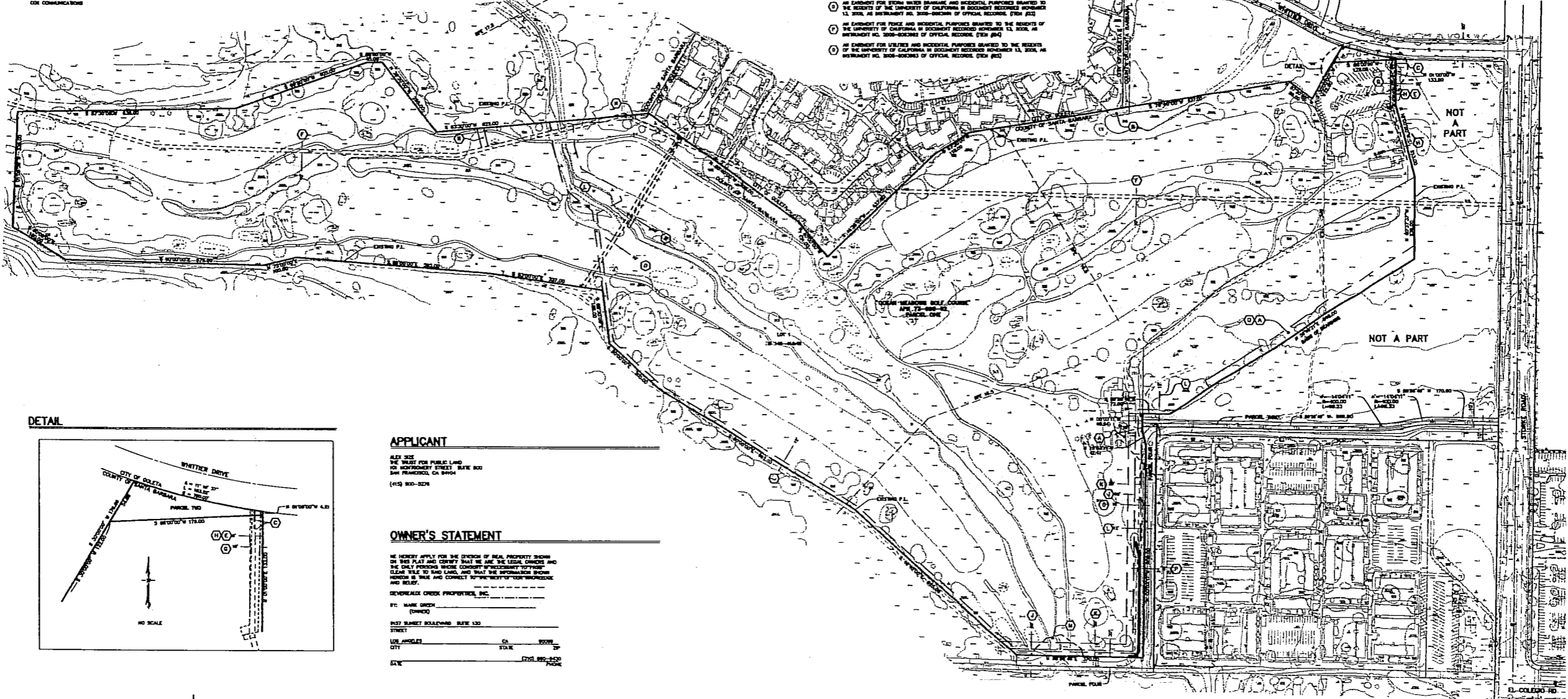
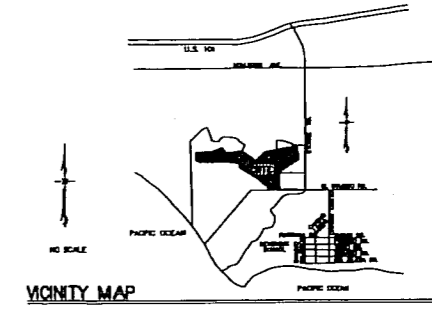
PARCEL TWO
 A NON-EXCLUSIVE EASEMENT FOR SERVICES, CONDUITS AND UTILITY PURPOSES ONLY THAT CERTAIN REAL PROPERTY IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHEASTERLY CORNER (CORNER ALSO THE TRAIL POINT OF BEGINNING) OF THE TRACT OF LAND DESCRIBED IN THE GRANT DEED TO UNIVERSITY WILSON GOLF COURSE, INC. RECORDED FEBRUARY 14, 1987, AS INSTRUMENT NO. 2002, IN BOOK 218, PAGE 38, OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY;
 THENCE 152.5 S 89°07'12" E, ALONG THE NORTHERLY LINE OF SAID TRACT OF LAND, 173.00 FEET TO AN IRON NAIL POINT IN SAND SUBSTANTIALLY LINE;
 THENCE 200.0 S 89°07'12" E, LEAVING SAID NORTHERLY LINE, 84.88 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF WHITTIER DRIVE, AS SAID DRIVE IS SHOWN ON THE MAP OF TRACT NO. 1624-000-04-01, RECORDED IN BOOK 173, PAGE 27 OF RECORDS OF SAID COUNTY, SAID POINT OF INTERSECTION BEING IN A CURVE BEGINNING AT THE POINT (THE BEARING CORNER OF SAID DRIVE IS 173°04'41.2" S 89°07'12" E, HAVING A RADIUS OF 70.00 FEET;
 THENCE 200.0 SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AND THE SOUTHERLY LINE OF SAID WHITTIER DRIVE, 162.5 FEET TO A POINT WHICH IS THE POINT OF BEGINNING BEARING S 89°07'12" E;
 THENCE 478.5 S 89°07'12" E, LEAVING THE SOUTHERLY LINE OF SAID WHITTIER DRIVE, 4.22 FEET TO THE POINT OF BEGINNING.

PARCEL THREE
 A RIGHT-OF-WAY FOR ROAD PURPOSES, FOR SERVICES AND SPECIAL OVER A STRIP OF LAND TWENTY (20) FEET IN WIDTH, 170.00 FEET PARALLEL, WITH ADJACENT TO AND EASTERLY AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:
 BEGINNING AT A POINT IN THE FOURTH (4TH) CORNER OF PARCEL THREE, DESCRIBED HEREON, FROM WHICH THE SOUTHERLY BEARING BEARS S 89°07'12" E, 162.5 FEET;
 THENCE 152.5 S 89°07'12" E, 173.00 FEET;
 THENCE 200.0 S 89°07'12" E, 200.00 FEET.

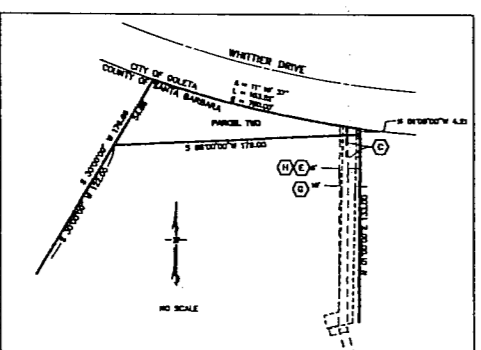
PARCEL FOUR
 A RIGHT-OF-WAY FOR ROAD PURPOSES, FOR SERVICES AND SPECIAL OVER A STRIP OF LAND TWENTY (20) FEET IN WIDTH, 170.00 FEET PARALLEL, WITH ADJACENT TO AND EASTERLY AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:
 BEGINNING AT A POINT IN THE FOURTH (4TH) CORNER OF PARCEL THREE, DESCRIBED HEREON, FROM WHICH THE SOUTHERLY BEARING BEARS S 89°07'12" E, 162.5 FEET;
 THENCE 152.5 S 89°07'12" E, 173.00 FEET;
 THENCE 200.0 S 89°07'12" E, 200.00 FEET.

EXCEPTION NOTES

- (NOT ALL OF THE PRELIMINARY TITLE REPORT EXCEPTIONS (TERRAIN NOTES):
- ① AN EASEMENT FOR DAMAGE PURPOSES GRANTED TO THE BENEFIT OF THE UNIVERSITY OF CALIFORNIA IN DOCUMENT RECORDED IN INSTRUMENT NO. 2798, IN BOOK 184, PAGE 22 OF OFFICIAL RECORDS. (ITEM #1)
 - ② AN EASEMENT FOR STORM DRAIN PURPOSES GRANTED TO THE COUNTY OF SANTA BARBARA FLOOD CONTROL AND WATER CONSERVATION DISTRICT IN DOCUMENT RECORDED FEBRUARY 14, 1987, AS INSTRUMENT NO. 2007, IN BOOK 212, PAGE 88 OF OFFICIAL RECORDS. (ITEM #2)
 - ③ AN EASEMENT FOR WATER PIPELINE PURPOSES GRANTED TO SOLETA COUNTY WATER DISTRICT IN DOCUMENT RECORDED FEBRUARY 14, 1987, AS INSTRUMENT NO. 2008, IN BOOK 214, PAGE 124 OF OFFICIAL RECORDS. (ITEM #3)
 - ④ AN EASEMENT FOR PUBLIC UTILITY PURPOSES GRANTED TO SOUTHERN CALIFORNIA GROUND IN DOCUMENT RECORDED MARCH 18, 1986, AS INSTRUMENT NO. 2752, IN BOOK 214, PAGE 127 OF OFFICIAL RECORDS. (ITEM #4)
 - ⑤ AN EASEMENT FOR PUBLIC UTILITY PURPOSES GRANTED TO GENERAL TELEPHONE COMPANY OF CALIFORNIA IN DOCUMENT RECORDED APRIL 19, 1986, AS INSTRUMENT NO. 1320, IN BOOK 214, PAGE 242 OF OFFICIAL RECORDS. (ITEM #5)
 - ⑥ AN EASEMENT FOR SANITARY SEWER PURPOSES GRANTED TO OLETA WATER SANITARY DISTRICT IN DOCUMENT RECORDED JUNE 14, 1987, AS INSTRUMENT NO. 2822, IN BOOK 218, PAGE 847 OF OFFICIAL RECORDS. (ITEM #6)
 - ⑦ AN EASEMENT FOR PUBLIC UTILITY PURPOSES GRANTED TO SOUTHERN CALIFORNIA GROUND IN DOCUMENT RECORDED OCTOBER 2, 1985, AS INSTRUMENT NO. 2887, IN BOOK 230, PAGE 122 OF OFFICIAL RECORDS. (ITEM #7)
 - ⑧ AN EASEMENT FOR TELEPHONE LINE PURPOSES GRANTED TO ATLANTIC REEFIELD COMPANY IN DOCUMENT RECORDED MARCH 18, 1986, AS INSTRUMENT NO. 28-1228 OF OFFICIAL RECORDS. (ITEM #8)
 - ⑨ AN EASEMENT FOR ROOFTOP PURPOSES GRANTED TO UNIVERSITY EXCHANGE CORPORATION IN DOCUMENT RECORDED AUGUST 14, 1984, AS INSTRUMENT NO. 84-0207, OF OFFICIAL RECORDS. (ITEM #9)
 - ⑩ AN EASEMENT FOR FLOOD AND CONSTRUCTION PURPOSES GRANTED TO UNIVERSITY EXCHANGE CORPORATION IN DOCUMENT RECORDED AUGUST 14, 1984, AS INSTRUMENT NO. 84-0207, OF OFFICIAL RECORDS. (ITEM #10)
 - ⑪ AN EASEMENT FOR INCIDENTAL PURPOSES GRANTED TO SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT IN DOCUMENT RECORDED AUGUST 2, 2004, AS INSTRUMENT NO. 2008-000888 OF OFFICIAL RECORDS. (ITEM #11)
 - ⑫ AN EASEMENT FOR OPEN DRAINAGE AND EASEMENT / BRIDGE STRUCTURE AND INCIDENTAL PURPOSES GRANTED TO THE BENEFIT OF THE UNIVERSITY OF CALIFORNIA IN DOCUMENT RECORDED NOVEMBER 13, 2004, AS INSTRUMENT NO. 2008-000889 OF OFFICIAL RECORDS. (ITEM #12)
 - ⑬ AN EASEMENT FOR SANITARY SEWER LINE AND INCIDENTAL PURPOSES GRANTED TO THE BENEFIT OF THE UNIVERSITY OF CALIFORNIA IN DOCUMENT RECORDED NOVEMBER 13, 2004, AS INSTRUMENT NO. 2008-000890 OF OFFICIAL RECORDS. (ITEM #13)
 - ⑭ AN EASEMENT FOR STORM WATER DRAINAGE AND INCIDENTAL PURPOSES GRANTED TO THE BENEFIT OF THE UNIVERSITY OF CALIFORNIA IN DOCUMENT RECORDED NOVEMBER 13, 2004, AS INSTRUMENT NO. 2008-000891 OF OFFICIAL RECORDS. (ITEM #14)
 - ⑮ AN EASEMENT FOR FLOOD AND INCIDENTAL PURPOSES GRANTED TO THE BENEFIT OF THE UNIVERSITY OF CALIFORNIA IN DOCUMENT RECORDED NOVEMBER 13, 2004, AS INSTRUMENT NO. 2008-000892 OF OFFICIAL RECORDS. (ITEM #15)
 - ⑯ AN EASEMENT FOR FLOOD AND INCIDENTAL PURPOSES GRANTED TO THE BENEFIT OF THE UNIVERSITY OF CALIFORNIA IN DOCUMENT RECORDED NOVEMBER 13, 2004, AS INSTRUMENT NO. 2008-000893 OF OFFICIAL RECORDS. (ITEM #16)



DETAIL



APPLICANT

ALEX DEE
 THE TRUST FOR PUBLIC LAND
 400 MONTEGOMERY STREET, SUITE 800
 SAN FRANCISCO, CA 94104
 (415) 862-3274

OWNER'S STATEMENT

WE HEREBY APPLY FOR THE DIVISION OF REAL PROPERTY SHOWING ON THIS PLAN AND CERTIFY THAT WE ARE THE LEGAL OWNERS AND THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO OBTAIN CLEAR TITLE TO SAID LAND, AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT REPRESENTATION OF THE UNDERGROUND AND SURFACE.

DEVELOPER: OCEAN MEADOWS TRUST, INC.
 BY: MARK GREEN (OWNER)
 1037 BLUNY BOULEVARD, SUITE 130
 STREET: _____ CITY: _____ STATE: _____ ZIP: _____
 CITY: _____ PHONE: (714) 962-8420

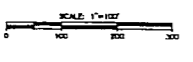
SURVEYOR'S STATEMENT

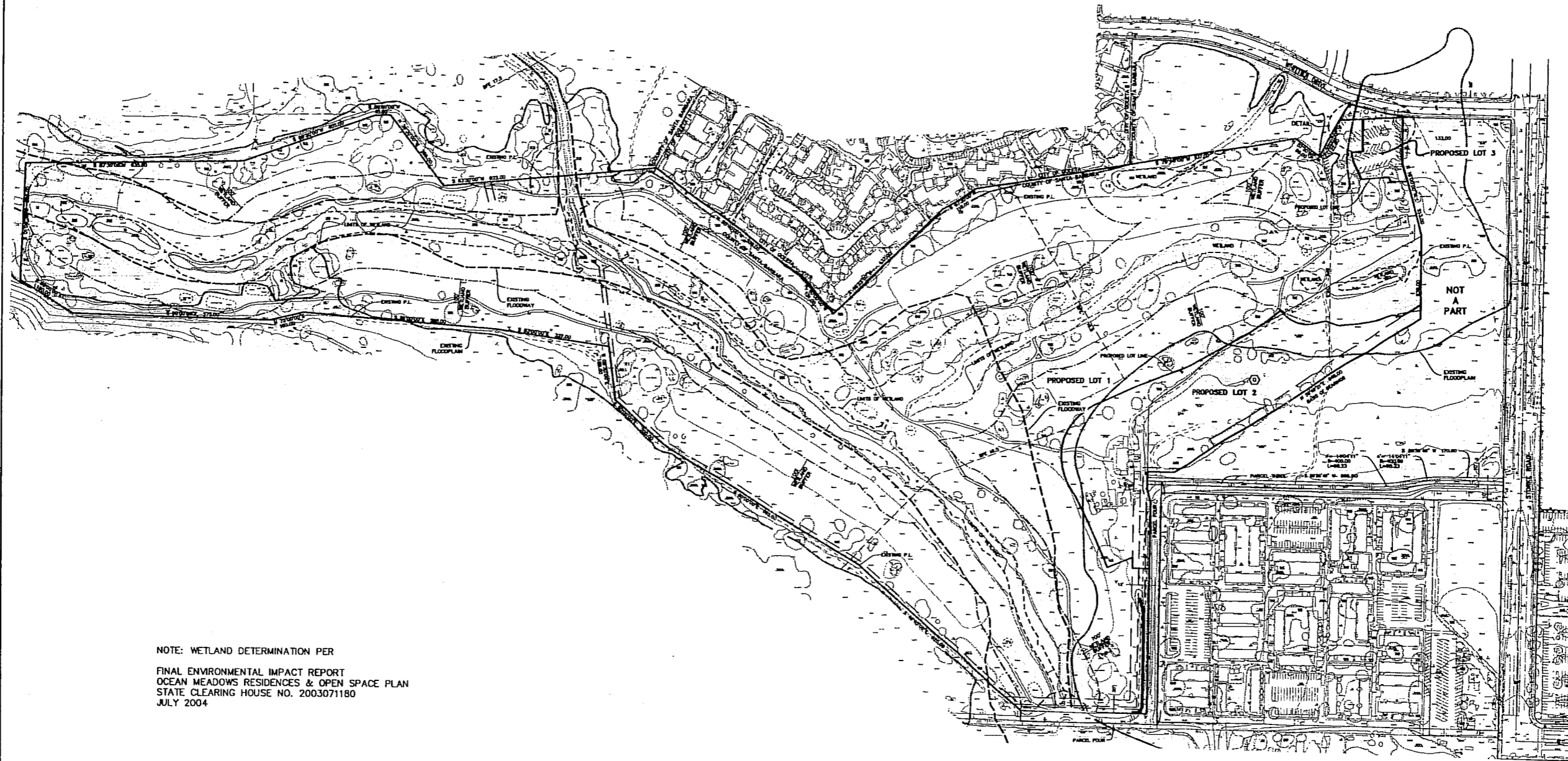
THIS MAP, AND THE SURVEY IT REPRESENTS, WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

DATE: _____



OCEAN MEADOWS
TENTATIVE PARCEL MAP NO. 14,784
EXISTING CONDITIONS/TITLE SHEET
 SANTA BARBARA COUNTY, CALIFORNIA
 TRUST FOR PUBLIC LAND/OCEAN MEADOWS GOLF COURSE

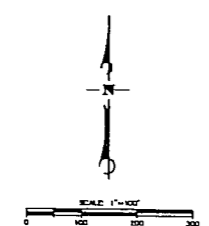




NOTE: WETLAND DETERMINATION PER
 FINAL ENVIRONMENTAL IMPACT REPORT
 OCEAN MEADOWS RESIDENCES & OPEN SPACE PLAN
 STATE CLEARING HOUSE NO. 2003071180
 JULY 2004

14-COR-SHA-DATE: 07/26/2004 8:58:17 AM
 PLOT: 0470/0470/0470 8:58:17 AM
 PLOT: 0470/0470/0470 8:58:17 AM
 PLOT: 0470/0470/0470 8:58:17 AM

PS Penfield & Smith
 Engineering, Surveying, Planning
 Construction Management
 111 East Main Street, Suite 200, Santa Barbara, CA 93101
 Phone: (805) 963-4322 Fax: (805) 963-4801

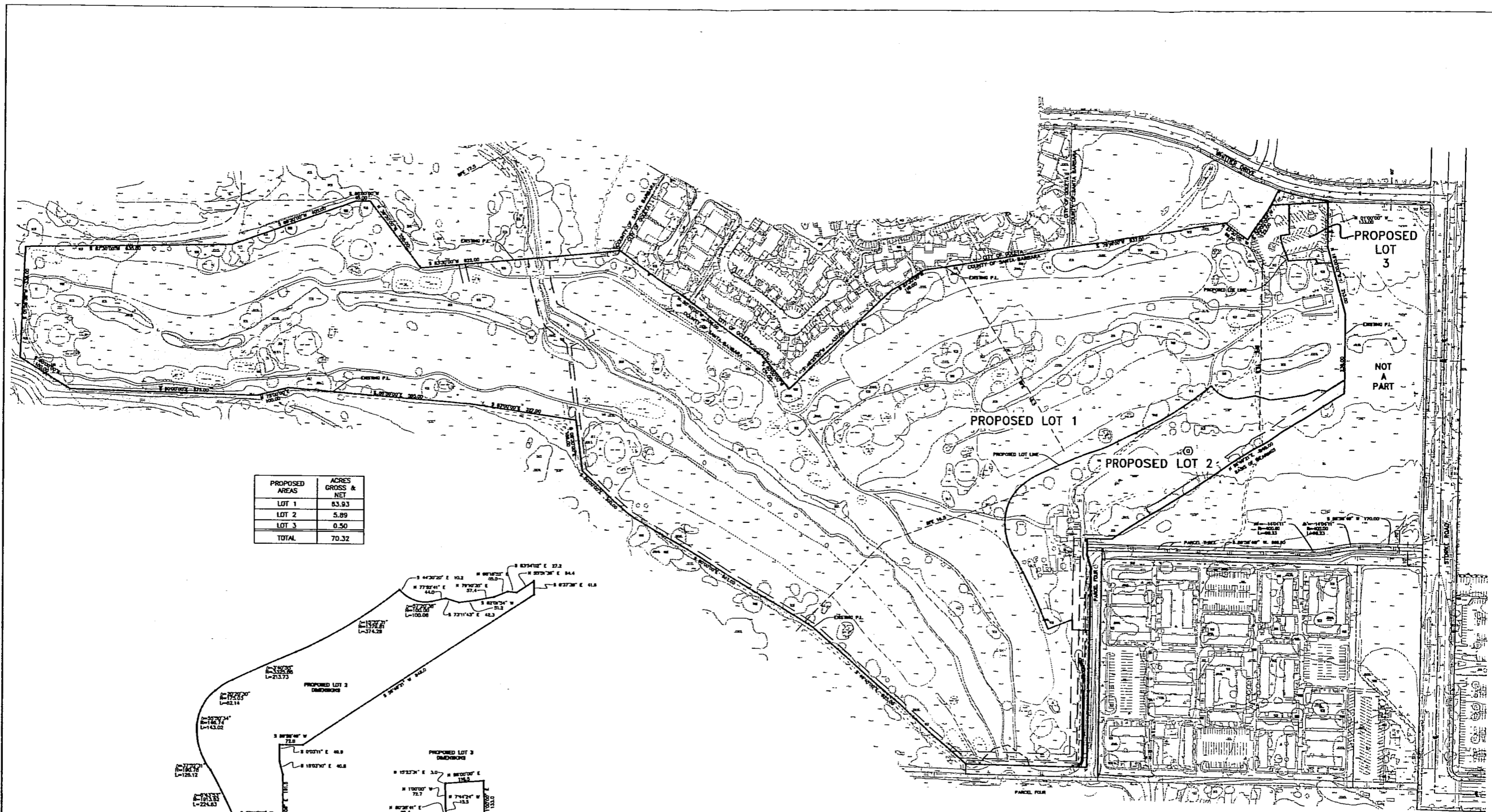


LEGEND

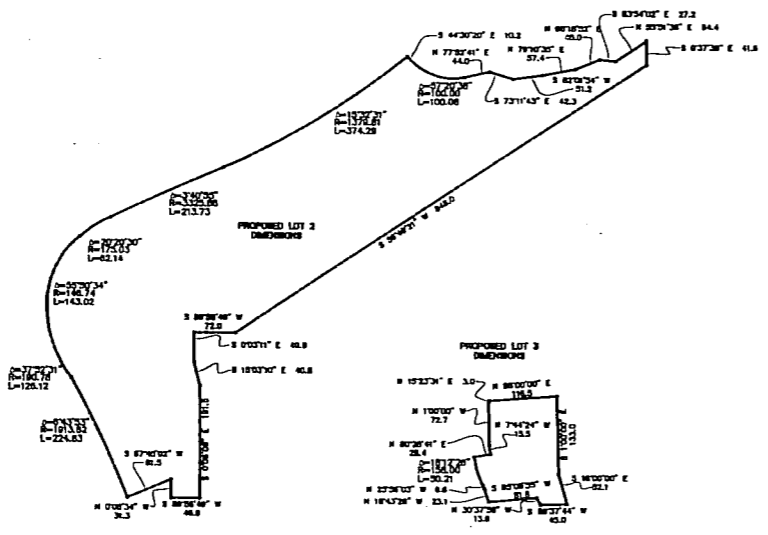
-----	LIMITS OF EXISTING FLOODPLAIN
-----	LIMITS OF EXISTING FLOODPLAIN
-----	LIMITS OF WETLAND
-----	100' WETLAND BUFFER LIMITS
-----	EXISTING LOT LINE
-----	PROPOSED LOT LINE
-----	WETLAND

OCEAN MEADOWS TENTATIVE PARCEL MAP NO. 14,784 CONSTRAINTS MAP

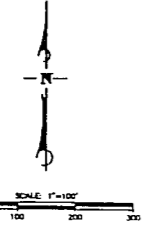
SANTA BARBARA COUNTY, CALIFORNIA
 TRUST FOR PUBLIC LAND/OCEAN MEADOWS GOLF COURSE



PROPOSED AREAS	ACRES GROSS & NET
LOT 1	83.93
LOT 2	5.89
LOT 3	0.50
TOTAL	70.32



- LEGEND**
- LIMITS OF EXISTING FLOODPLAIN
 - LIMITS OF EXISTING FLOODWAY
 - LIMITS OF WETLAND
 - 100' WETLAND BUFFER LIMITS
 - EXISTING LOT LINE
 - PROPOSED LOT LINE



OCEAN MEADOWS TENTATIVE PARCEL MAP NO. 14,784 PROPOSED LOTS

SANTA BARBARA COUNTY, CALIFORNIA
TRUST FOR PUBLIC LAND/OCEAN MEADOWS GOLF COURSE