



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: June 26, 2012
Placement: Departmental
Estimated Tme: 2 hours
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Glenn Russell, Ph.D. 568-2085
Director(s)
Contact Info: Alice McCurdy, 568-2518

SUBJECT: Cavaletto Tree Farm Residential Housing Project
Second Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Consider the recommendations of the County Planning Commission regarding the Cavaletto Tree Farm Residential Housing Project (Case Nos. 01GPA-00000-00009, 01RZN-00000-00015, 08DVP-00000-00012, 09TRM-00000-00001, and 09RDN-00000-00001) and take the following actions:

Motion 1:

1. Make the required findings for approval of the project specified in Attachment 1 of the Board Agenda Letter, including CEQA findings.
2. Certify the Environmental Impact Report (11EIR-00000-00002), including the EIR Revision Letter dated June 14, 2012 included in Attachment 9 of this Board Agenda Letter, and adopt the mitigation monitoring program contained in the conditions of approval included as Attachment 2 of this Board Agenda Letter.
3. Adopt a resolution amending the Comprehensive Plan land use designation for APNs 069-100-006, -051, -054, and -057 from A-I-5 to RES-4.6 and adopt an ordinance amending to the inland zoning map for the subject parcels from AG-I-5 to DR-4.6 (resolution and ordinance amendment included in Attachment 4 of this Board Agenda Letter).

4. Approve the project (01GPA-00000-00009, 01RZN-00000-00015, 08DVP-00000-00012, 09TRM-00000-00001, and 09RDN-00000-00001) subject to the conditions included as Attachment 2 of this Board letter.

Motion 2:

Consider the request from the applicant for a 50% credit on Quimby Park Fees assessed for the project and either:

1. Deny the request for a 50% credit on Quimby Park Fees assessed for the project and make the finding that granting the credit is not in the public interest; or
2. Grant the request for a 50% credit on Quimby Park Fees assessed for the project and make the finding that it is in the public interest to do so; or
3. Grant a lesser credit of ___% on Quimby Park Fees assessed for the project and make the finding that it is in the public interest to do so.

The project site is located at 555 Las Perlas Drive in the Goleta area, 2nd Supervisorial District. The applications involve AP Nos. 069-100-006, -051, -054, and -057.

Summary Text:

After five public hearings on this 135-unit housing project, on February 1, 2012, the County Planning Commission voted 5 to 0 to recommend that your Board amend the land use designation and rezone the subject parcels from agriculture to residential, approve the project, certify the Environmental Impact Report, and accept the offer of dedication of Parcel C of Tract No. 11,504. In addition, the Planning Commission voted 4 to 1 to recommend that your Board not grant the 50% park fees credit, which had been requested by the applicant and recommended by the County Parks Commission. A copy of the Planning Commission's action letter is included as Attachment 3 of this board letter for reference.

Background:

The Board of Supervisors initiated the General Plan Amendment and Rezone for the project in December 2006 on the basis of the public interest in an infill housing project of adequate density to address South Coast housing needs. The project is located on a 26-acre urban infill site surrounded by residential development. The project includes the construction of a total of 135 residential units over five phases composed of different housing types and densities (apartments, townhomes, courtyard homes, and single family dwellings) in order to blend in with surrounding residential development and address a variety of housing needs. The project also provides approximately four acres of common open space and recreational amenities for residents of the project.

During the five hearings before the County Planning Commission, it became apparent that the key issue of contention associated with this project from the standpoint of surrounding residents relates to the potential impact on the surrounding neighborhoods from increased project traffic. This concern stems from the original project proposal to provide roadway connections to the north and south of the project site in order to increase neighborhood connectivity and to provide multiple routes for ingress and egress. The concern also stemmed from the proposed phasing of the roadway connections as part of the project, which included extending Tree Farm Lane to Patterson Avenue as part of the third phase of development.

On the northern end of the project site, the project originally proposed a connection to an existing private driveway within the Cathedral Oaks Village subdivision in order to connect with Avenida Pequena (a public road). The Planning Commission's recommendation included accepting the offer of dedication of Parcel C of Tract No. 11,504 to accommodate this connection. On the southern end of the project site, the project proposed connecting to Merida Drive (a public road), which currently dead ends at the property boundary. In addition to these secondary access points, the project would include a new east-west roadway connecting directly with Las Perlas Drive and Patterson Avenue as its primary point of ingress and egress.

The EIR analysis concludes that upon completion of Tree Farm Lane in Phase 3 of the project, the majority of the project-generated traffic would enter and exit the site directly from Patterson Avenue, as this would represent the most direct route to and from the highway. The EIR further concludes that traffic distributed onto the neighborhood streets would be minimal and would not exceed the acceptable capacity or result in a degradation of future levels of service of those streets. To further reduce impacts to neighborhood streets from project traffic, the EIR recommends that the project's connection with Patterson Avenue (Tree Farm Lane) be established as part of the first phase of the project. This recommendation has been included as a condition of project approval.

During the hearings before the Planning Commission, neighbors of the project expressed widespread opposition to the roadway connections at Merida Drive and Avenida Pequena based on concerns for public safety associated with increasing traffic on neighborhood streets and degradation of the quality of life of surrounding residents. In response, the Planning Commission voted to restrict the use of these roadway connections for emergency purposes only, despite recommendations from Public Works Roads Division staff and P&D staff for unrestricted through access¹. The Planning Commission recommended that to the north, this be accomplished by installing a gate at the project entrance through the existing Cathedral Oaks Village neighborhood. At the connection with Merida Drive to the south, the Planning Commission recommended that this be accomplished through signage, a landscaped median, and surface material differentiation at the roadway connection point, though no physical barrier would be installed. The nature of the signage was discussed and debated by the Planning Commission; ultimately the Commission recommended that the sign indicate that the roadway connection be for emergency use only. Staff continues to recommend unrestricted through access from the project south via Merida Drive, though signage to slow traffic and warn drivers of playgrounds in the area would be acceptable and appropriate. The Findings and Conditions of Approval included as Attachments 1 and 2 reflect staff's recommendation (as shown in strikethrough and underline from the Planning Commission's recommendations).

Subsequent to the Planning Commission hearings, the applicant modified the project further by eliminating the emergency access route to the north through the COVA subdivision due to uncertainty regarding the status of the offer of dedication of the existing private driveway within the COVA

¹ At the Planning Commission hearing, staff testified that through access would provide improved circulation through the neighborhoods and enhance connectivity between neighborhoods, both of which are considered beneficial from a community planning perspective. More roadway connections also provide greater options for emergency access in the event that one or more roadways are obstructed. More connectivity also serves to strengthen communities by enhancing walkability and providing for a sense of place and social cohesion. According to the LEED for Neighborhood Development principles, street connectivity is an important cross-cutting strategy for neighborhood sustainability since it also improves access to parks, schools, transit, businesses, jobs, and shopping.

subdivision (Parcel C on Tract No. 11,504). The project has been redesigned to replace this connection point with a County Fire Department approved cul-de-sac. County Fire Department staff have reviewed this change and confirmed that the project continues to meet County Fire Department standards for access despite the loss of an emergency access point through the north end of the project site. Fire Department standards require only two access routes to a housing project in excess of 30 units, which would be provided by Patterson Avenue and Merida Drive. The EIR Revision Letter (Attachment 9) includes a discussion of this project change in the context of impacts to fire protection, concluding that this change would not alter the findings of the EIR or result in any new significant impacts with respect to emergency access and evacuation.

A second issue discussed at length over the course of the Planning Commission hearings was the project's provision of affordable housing. At the time of the project's initiation by the Board of Supervisors in December 2006, the project included a total of 33 affordable units, including 22 workforce and 11 moderate income units. The project was subsequently reduced in scale such that the number of affordable units was reduced to 24 with submittal of the Development Plan application in 2008. The applicant's current proposal, and that which the Planning Commission recommended to your Board for approval, consists of eight (8) rental units targeting the very low income category under the State Density Bonus Program. By providing these eight units at price restricted rental rates, the project satisfies the minimum requirements for providing affordable housing under the State Density Bonus Program. In order to bridge the gap between what is minimally required and what was envisioned in terms of the number of affordable units proposed when the rezone and general plan amendment were initiated, the project also includes 16 for-sale units that include certain parameters and restrictions to enhance their affordability, including establishing the initial sales prices in accordance with the County's formula for workforce housing and placing a maximum cap on annual appreciation of 2.5%. However, these units would not meet the County's requirements for long-term affordability. A discussion of these units is provided in the P&D staff memorandum to the Planning Commission dated January 10, 2012, included as Attachment 7 to this board letter.

The Planning Commission also included a requirement that the developer construct a bike bridge over San Jose Creek in furtherance of the creation of the San Jose Bike Path and in order to help make the finding that the project is in the public interest. After review of the construction costs, fees and credit procedures, staff recommends that the County collect the full traffic impact fee amount (approximately \$1.45 million based on the current fee schedule) and for the County Public Works Department to be responsible for constructing the bridge rather than having the applicant construct the bridge. The deletion of Condition No. 47 reflects this recommendation.

Lastly, the applicant submitted a request to the Parks Division of the Community Services Department for a credit on the required park fees pursuant to the Quimby and Park Development Mitigation Fee Ordinance, and based on the provision of recreational facilities to serve the residents of the development. The Parks Division forwarded the request to the County Park Commission who recommended the 50% credit at their regular meeting of October 27, 2011. The Planning Commission voted separately to recommend that your Board not grant the 50% credit since the recreational facilities provided as part of the project are only for residents of the development and not for the general public. County Code Section 21-109 provides findings and standards that must be met in order to grant a credit on parks fees. Specifically, Section 21-109 states:

Where usable recreational improvements within common open space as defined in the applicable zoning ordinance for park and recreational purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision, partial credit based on approved Quimby and development fee credit schedule, not to exceed fifty percent, may be given against the requirement of land dedication or payment of fees in lieu thereof if the planning commission or board of supervisors finds that it is in the public interest to do so, and that all of the following standards are met:

- a. That yards, setbacks and other open areas required by the zoning and building ordinances, including areas credited against minimum lot sizes, shall not be included in computing the amount of such common open space; and,*
- b. That the private ownership and maintenance of the recreational improvements and open space shall be adequately provided for by deeds and recorded covenants in perpetuity; and,*
- c. That the use of common open space shall be restricted for park and recreational purposes by recorded covenants which run with the land in favor of the existing and future owners of the property within the subdivision and which cannot be eliminated without the consent of the county; and,*
- d. That the proposed common open space is reasonably adaptable for use for park and recreational purposes as determined by the county; and,*
- e. That the recreational improvements and open space for which credit is given will meet the needs of the future residents of the subdivision, specifically those defined as being deficient by the recreation element of the comprehensive plan for the area in which the project is to be located or, alternatively, that the land and/or facilities offered provide a special recreational benefit to the subdivision not otherwise provided in available park and recreational facilities.*

Fiscal Impacts:

Costs to process this application are fully reimbursed by the applicant per the department's adopted fee schedule. Permit revenues are budgeted in the Permitting & Compliance Program of the Development Review, South Division on Page D-314 of the adopted 2011-2012 fiscal year budget.

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on June 26, 2012. The notice shall appear in the Santa Barbara Daily Sound. The Clerk of the Board shall fulfill noticing requirements. Mailing labels for the mailed noticed are attached. A minute order of the hearing, signed Board Resolution and Ordinance, and copy of the notice and proof of publication shall be returned to Planning and Development, attention: David Villalobos.

Attachments:

- Attachment 1: Findings
- Attachment 2: Conditions of Approval
- Attachment 3: County Planning Commission Action Letter
- Attachment 4: Draft Board Resolution and Ordinance Amendment
- Attachment 5: County Planning Commission Staff Report, dated September 30, 2011

Attachment 6: County Planning Commission Staff Memorandum, dated November 28, 2011

Attachment 7: County Planning Commission Staff Memorandum, dated January 10, 2012

Attachment 8: County Planning Commission Staff Memorandum, dated January 24, 2012

Attachment 9: Final Environmental Impact Report and EIR Revision Letter

Attachment 10: Project Plans

Authored by: Alex Tuttle, 884-6844