

**Attachment 4:**

**Planning Commission Staff Report dated September 1, 2006**

**SANTA BARBARA COUNTY PLANNING COMMISSION**  
**Staff Report for Northpoint Village Unit III-Phase IV**

Hearing Date: September 13, 2006

Staff Report Date: September 1, 2006

Case No.: 98-DP-023

Environmental Document: 15162 Determination 78-EIR-9 and

Section 15163 92-SD-2

Deputy Director:

*Z. Abresch*  
Z. Abresch

Division: Development Review

Staff Contact: J. Zorovich

Supervising Planner: L. Appel

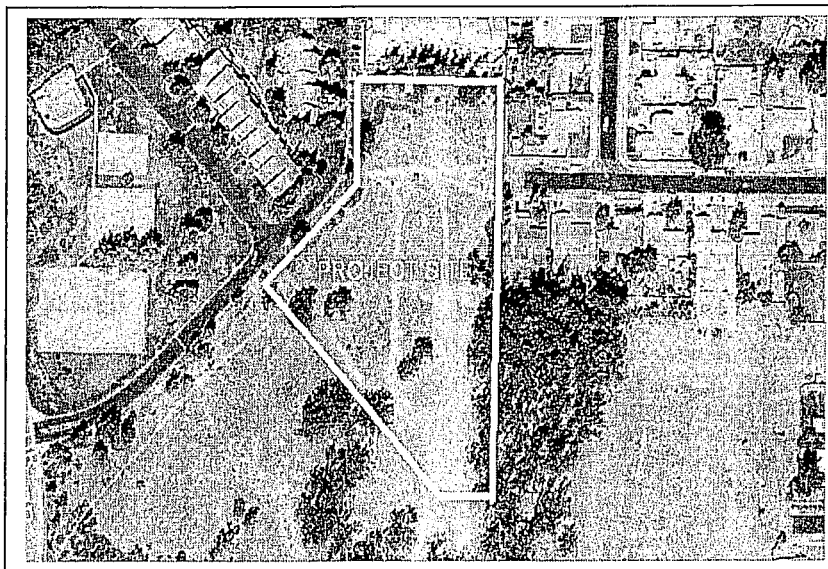
Planner's Phone #: 934-6297

OWNER/APPLICANT:

Leo Evans  
2248 Glacier Lane  
Santa Maria, CA 93445

ENGINEER:

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Assessor Parcel Numbers 107-560-001 through 107-560-033 located east of Hummel Drive, south of Foster Road, north of Union Valley Parkway, approximately 0.25 mile east of State Route 135 in the existing development of Northpoint Village, Orcutt area, Fourth Supervisorial District.

**1.0 REQUEST**

Request of Leo Evans, to consider final development plan case number 98-DP-023 [application filed August 25, 1998 and complete October 12, 1998] to allow construction of 32 (2 and 3 bedroom) townhouse condominiums on previously recorded lots (TM 12,414) and one common lot; and to accept the Environmental Impact Report (78-EIR-9) and Supplemental Document (92-SD-2) pursuant to Section 15164 of the State CEQA Guidelines.

Application Filed:	August 25, 1998
Application Complete:	October 12, 1998
Processing Deadline:	60 days from §15162 Determination for EIR

## **2.0 RECOMMENDATION AND PROCEDURES**

Follow the procedures outlined below and conditionally approve Case No. 98-DP-023, marked "Officially Accepted, County of Santa Barbara September 13, 2006 Planning Commission Attachments A-G", based upon the project's consistency with the Comprehensive Plan and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Adopt the required findings for the project specified in Attachment A of this staff report, including CEQA findings.
2. Accept the Environmental Impact Report 78-EIR-9 and Supplemental Document 92-SD-2 as adequate for this project and adopt the mitigation monitoring program contained in the conditions of approval.
3. Approve 98-DP-023 subject to the conditions included as Attachment B.

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

## **3.0 JURISDICTION**

This project is being considered by the Planning Commission based on Section 35-317.2 of Article III which requires that the Planning Commission review Development Plans which are not otherwise under the jurisdiction of the Director or Zoning Administrator. Section 35-317.2 does not exclude the properties in the DR 3.3 zone district from being heard by the Planning Commission.

## **4.0 ISSUE SUMMARY**

### **4.1 Consistency with DR-3.3 Zone District**

The proposed 32 unit condominium townhouse project is a permitted use under the project's existing DR 3.3 zoning and Planned Development land use designation. The purpose and intent of this district is to "provide standards for traditional multiple residences as well as allowing flexibility and encouraging innovation and diversity in the design of residential developments by allowing a wide range of densities and housing types while requiring the provisions of a substantial amount of open space within new residential developments. The intent is to ensure comprehensively planned, well designed projects." The project site is adjacent to the existing Phases I-III of the Northpoint Village. As discussed in Sections 6.2 and 6.3 below, the project would be consistent with the zoning and comprehensive plan policies.

The project site is also within the Airport Approach Overlay District and is subject to land use regulations within the Airport Clear Zone. The project has been reviewed by the Santa Maria Public Airport District and has recommended that the developer grant an avigation easement in favor of the Santa Maria Public Airport over Assessor's Parcel Numbers 107-560-001 through -033.

An EIR was prepared for the original project and identified potentially significant but mitigable impacts (Class II), to transportation/circulation, air quality, noise, biological/ archaeological resources, land use, water resources, and aesthetic/visual resources. The Supplemental Document (SD) for this project identifies impacts on public services as adverse impacts which cannot be fully mitigated (Class I).

#### **4.2 Homeowners Association Requirements.**

The Planning Commission at the January 13, 1999 hearing required that the current owner annex to the existing HOA; he has been unsuccessful to date. The original CC&R's for the Northpoint project provided for a 10-year opportunity to annex without HOA approval, however, this period has elapsed. The reason for the requirement was so that Phase IV would have access to the retention basin, existing roadways and the open space required as a mitigation measure that were all held by the existing HOA. A project is required to provide amenities and 40% open space by the DR zone district of Article III; although this phase does not have access to the open space mitigation parcel it has provided the required 40% open space.

Land Use Development Policy #4 (LUDP #4) requires that all projects have adequate facilities (i.e. roads, drainage facilities) prior to project approval. Phase IV must share the private roads and retention basin with the earlier phases. Owners of lots purchased by deed with reference to a subdivision map have a right to use the roads of the subdivision; Mr. Evans deed referenced TM 12,414. Therefore, a condition requiring the payment of pro rata fees for road and basin maintenance is necessary and will be applied to the Final Development Plan for Phase IV. The Flood Control District has indicated it would enter into a separate agreement with the developer and that no easement is needed for the basin or the flow of water over the property adjacent to the basin. Therefore, the Phase IV project has legal rights to the roads and the basin without annexation to the existing HOA and the project would be consistent with LUDP #4.

A condition of the original map TM #12,414 and Article III, DR zone district require 40% open space to be provided onsite and be held by an HOA or other entity. The 40% open space is required to be provided on the Phase IV site and held by an HOA. The proposed HOA is for Phase IV only and is separate from the HOA for the earlier phases. Although the unit owners of Phase IV will have fewer amenities than the other phases and would not be able to take advantage of the existing amenities owned by the original HOA it remains consistent with the requirements of Article III.

Since the project site will provide 40% open space on the Phase IV site as the other phases have been required, the project will meet the requirements of Article III with the condition that the open space be held by an HOA. Additionally, the project has legal rights to the existing roads and

retention basin but will be required to pay a pro rata share for the maintenance of the facilities as a condition of approval. Therefore, Unit III, Phase IV does not need to annex to the existing HOA.

### 4.3 OCP Supplemental Water Requirements

The project would be subject to all Development Standards and Policies contained in the OCP since a Final Development Plan is subject to laws in effect at the time of project approval. Policy WAT-O-2 requires that all new development obtain supplemental water unless a “Can and Will Serve letter from the Golden State Water Company, formerly California Cities Water Company, dated prior to July 1997 is provided. Unit III, Phase IV received a Can and Will serve letter from Cal Cities on September 23, 1982 and is, therefore, consistent with this policy.

### 4.4 Public Services (Schools)

The project is located within the Orcutt Union School District and the Santa Maria High School District. Existing schools which would be used by the project's children are over capacity, with many of the schools utilizing portable classrooms. The project would be expected to generate 11 elementary, 5 junior high, and 7 senior high students. The original developer entered into a settlement agreement with Orcutt Union School District waiving the payment of school impact fees. The Santa Maria Joint Union High School District has similarly waived the payment of school impact fees. Tract Map 12,414 was recorded prior to the implementation of the school fees mitigation program and therefore, the fees cannot be assessed.

## 5.0 PROJECT INFORMATION

### 5.1 Site Information

<u>Site Information</u>	
Comprehensive Plan Designation	Planned Development, 3.3 dwelling units per gross acre
Ordinance, Zoning District	Article III; DR-3.3 (Design Residential, 3.3 dwelling units per gross acre)
Site Size	Site: 80+ acres (3.2 acre portion) Northpoint Village Unit III, Phase IV: 3.21 acres
Present Use & Development	Existing condominiums and open space
Surrounding Uses/Zoning	North: Existing Northpoint Village, DR-3.3; Residential, 8-R-1 South: Undeveloped, DR-3.3 and airport clear zone. East: Residential, 10-R-1 West: Undeveloped, DR-3.3, Residential 10-R-1; Undeveloped, PRD
Access	Foster Road via Hummel Drive
Other Site Information	Airport: 1500 foot clear zone for Santa Maria Public Airport is located within property boundaries
Public Services	Water Supply: Golden State Water Company

<b>Site Information</b>	
	Sewage: Laguna County Sanitation District Fire: SBCo Fire Station #22 (Clark Avenue/Tiffany Park Ct.)

## 5.2 Setting

**Slope/Topography.** The site is moderately sloped with a maximum slope of 16% and is underlain by ancient dune sand deposits.

**Flora/Fauna.** The site is sparsely vegetated with coastal scrub. The site contains a grove of eucalyptus trees along the northern boundary as well as four eucalyptus trees located in the interior of the project site. All of the trees in the windbreak would remain, however, all four trees in the middle of the project site would be removed as a result of the project. None of the trees are native to the site.

**Archaeological Sites.** No archaeological sites are identified on the project site based on the County Archaeological Resource Maps.

## 5.3 Statistics

Item	Proposed	Ordinance Standard
Structures (floor area)	70,840 sf	---
Max. Height of Structure(s)	30.5 feet	35 feet
Building Coverage (footprint)	35,220 sf	30% maximum
Roads/Parking/Walkways	34,884 sf	---
Open Space		
Private (patios, walkways & spa)	12,788 sf	---
Landscaping	57,026 sf	40% minimum
Number of Dwelling Units	32	3.3 units/acre
Project Density	3.3 units/ac	3.3 units/acre
Residents	137	---
Number of Onsite Parking Spaces	82	81

## 5.4 Project Description

Hearing on the request of Leo Evans, to consider Case number 98-DP-023 [application filed August 25, 1998] for approval of a Final Development Plan under the provisions of Article III of the DR 3.3 Zone District, to construct 32 (2 and 3 bedroom) townhouse condominiums on previously recorded lots (TM 12,414) and one common lot.

A total of four buildings (one 8 unit, one 6 unit, and two 9 unit) would make up the total proposed structures. The size of the units would range from 1,671 sq. ft. (2 bedrooms) to 1,810 sq. ft. (3 bedrooms) and all units would have an attached two car garage. The buildings would range from 20 feet (one-story) in height to 30.5 feet (two-story). The structures would cover 25.2% (35,220 sq. ft.) of the total 3.21 acre site. A total of 82 parking spaces would be provided for a ratio of 2.56 spaces per unit.

Open space and landscaping on the property would cover 40.7% of the site for a total of 57,026 sq. ft. Amenities (barbecues, benches, picnic tables) would be provided in the common areas.

Water and sewer services are to be provided by the Golden State Water Company, formerly Cal Cities, and Laguna County Sanitation District (LCSD), respectively. Fire protection service for the site would be provided by Santa Barbara County, Station #22.

Public roadway access would come from Hummel Drive, to two proposed private drives (24 ft. wide) that provide access to the residential driveways. Drainage for the site would be directed toward an existing retention basin. The project corresponds to Phase IV of the original Northpoint Village Development.

## **5.5 Background Information**

The 32 units were originally approved as Phase IV of a six phase, 219 unit condominium project under 82-DP-3. This is the last phase of the six phase development. Building footprints were recorded for each lot and the open space lot through TM 12,414. Final Development Plan 82-DP-03 expired and as a result of the subsequent litigation, the County and the applicant's predecessor in interest entered into a Settlement Agreement in 1991. Final Development Plan 92-DPF-017, identical to 82-DP-03 for Northpoint Village Unit III, Phase IV was approved by the Board of Supervisors on September 1, 1992. Pursuant to Section 35-317.9 of Article III, a one-year time extension to September 1, 1998 was granted for 92-DPF-017 on June 18, 1997. Substantial physical construction had not occurred as of September 1, 1998 and pursuant to Section 35-317.9 of Article III, the development plan expired. The 32 unit project, Phase IV, is now being reprocessed as Case No. 98-DP-023 and corresponds to Case No. 92-DPF-017 except the four bedroom units have been replaced by additional two and three bedroom units. The development is consistent with the recorded map, Tract 12,414 covering the Phase IV area.

The request to construct these 32 units was originally considered by the Planning Commission in January 1999. At that time, the Planning Commission required the applicant to annex the project into the existing Northpoint Homeowner's Association (HOA). The project was continued on March 10, April 7, and May 5, 1999 to provide time so that an agreement between the applicant and the existing Northpoint HOA could be reached. Ultimately, an agreement was not reached between the two parties and the Planning Commission dropped the project from their agenda until the HOA annexation process had been resolved. As noted above in section 4.0 of this staff report, County Counsel has now determined that the applicant does not need to annex to the existing HOA, but must form its own HOA and provide a reimbursement to the existing HOA to pay for its fair share of the operations and maintenance of the private roads and basin.

## 6.0 PROJECT ANALYSIS

### 6.1 Environmental Review

Environmental impacts associated with the six phases of the Northpoint Village development were reviewed originally under 78-EIR-9. The project corresponds to Phase IV of the original Northpoint Village development. A supplemental document 92-SD-2 was subsequently prepared for the 32 unit project, Phase IV of the Northpoint Village development. The supplemental document found that there were significant and unavoidable impacts to public services in the area of local schools. A settlement agreement stated that since Tract 12,414 was recorded prior to implementation of school fees and construction of the overall project had started, the Northpoint Village development project would not be subject to payment of school fees. A statement of overriding considerations was approved for the project. The supplemental document found that there were no significant adverse impacts associated with the following after implementation of mitigation measures: geology (short term - vibration), air quality (short term - dust; long term, cumulative), noise (short term - construction; long term - airport overflights), solid waste, aesthetic/visual (long term, cumulative - lighting), water (long term, cumulative), and transportation/circulation. CEQA is clear in its preference to use previously prepared environmental documents when anticipated project specific impacts have been clearly assessed. Section 15162 of the State CEQA Guidelines gives the criteria where a previously certified EIR can be used and when a new EIR should be prepared. There are no substantial changes to the proposed project and neither new significant environmental effects nor substantial increases in the severity of previously identified significant effects would result from the proposed project. Although the project proposes replacing the four bedroom units with two and three bedroom units, and a slight reduction in parking spaces from 85 to 82 parking spaces, these revisions would not change the conclusions of the environmental documents. As a result, the Supplemental Document, 92-SD-2, and 78-EIR-9, may be used to fulfill the environmental review requirements of this project, Unit III, Phase IV, of Northpoint Village.

Staff is recommending that the Planning Commission accept the Environmental Impact Report 78-EIR and the Supplemental Document 92-SD-2 as adequate for this project. Copy of the EIR, Statement of Overriding Considerations and the Supplemental Document are included with this staff report as Attachment C through E.

### 6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<b>LAND USE ELEMENT</b>	
<b>Land Use Element Designation:</b> <i>Urban, Planned Development, 3.3 dwelling units per gross acre</i>	<b>Consistent.</b> Although development of the 32 units within the 3.4 gross acre portion would result in a density of 9.4 units/acre, given the entire project as approved, 219 units on 80 acres, total project density is below the maximum density of 3.3 units/acre allowed [219 units/80 acres = 2.74 units/acre]. Since Phase IV is a portion of the overall Northpoint development, the project is in compliance with the density allowed by the Planned Development 3.3



REQUIREMENT	DISCUSSION
	<p>dwelling per gross acre Land Use Designation. The open space areas, lot sizes, and lot locations are locked in by the recorded map, 12,414. The density has been established by the recorded map and is consistent with the zoning designation (DR 3.3) of the parcel.</p>
<p><b>Land Use Development Policy #4:</b> <i>Prior to the issuance of a use 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. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.</i></p> <p><b>Land Use Development Policy # 5:</b> <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><b>Consistent. Water Service</b> - The developer has received a Can and Will Serve Letter from Golden State Water Company, formerly Cal Cities. Based on water calculations provided in the Supplement Document (92-SD-2), the project's total water demand (11.8 AFY, prior to recharge credit) would remain below the current water threshold for the Santa Maria groundwater basin. The original EIR identified water use for the entire Northpoint development as a Class I impact, based on the regional impact the withdrawal would have. The current development (Phase IV) has been calculated to use 11.8 AFY which is below the current threshold. However, the entire 219 unit project, when constructed and occupied, would exceed the current threshold. Based on the use of drought tolerant landscaping, low flow plumbing and recharge credit from the onsite basin, this phase of the project would minimize impacts to the Santa Maria groundwater basin, would be below the threshold of significance and therefore achieve consistency with Comprehensive Plan Policies.</p> <p><b>Sewer Service</b> - The Laguna County Sanitation District has issued the entire project a Can and Will Serve Letter for sewer hookups.</p> <p><b>Schools</b> - While the project's impacts on schools are significant and unavoidable, the County is preempted by state law from denying the project for failure to provide any mitigation beyond the required developer fee. The County cannot require the payment of these fees in this case as the school districts have waived the requirement for the payment of fees for Tract Map #12,414 which was recorded prior to September 1, 1986 the date of the adoption of the fee program and therefore the impact fees can not be assessed.</p> <p><b>Roads.</b> The project is expected to generate 18 PHT and 188 ADT (0.56 PHT/hr.; 5.86 ADT/unit; ITE). The Foster Road/S.R. 135 intersection and the Foster Road segment between Bradley Road and S.R. 135 would be the areas that are impacted. The intersection is currently operating at a LOS C (Orcutt Transportation Improvement Plan) and has a threshold of 15 PHT. The project is expected to generate 9 PHT at this intersection which is below the threshold of significance. The Foster road segment is currently operating at 8,800 ADT which is well below the design capacity of 11,600 ADT and below the LOS C threshold of 9,300 ADT. Pursuant to the Orcutt Community Plan, Circulation Element, Section</p>

REQUIREMENT	DISCUSSION
	<p>C, page 156, Consistency Standards for Secondary Roadways (S-1 through S-3) which states: "For Secondary roadway segments where the Estimated Future Volume does not exceed the Acceptable Capacity; a project is consistent with this section of the Community Plan.", this project is consistent since Foster Road is classified as S-1 and the Estimated Future Volume (project generated ADT's added to the existing ADT's) is less than the LOS C threshold or Acceptable Capacity and is therefore consistent with this policy.</p>
<p><b>Planned Development Policy #3:</b> <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"> <li>a) <i>Protection of the scenic qualities of the site;</i></li> <li>b) <i>protection of resources, i.e., habitat areas, archaeological sites, etc;</i></li> <li>c) <i>avoidance of siting of structures on hazardous areas;</i></li> <li>d) <i>provision of public open space and recreation;</i></li> <li>e) <i>preservation of existing healthy trees; and</i></li> <li>f) <i>provision of adequate urban services (e.g., water, sewer, streets).</i></li> </ul>	<p><b>Consistent.</b> As discussed above and below the project protects visual resources, habitat areas, open space and existing healthy trees. With conditions from County Fire regarding fire hazards the project will be consistent with the hazard portion of this policy. There are adequate public services to support the proposed project.</p>
<p><b>Visual Resource Policy #3:</b> <i>In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.</i></p>	<p><b>Consistent.</b> The units of Phase IV would be constructed consistent with the existing Phases of Northpoint. The proposed units would be consistent with the original building footprints, elevations, materials and colors, which have been previously approved and implemented by the existing units. Therefore, the project would be consistent to the Visual Resource Policies.</p>
<b>SEISMIC SAFETY/SAFETY ELEMENT</b>	
<p><b>Fire Hazard Recommendation #2:</b> <i>All land development (including grading and clearing) in high fire hazard or extreme fire hazard areas should be subject to conditional use permit regulations, and review by the County Fire Prevention Officer, and where appropriate, by responsible federal or state agencies.</i></p>	<p><b>Consistent.</b> The project is within a designated high fire hazard area as identified by the County Fire Department. The site is outside of a five-minute response time from County Fire Station #22. The Fire Department has reviewed the project and has identified conditions necessary to provide consistency with this policy.</p>
<b>HOUSING ELEMENT</b>	
<p><b>Housing Element Policy 1.4:</b> <i>The County shall require that a percentage of all discretionary residential developments be affordable to very low, low, low-moderate, and upper-moderate income households as defined in the housing element.</i></p> <p><b>Housing Element Action 1.4.1:</b> <i>Payment of in-lieu fees or providing affordable units off-site, or a combination of both, may be used to satisfy inclusionary requirements in the following instances: a) Lot-sale subdivisions....b) Residential developments zoned 4.6 or fewer...c) All projects within HMA's with maximum inclusionary requirement of 10% or less...d) Projects which generate a need for 3 or fewer affordable units based on the maximum inclusionary requirement for the respective HMA.</i></p>	<p><b>Consistent.</b> The settlement agreement with a prior owner of Phase IV established that the "burdens and benefits" of the agreement shall run with the land. In the Settlement Agreement the County agreed that the construction of Phase IV, Unit III is in substantial conformity with the final map approval, and shall eliminate the need for any additional affordable housing mitigation. It was determined that at the time of approval and recordation of TM 12,414 and 82-DP-3 for Phase IV of Unit III, no conditions requiring the dedication of affordable housing were imposed or required by the County Housing Element. It was also determined that the units were going to be sold within the upper-median income range of affordable housing. This eliminated any further requirements for affordable housing to be placed upon the project. Since the Settlement Agreement runs with the land, no additional</p>

REQUIREMENT	DISCUSSION
<p><b>Housing Element Policy 1.5:</b> <i>When the provision for required affordable housing is not being met on-site or off-site in accordance with Policy 1.4, the applicant may contribute in-lieu fees....The in-lieu fees shall be used for affordable housing, special needs facilities, or financial assistance programs within the Housing Market Area where the fees were originally collected.</i></p>	<p>affordable housing requirements or conditions are placed on the current project, 98-DP-023. Housing Element Policy 8.9, Settlement Agreements, provides that projects subject to Settlement Agreements shall be developed consistent with terms of the agreement.</p>
<b>NOISE ELEMENT</b>	
<p><b>Noise Element Policy #4:</b> <i>Residential use should be avoided within the 65dB(A) CNEL contour of any airport and under airport traffic patterns.</i></p>	<p><b>Consistent. <u>Glide Path Overflights</u></b> - The noise element defines this residential project as a noise sensitive receptor. As such, exterior noise must not exceed 65 dB(A) CNEL. While individual overflight of the property by airplanes sometimes exceeds 65 dB(A), the averaging of all noise effecting the project site would remain below 65 dB(A) CNEL. Interior noise levels must be reduced to 45 dB(A) CNEL or less. This has been achieved in the existing units through standard construction techniques which generally reduce noise by 20 dB(A). The original EIR identified the open space and recreational areas of the site (under the flight path) as being subjected to high ambient noise levels. The Noise Element, prepared and adopted after certification of the original EIR, showed that exterior noise levels for all the units would not exceed adopted standards of 65 dB(A). All portions of the 3.21 acre Phase IV are outside the 1500 foot wide airport safety corridor. However, the Airport District has requested that an avigation easement be recorded for the units in Phase IV. This will be required as a condition of approval. With standard construction and recordation of the avigation easement, the project would be consistent with the Noise Element.</p> <p><u>Union Valley Parkway</u> - At the time the original EIR was prepared, the Parkway (then called the East-West Expressway) was proposed to be a four lane expressway. Noise and conflict of uses would have been significant, however, the road was downgraded to a parkway which serves more as a collector or arterial. The Parkway has been constructed from U.S. 101 on the east through the Northpoint development on the west. No complaints have been filed with P&amp;D indicating the roadway to be a nuisance or in conflict with surrounding land uses. In fact, it has provided an alternate traffic route to avoid congested intersections along the Foster Road corridor. Therefore, impacts of the downscaling of the expressway to a parkway and its provision of alternate circulation patterns has been determined to be less than significant and is consistent with the Noise Element.</p>

REQUIREMENT	DISCUSSION
<b>ORCUTT COMMUNITY PLAN CONSISTENCY</b>	
<b>Orcutt Community Plan – Land Use</b>	
<b>Policy LU-O-3:</b> <i>The County shall require that adequate resources and service capacity are available to accommodate the growth identified within this plan.</i>	<b>Consistent.</b> As discussed above and below, adequate services are available to support this project.
<b>Policy LUR-O-1:</b> <i>Consistent with the Housing Element, the County shall encourage the provision of a mix of affordable units on parcels within the Orcutt Planning Area.</i>	<b>Consistent:</b> The Settlement Agreement with a prior owner of Phase IV established that the “burdens and benefits” of the agreement shall run with the land. In the Settlement Agreement the County agreed that the construction of Phase IV, Unit III in substantial conformity with the final map approval, shall eliminate the need for any additional affordable housing mitigation. It was determined that at the time of approval and recordation of TM 12,414 and 82-DP-3 for Phase IV of Unit III, no conditions requiring the dedication of affordable housing were imposed or required by the County Housing Element. It was also determined that the units were going to be sold within the upper-median income range of affordable housing. This eliminated any further requirements for affordable housing to be placed upon the project. Since the Settlement Agreement Runs with the land, no additional affordable housing requirements or conditions are placed on the current project, 98-DP-023. As discussed above, Housing Element Policy 8.9 provides that projects subject to a Settlement Agreement shall develop consistent with the agreement.
<b>Policy LUR-O-2:</b> <i>Future growth and development shall occur in a manner which minimizes construction related impacts on the community.</i>	<b>Consistent.</b> The entire Northpoint Village was proposed to be constructed in six phases which minimizes extensive construction periods. Phase IV, the last phase, which involves the 32 units, would require minimal grading (2,350 cu. yds. balanced cut and fill) and the hours of construction would be limited to 7 am to 4 pm. Since the growth is occurring in Phases over time and there is limited grading and hours of construction activity the project would be consistent with OCP Policy LUR-O-2.
<b>Policy LUR-O-6:</b> <i>In order to provide community cohesiveness, new neighborhoods should be designed to provide circulation, pedestrian, bicycle and public transportation linkage to existing neighborhoods, schools, parks, and commercial areas.</i>	<b>Consistent.</b> Phase IV of Northpoint would be linked to the existing phases of the Northpoint Village by roads and walking paths. An open space park is located on the Northpoint site and is accessible by pedestrian and bicycle transportation.
<b>Orcutt Community Plan - Parks/Recreation/Trails/Open Space Policies</b>	
<b>Policy PRT-O-1</b> <i>Diverse passive and active recreational activities shall be developed in Orcutt.</i>	<b>Consistent:</b> The existing private open space area located within the project site, which includes a bench, barbeque pit and table, would be available to the new residents. In addition, the applicant is proposing to provide additional benches, barbeque pits and tables within the central open space area of their project.
<b>Policy PRT-O-3:</b> <i>Regional retention basins shall serve a dual flood control/recreational use where feasible and appropriate given flood control constraints and appropriate levels of natural resource protection.</i>	<b>Consistent.</b> The regional retention basin located on the Northpoint site serves the drainage needs of Phase IV and provides recreational open space for the project.
<b>Policy OS-O-4:</b> <i>Development adjacent to, or within</i>	<b>Consistent.</b> The Phase IV development is not adjacent to

REQUIREMENT	DISCUSSION
<p><i>designated open space areas, shall be sited and designed to protect and enhance the natural resources of these areas, and accommodate appropriate recreation opportunities as identified in the Parks, Recreation &amp; Trails section of the OCP.</i></p> <p><b>DevStd OS-O-4.1:</b> <i>Prior to project approval for any development within or adjacent to an open space area, a determination must be made that the proposed development is consistent with all applicable open space policies of the OCP, the OCP Open Space Map, as well as the regulations of the base zone district.</i></p> <p><b>DevStd BIO-O-1.1:</b> <i>Development shall be sited and designed to avoid disruption and fragmentation of significant natural resources within and adjacent to designated undeveloped natural open spaces, minimize removal of significant native vegetation and trees, preserve wildlife corridors and provide reasonable levels of habitat restoration. Where possible, significant natural resources, such as specimen trees, adjacent to designated, natural undeveloped open space corridors should be preserved.</i></p>	<p>a designated open space area but it is adjacent to an existing private park and the proposed open space area for the development. Amenities (benches, picnic tables, etc.) would be provided onsite. Some site preparation has already occurred from the construction of the other Phases of Northpoint. A minimal amount of grading (approximately 2,350 cu. yds.) would occur for the final site preparation for Phase IV. A total of four (4) eucalyptus trees out of the large grove on the site will be removed for the construction of the structures. Many drought tolerant species will be planted with the new development throughout the site. With the existing amenities, proposed amenities, proposed vegetation and the percentage of open space provided (40.7% on Phase IV alone) the project is consistent with all Open Space and Biological Policies of the OCP and the Comprehensive Plan.</p>
<p><b>Orcutt Community Plan – Water Policies</b></p>	
<p><b>Policy WAT-O-2</b>  <i>In order to be found consistent with Land Use Development Policy No. 4 (LUDP#4), the water demand of new discretionary development must be offset by long-term* supplemental** water supplies that do not result in further overdraft of the local groundwater basin and that are adequate to meet the project's net water demand as determined by the County considering appropriate reliability factors as determined by County Water Agency. To demonstrate an adequate long-term supplemental water supply, projects must comply with the following development standards:</i></p> <p><b>DevStd WAT-O-2.1</b>  <i>Prior to discretionary action by any County decision-maker on new development, the applicant shall provide one of the following:</i></p> <ol style="list-style-type: none"> <li><i>1. A "Can and Will Serve" letter from California Cities Water Company dated before July 1997;</i></li> <li><i>2. An "Intent to Serve" letter from California Cities Water Company or other water purveyor(s) including draft contract(s), if any, demonstrating to the County's satisfaction that the development's net water demand will be offset by a long-term supplemental water supply and that the development will have a continuing right to obtain water equal to that of the water purveyor's other customers.</i></li> </ol>	<p><b>Consistent.</b> A Can and Will Serve Letter has been issued by California Cities Water Company for the entire Tract Map of Northpoint. Due to the long history of the project, water service had already been allocated and established prior to the implementation of the Orcutt Community Plan. The Can and Will Serve Letter will be honored by the Golden State Water Company, the company that purchased Cal Cities consistent with WAT-O-2.1(1).</p>

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<p><b>DevStd WAT-O-2.2:</b>  <i>Prior to discretionary action on new development, the applicant must demonstrate adequacy of the water supply proposed to serve the project, unless the applicant has satisfied DevStd WAT-O-2.1 #1 above. This demonstration shall be based on the information, which must be provided prior to application completeness.</i></p> <p><b>DevStd WAT-O-2.3:</b>  <i>Prior to map recordation or land use clearance, the developer must provide a Can and Will Serve letter and necessary final contract(s) consistent with the conditions of the discretionary permits and terms of the draft contract(s).</i></p>	
<p><b>Policy WAT-O-3</b>  <i>Development in Orcutt shall incorporate water efficient design and technology.</i></p>	<p><b>Consistent:</b> The project contains a condition that requires water efficient design and technology.</p>
<p><b>Orcutt Community Plan – Sewer/Wastewater Policies</b></p>	
<p><b>Policy WW-O-1:</b> <i>The County shall strive to ensure development of adequate sewer facilities necessary to service projected growth.</i></p> <p><b>Policy WW-O-2</b>  <i>Prior to discretionary approval of new development, the County shall make a finding that there will be adequate capacity and availability for LCSD to serve the new development.</i></p> <p><b>DevStd WW-O-2.1</b>  <i>Prior to the discretionary approval of new development, the developer shall identify all additional facilities required to adequately collect, convey, treat and dispose of the sewage effluent from the development</i></p> <p><b>DevStd WW-0-2.2:</b>  <i>At the time of discretionary approval, the County shall condition the recordation of the final map or issuance of LUPs on provision of an adequate "Can and Will Serve" letter from LCSD.</i></p> <p><b>DevStd. WW-0-2.3:</b>  <i>A "Can and Will Serve" letter from LCSD will be found adequate for recording of maps or issuance of land use permits (including permits for development of preexisting lots) only if the letter demonstrates:</i></p> <ol style="list-style-type: none"> <li><i>1. LCSD's effluent, including the effluent from the proposed project, will not exceed the discharge standards established by the Regional Water Quality Control Board;</i></li> <li><i>2 Adequate disposal capabilities exist at the plant or through agreement with the City of Santa Maria</i></li> </ol>	<p><b>Consistent.</b> A Can and Will Serve letter has been issued for Tract Map 12,414 by Laguna County Sanitation District. The sewer connection fee has been paid to Laguna Sanitation for Phase IV of the Northpoint project. Due to the long history of the project, sewer service has been allocated for the development. The Tract Map for this project was recorded in 1982 (prior to the implementation of the Orcutt Community Plan) and is exempt from Development Standard WW-O-2.3 as stated in subsection three (3) of the standard.</p>

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<p><i>(providing that treatment and disposal by the City does not further degrade the underlying groundwater quality) to serve the project(s); and</i></p> <p>3. <i>Existing or planned and funded transmission lines have available capacity to serve the project(s).</i></p> <p><b>DevStd WW-O-3.3:</b> <i>At the time of discretionary project approval, the County shall make a finding that the project's effluent will meet RWQCB discharge standards.</i></p>	<p><b>Consistent.</b> The Laguna County Sanitation District has updated its facility in order to meet RWQCB discharge standards. As noted above, a Can and Will Serve letter has been issued for Tract Map 12,414 by Laguna County Sanitation District; therefore, the project would be consistent with this development standard.</p>
<b>Orcutt Community Plan – Visual/Aesthetic Policies</b>	
<p><b>DevStd VIS-O-3.4:</b> <i>Trash enclosures shall be located outside of public view to the maximum extent feasible.</i></p> <p><b>VIS-O-6:</b> <i>Outdoor lighting in Orcutt shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.</i></p> <p><b>DevStd VIS-O-6.3:</b> <i>Night lighting fixtures adjacent to residential areas shall be of the minimum height and intensity required for security/safety.</i></p>	<p><b>Consistent.</b> The trash enclosures would be located near the parking areas and near the proposed wall along the eastern site of the project. The block wall would screen all enclosures from the existing neighborhoods to the east. Although two to three of the enclosures would be visible from the internal roadways of Northpoint the actual trash receptacles would be screened with architecturally compatible enclosures and would be considered consistent with this policy.</p> <p><b>Consistent.</b> Outdoor lighting would be provided for the Phase IV units. The lighting fixtures would be consistent with the fixtures in the existing Northpoint Phases (I-III). The lighting fixtures would be placed in the parking areas and small fixtures would line the walkway to the barbecues and picnic tables in the common area. The project has been conditioned to require that all lights would be directed downward, hooded and of small design as to be consistent with OCP Visual Policies.</p>
<b>Orcutt Community Plan – Flooding and Drainage Policies</b>	
<p><b>Policy FLD-O-1:</b> <i>Flood risks in the Orcutt planning area shall be minimized through appropriate design and land use controls.</i></p> <p><b>Policy FLD-O-2:</b> <i>Off-site runoff associated with development should be minimized.</i></p> <p><b>DevStd FLD-O-2.1:</b> <i>Pervious construction materials, such as turf block, non-grouted brick, and gravel, shall be used where feasible.</i></p> <p><b>Policy FLD-O-3:</b> <i>Short-term and long-term erosion associated with development shall be minimized.</i></p> <p><b>DevStd FLD-O-4.2:</b> <i>Developers shall purchase capacity in and connect to the planned regional retention basins, if feasible. If participation in the Mello Roos district for the regional retention basin system is determined by Flood Control to be infeasible, the developer may construct on-</i></p>	<p><b>Consistent.</b> The project will utilize an existing retention basin that currently serves Phases I-III and V and VI of Northpoint. The retention basin is a potential regional basin and is capable of serving the entire Northpoint Village (Phases I-VI). The use of the retention basin and approval of a grading and drainage plan for Phase IV will minimize erosion and excessive runoff and allow the project to be consistent with the flood and drainage policies of the Orcutt Community Plan.</p>

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<p><i>site retention facilities with sufficient capacity to reduce offsite runoff in accordance with Flood Control District standards. All private basins shall be attractively landscaped and where appropriate, shall be designed to accommodate recreational facilities. Prior to development of private basins, all applicants for discretionary projects shall agree to maintain the basins and demonstrate that a Homeowners Association will be established which will generate adequate revenues to provide long term maintenance of the basins including all landscaping and recreational facilities.</i></p>	
<p><b>Orcutt Community Plan – Geology/Topography/Soils Policies</b></p>	
<p><b>Policy GEO-O-1</b>  <i>Development shall be sited to avoid geologically hazardous areas.</i></p>	<p><b>Consistent:</b> No geologically hazardous areas were identified on the project site. No known faults cross the property.</p>
<p><b>Policy GEO-O-2</b>  <i>In areas of high erosion potential, development shall be sited and designed to minimize increased erosion.</i></p> <p><b>DevStd GEO-O-2.4</b>  <i>All surface water runoff shall be culverted and diverted to avoid erosion of exposed slopes and shall be directed to the nearest natural drainage channel. Where such measures are feasible and would not substantially increase erosion, vegetated earthen channels should be substituted for culverts. Cribwalls or other methods should only be used where necessary to retain slopes.</i></p> <p><b>DevStd GEO-O-2.6</b>  <i>All landscape plans shall be reviewed by P&amp;D to ensure revegetation of graded areas in areas of sandy soils. Landscape securities shall be required unless expressly waived by P&amp;D.</i></p> <p><b>DevStd GEO-O-2.7</b>  <i>The County shall consider allowing lots to be drained to the rear only where it can be demonstrated that such rear-draining will reduce overall grading associated with a project and will provide an equal level of flood control protection as standard front-draining design.</i></p>	<p><b>Consistent:</b> The developable area is located in the areas identified in the OCP. Conditions of approval are required to prevent and reduce erosion and siltation.</p> <p><b>Consistent:</b> Surface water is collected and directed to an on site retention basin designed to Flood Control District standards. Adherence to conditions requiring inclusion of erosion control measures would ensure consistency with this policy.</p> <p><b>Consistent:</b> Final landscape plans and a landscape surety are required prior to approval of Land Use Permits for construction of structures.</p> <p><b>Consistent:</b> The drainage system is designed to direct storm water runoff to the on-site retention basin.</p>
<p><b>Orcutt Community Plan History and Archaeology Policies</b></p>	
<p><b>Policy HA-O-1</b>  <i>Archaeological and historic resources in the Orcutt Planning Area shall be protected and preserved to the maximum extent possible.</i></p>	<p><b>Consistent:</b> No archaeological sites were identified on the property. The standard County discovery mitigation measure will ensure that no archaeological impacts will occur.</p>
<p><b>Orcutt Community Plan – School Policies</b></p>	
<p><b>Policy SCH-O-1:</b> <i>The County shall strive to ensure that new development fully mitigates its impacts to school facilities and does not cause school overcrowding.</i></p>	<p><b>Consistent.</b> While the project's impacts on schools are significant and unavoidable, the County is preempted by state law from denying the project for failure to provide any mitigation beyond the required developer fee. The County cannot require the payment of these fees in this case as the</p>



REQUIREMENT	DISCUSSION
	<p>school districts have waived the requirement for such fees for Tract Map 12,414 which was recorded prior to September 1, 1986, the date of the adoption of the school fee program, and therefore the impact fees can not be assessed.</p>
<p><b>Orcutt Community Plan – Transportation Policies</b></p>	
<p><b>Policy CIRC-O-4:</b> <i>A determination of project consistency with the standards and policies of the Orcutt Community Plan Circulation Section shall constitute a determination of consistency with LUDP#4 with regard to roadway and intersection capacity.</i></p>	<p><b>Consistent.</b> The project is expected to generate 18 PHT and 188 ADT (0.56 PHT/hr.; 5.86 ADT/unit; ITE). The Foster Road/S.R. 135 intersection and the Foster Road segment between Bradley Road and S.R. 135 would be the areas that are impacted. The intersection is currently operating at a LOS C (Orcutt Transportation Improvement Plan) and has a threshold of 15 PHT. The project is expected to generate 9 PHT at this intersection which is below the threshold of significance. The Foster road segment is currently operating at 8,800 ADT which is well below the design capacity of 11,600 ADT and below the LOS C threshold of 9,300 ADT. Pursuant to the Orcutt Community Plan, Circulation Element, Section C, page 156, Consistency Standards for Secondary Roadways (S-1 through S-3) which states: “For Secondary roadway segments where the Estimated Future Volume does not exceed the Acceptable Capacity; a project is consistent with this section of the Community Plan.”, this project is consistent since Foster Road is classified as S-1 and the Estimated Future Volume (project generated ADT’s added to the existing ADT’s) is less than the LOS C threshold or Acceptable Capacity.</p>
<p><b>Orcutt Community Plan – Noise Policies</b></p>	
<p><b>Policy NSE-O-1:</b> <i>Development of new noise sensitive uses (as defined in the Noise Element) in Orcutt should provide attenuation of ambient noise levels for indoor living areas and, where practical, for outdoor living areas.</i></p> <p><b>DevStd NSE-O-1.5</b>  <i>All residential development proposed for the area within the 60 dB or greater CNEL airport noise contour shall provide a Truth-in-Sales notice for future units indicating that the site is affected by low aircraft over flights and nuisance noise impacts. These sites include 5-9, 12, 18-23, 25-30, 32, 34, N, E, F and G. (per Airport Land Use Commission).</i></p> <p><b>Policy NSE-O-2:</b> <i>Construction noise in Orcutt shall be minimized during non-standard work hours.</i></p> <p><b>DevStd NSE-O-2.1:</b> <i>Standard construction working hours (i.e., 7 a.m. to 4:00 p.m., Monday-Friday) shall be required for development activities. Flexibility to allow extended hours on weekdays and/or occasional working hours on Saturdays should be determined on a case-by-</i></p>	<p><b>Consistent.</b> <u>Glide Path Overflights</u> - The noise element defines this residential project as a noise sensitive receptor. As such, exterior noise must not exceed 65 dB(A) CNEL. While individual overflight of the property by airplanes sometimes exceeds 65 dB(A), the averaging of all noise effecting the project site would remain below 65 dB(A) CNEL. Interior noise levels must be reduced to 45 dB(A) CNEL or less. This has been achieved in the existing units through standard construction techniques which generally reduce noise by 20 dB(A). The original EIR identified the open space and recreational areas of the site (under the flight path) as being subjected to high ambient noise levels. The Noise Element, prepared and adopted after certification of the original EIR, showed that exterior noise levels for all the units would not exceed adopted standards of 65 dB(A). All portions of the 3.21 acre Phase IV development are outside the 1500 foot wide airport safety corridor. The Airport District has requested that an avigation easement be recorded for the units in Phase IV. This will be required as a condition of approval. With standard construction and recordation of the avigation easement, the project would be consistent with the Noise Element.</p>

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<p><i>case basis.</i></p>	<p><u>Union Valley Parkway</u> - At the time the original EIR was prepared, the Parkway (then called the East-West Expressway) was proposed to be a four lane expressway. Noise and conflict of uses would have been significant, however, the road was downgraded to a parkway which serves more as a collector or arterial. The Parkway has been constructed from U.S. 101 on the east through the Northpoint development on the west. No complaints have been filed with P&amp;D indicating the roadway to be a nuisance or in conflict with surrounding land uses. In fact, it has provided an alternate traffic route to avoid congested intersections along the Foster Road corridor. Therefore, impacts of the downscaling of the expressway to a parkway and its provision of alternate circulation patterns has been determined to be less than significant and is consistent with the Noise Element.</p> <p><b>Consistent.</b> Condition #3, in Attachment B, will restrict construction activity between the hours of 7 am and 4 pm and the project will be consistent with this policy and development standard.</p>
<p><b>Orcutt Community Plan – Risk of Upset Policies</b></p>	
<p><b>Policy RISK-O-3</b>  <i>The County shall minimize the risk to public safety associated with hazardous materials.</i></p>	<p><b>Consistent:</b> No hazardous materials will be used, stored, or transported on the project site.</p>
<p><b>Orcutt Community Plan – Air Quality Policies</b></p>	
<p><b>Policy AQ-O-2:</b> <i>Significant fugitive dust and PM<sub>10</sub> emissions shall be reduced through implementation of appropriate construction restrictions and control measures, consistent with standards adopted by the Board.</i></p> <p><b>Policy AQ-O-3:</b> <i>The County should promote the use of alternative fuels, solar energy systems, and the use of construction techniques which are designed to conserve energy and minimize pollution in Orcutt, consistent with, but not limited to the provisions of the CA Building Code.</i></p>	<p><b>Consistent.</b> Upon compliance with Condition of Approval #2 and Air Pollution Control District’s condition letter, the project will be consistent with OCP Air Quality policies.</p>
<p><b>Orcutt Community Plan – Fire Policies</b></p>	
<p><b>Policy Fire-O-1:</b> <i>The County shall strive to provide adequate fire protection service for the residents of Orcutt.</i></p> <p><b>DevStd Fire-2.2:</b> <i>The County shall require two routes of ingress and egress for development unless waived by the Fire Department.</i></p>	<p><b>Consistent.</b> The project would be served by County Fire Station #22 (Clark/Tiffany). Upon compliance with the conditions set forth in the Fire Department’s condition letter (Attachment B), the project would be consistent with this policy.</p> <p><b>Consistent.</b> Access is provided to the site by two access points off of Hummel Road. The two access points provide improved circulation and consistency with OCP Fire Policies and Development Standards.</p>
<p><b>Orcutt Community Plan – Resource Recovery Policies</b></p>	
<p><b>Policy RR-O-1:</b> <i>Resource conservation and recovery shall be implemented in Orcutt to divert the waste stream from area landfills to the maximum extent</i></p>	<p><b>Consistent.</b> The project will provide recycling bins onsite during construction of the units. The provision of recycling bins will reduce the waste to area landfills and</p>

REQUIREMENT	DISCUSSION
<p><i>feasible.</i></p> <p><b>DevStd RR-O-1.4:</b> <i>Developers shall provide recycling bins at all construction sites, where collection of currently accepted recyclable materials could be accommodated.</i></p>	<p>is consistent with the Resource Recovery Policies and Development Standards of the Orcutt Community Plan.</p>
<b>Orcutt Community Plan – Fiscal Policies</b>	
<p><b>Policy-FSCL-O-1</b>  <i>The County shall ensure that adequate funding is available for the construction of public infrastructure and facilities as identified in the Orcutt Community Plan and the Public Infrastructure Financing Program.</i></p>	<p><b>Consistent:</b> The project is required to pay for its share of public infrastructure costs. The OCP Fee Program is adopted and the project is subject to these fees.</p>
<p><b>Policy-FSCL-O-2</b>  <i>The County shall strive to ensure that funding is available for the operation and maintenance of public facilities in the community of Orcutt.</i></p> <p><b>DevStd-FSCL-O-2.2</b>  <i>All development should be required to pay its fair share of the cost of operation and maintenance of public facilities.</i></p>	<p><b>Consistent:</b> The project contains conditions that require that a long term funding source for maintenance be identified, and that the project be included in the identified funding mechanism, prior to land use clearance.</p>
<b>Orcutt Community Plan – Library Policies</b>	
<p><b>Policy LIB-O-1:</b> <i>The County shall strive to provide adequate library services for residents within the OPA.</i></p> <p><b>DevStd LIB-O-1.2:</b> <i>The County shall require a library mitigation fee on development to fund the cost of acquisition by purchase or lease, construction, and furnishing of a new library facility. The fee shall be determined upon completion of an infrastructure financing program. All development approved after adoption of the OCP shall be subject to this fee, which shall be paid prior to issuance of Building Permits or as determined by the infrastructure financing program.</i></p>	<p><b>Consistent:</b> The Library Fee has been adopted by the County and the proposed project is subject to this fee.</p>

### 6.3 Ordinance Compliance

The project parcel is zoned DR 3.3 under Article III of the zoning ordinance. Single-family dwelling units are a permitted under Section 35-222.4 of Article III, in this zone district. The project is in conformance with the twenty (20) foot front setback, ten (10) foot side and rear setbacks, thirty-five (35) feet maximum height requirement, and thirty (30) percent building coverage maximum.

The project is consistent with Section 35-256, Division 6, Parking Regulations of Article III. The requirements are as follows:

- a) One (1) space per single bedroom unit;
- b) Two (2) spaces per two bedroom unit;
- c) Two and one-half (2.5) spaces per three or more bedroom unit;

d) One (1) space per five (5) dwelling unit.

The project requires 81 parking spaces and provides 82 spaces. Parking calculations are as follows:

- |   |                     |
|---|---------------------|
| a) Twelve (12) two bedroom units        | = 24 spaces         |
| b) Twenty (20) three bedroom units      | = 50 spaces         |
| c) Guest Parking: (1 space per 5 units) | = <u>6.4 spaces</u> |
|   | = 81 total spaces   |

Article III of the zoning ordinance requires forty (40) percent of the net area to be devoted to common open space. The overall project exceeds this minimum as well as Phase IV which has a 40.7% open space area within the phase boundaries. The title to this open space is held by the Homeowner's Association which is consistent with the requirements of Article III.

The project also complies with additional requirements for condominiums that the Planning Commission/Board of Supervisors may apply to projects in the DR zone as follows: 1) individual metering for utilities for each unit; 2) provisions for separate laundry facilities in each dwelling unit; 3) each unit to have a private outdoor patio or balcony; and 4) handicap access to common open space and recreation areas.

Based on the discussion above, Northpoint Unit III, Phase IV is consistent with the requirements and restrictions of the DR 3.3 zone as set forth by Section 35-222 of Article III of the Zoning Ordinance.

## **6.4 Subdivision/Development Review Committee**

All County Departments and the Santa Maria Public Airport District have reviewed the Northpoint Village Unit III, Phase IV project. The departmental condition letters are included in Attachment B.

## **6.5 Board of Architectural Review**

No review is proposed since the project is being built according to the original building footprints, with the same elevations, materials and colors. The proposed project would be consistent with the existing Phases of the Northpoint Village.

## **7.0 APPEALS PROCEDURE**

The action of the Planning Commission may be appealed to the Board of Supervisors within ten (10) calendar days of said action.

## **ATTACHMENTS**

- A. Findings
- B. Conditions of Approval
- C. Supplemental Document 92-SD-2, with Section 15162
- D. 92-SD-2 CEQA Findings and Statement of Overriding Considerations
- E. 78-EIR-9
- F. Zoning Map
- G. Reduce Project Plans

### **PLANNING COMMISSION ONLY**

Exhibit 1 – Full Size Final Development Plan including site plan, grading plan, landscape plan and architectural elevations and floor plans

## **ATTACHMENT A: FINDINGS**

### **1.0 CEQA FINDINGS**

- 1.1** Finding that Section 15162 of the State CEQA Guidelines applies to the Northpoint Unit III, Phase IV, 98-DP-023. CEQA Section 15162 allows the use of a previously prepared EIR unless subsequent changes are proposed in the project which will require important revisions of the previous EIR due to the involvement of new significant environmental impacts, or there are substantial changes with respect to the circumstances under which the project is undertaken, or new information becomes available. As discussed in Section 6.1 of the staff report, there are no substantial changes to the proposed project and neither new significant environmental effects nor substantial increases in the severity of previously identified significant effects would result from the proposed project. Moreover, the proposed reduction in bedrooms on several of the units, and the slight reduction in parking spaces, would not change the conclusions of the environmental documents.
- 1.2** The Planning Commission may find that the previous environmental documents 78-EIR-9 and 92-SD-2 for the Northpoint Village and Phase IV may be used to fulfill the environmental review requirements of Northpoint Unit III, Phase IV, 98-DP-023. No impacts previously found to be insignificant are now significant. The changes to the number of bedrooms and the increase in parking do not change the conclusions of the environmental documents. Taken together, the original environmental documents and this determination fulfill the environmental review requirements of the current project and reflects the independent judgment of the Planning Commission. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15162, preparation of a new EIR is not necessary.
- 1.3** The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Santa Barbara County Planning Commission, Ms. Dianne Black, in the Planning and Development, located at 123 E. Anapamu Street, Santa Barbara, CA 93101.
- 1.4** Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

### **2.0 ADMINISTRATIVE FINDINGS**

#### **2.1 Development Plan Findings**

Pursuant to Section 35-315.8 of Article III, a development plan application shall only be approved or conditionally approved if all of the following findings are made.

**2.1.1 *That the site for the project is adequate in size, shape, location and physical characteristics to accommodate the density and intensity of development proposed.***

The proposed project was originally evaluated under TM 12,414 and 82-DP-3 at which time a finding was made that the project was adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed. In that the project involves the development of previously recorded parcels, a reduction in density is not feasible. Moreover, the site is presently located within a developed urban area of Orcutt. The site is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of the proposed development as evidenced by the following:

- a. The shape of the site is fairly regular, and is not a concern to development. No special setback requirement or modifications to building size or shape are required.
- b. The site is adjacent to three roadways (Foster, Hummel and Union Valley Parkway) which provide access for the site. Two new internal roadways would be added to existing internal roadways for circulation within the Northpoint development.
- c. The topography in the area of Phase IV is relatively flat, due to rough grading of the site during earlier phases of Northpoint and would accommodate the proposed development without major changes in the relationship of existing grade elevations to abutting properties.
- d. The current development conforms to the previous Phase IV of the original Northpoint development, approved as 82-DP-03 and 92-DP-017. All other phases of development have been constructed and occupied.

**2.1.2 *That adverse impacts are mitigated to the maximum extent feasible.***

Adverse impacts are mitigated to the maximum extent feasible as indicated in the environmental documents. All impacts have been mitigated to insignificance with the exception of the school impacts. The County is preempted by State law from requiring mitigation of this impact beyond the developer fees (per § 65995), and the school district fees can not be assessed because the school districts waived the fees and the Tract Map was recorded prior to the implementation of the fee program. Therefore, there is no feasible mitigation for the school impact and this finding can be made.

**2.1.3. *That streets and highways are adequate and properly designed.***

The project is expected to generate 18 PHT and 188 ADT (0.56 PHT/hr.; 5.86 ADT/unit; ITE). The Foster Road segment between Bradley Road and S.R. 135 currently operates at

8,800 ADT which is above the policy capacity (5000 ADT), but well below the design capacity of 11,800 ADT. Since there are no sharp curves, poor sight distance, or inadequate pavement structure, etc. (as described in the threshold manual), the project could exceed the policy capacity and not result in significant impact to the roadway. An alternate access route via Hummel and Union Valley Parkway is also available to bypass Foster Road during peak hours. Two new private internal roadways will be added to existing internal private roadways to allow access to the private driveways. Pursuant to the Supplemental Document, impacts to existing roadways would be considered less than significant.

**2.1.4 *That there are adequate public services, including, but not limited to, fire protection, water supply, sewage disposal and police protection, to serve the project.***

The Golden State Water Company has issued a Can and Will Serve letter for the project. The district has determined that adequate water resources are available for the life of the project. Laguna County Sanitation District also has issued a Can and Will Serve letter for the project. Adequate capacity at the sewage treatment plant has been reserved for this project and others that have received the Can and Will Serve letter. With implementation of the County Fire Department's proposed conditions of approval, adequate services would be available. No additional services were deemed necessary for police protection.

**2.1.5. *That the project will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood and will not be incompatible with the surrounding areas.***

The project would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and would be compatible with surrounding areas as evidenced by the following:

- a. The project would be served by all public utilities.
- b. Environmental impacts would be mitigated to the maximum extent feasible as discussed above.
- c. The 32 units would be separated from the adjacent single family development by a solid block wall. The wall would be a continuation of the wall that separates prior phases of Northpoint from single family homes to the east. The 32 units would be compatible with development to the north and west which are prior phases of the Northpoint development. The height, scale, colors and character of the existing Northpoint units have been used in Phase IV as well.

**2.1.6. *That the project is in conformance with the applicable provisions of Article III and the Comprehensive Plan.***

Although development of the 32 units within the 3.4 acre gross portion would result in a density of 9.4 units/acre, given the entire project, approved as a single project and found



consistent with the density, 219 units on 80 acres, total project density is below the maximum density of 3.3 units/acre allowed [219 units/80 acres = 2.74 units/acre]. Since Phase IV is a portion of the overall Northpoint development, the project is in compliance with the density allowed by the DR-3.3 zone district. Based on provisions addressed in the Staff Report dated September 1, 2006, the project would be consistent with all Comprehensive Plan policies and Zoning Ordinance Article III. The project is consistent with the Circulation Element which was in effect at the time the project was deemed complete.

**2.1.7. *That in rural designated areas the use is compatible with and subordinate to the scenic and rural character of the area.***

The proposed project is located within a designated urban area of the township of Orcutt, as such, this finding does not apply.

**2.1.8. *That the project will not conflict with any easements required for public access through, or public use of, a portion of the property.***

There are no known public access easements that would be affected by this project. The map, recording the parcels, acknowledged applicable easements for utility and infrastructure purposes to serve this project.

**ATTACHMENT B: CONDITIONS OF APPROVAL (98-DP-023)**

**I. Project Description:**

1. This final development plan [98-DP-023] is based upon and limited to compliance with the project description, Planning Commission Exhibit 1 (Final Development Plan including grading plan, landscape plans, floor plans and elevations) and conditions of approval set forth below. Any deviations from the project description or the conditions must be reviewed and approved by the Director of P&D for conformity with this approval. Deviations may require modification to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

**Hearing on the request of Mr. Leo Evans, to consider Case number 98-DP-023 [application filed August 25, 1998] for approval of a Final Development Plan under the provisions of Article III of the DR 3.3 Zone District, to construct 32 (2, 3 and 4 bedroom) townhouse condominiums on previously recorded lots (TM12,414) and one common lot.**

**A total of four buildings (one 8 unit, one 6 unit, and two 9 unit) would make up the total proposed structures. The size of the units would range from 1,671 sq. ft. (2 bedrooms) to 1,810 sq. ft. (3 bedrooms) and all units would have an attached two car garage. The buildings would range from 20 feet (one-story) in height to 30.5 feet (two-story). The structures would cover 25.2% (35,220 sq. ft.) of the total 3.21 acre site.**

**The proposed population of the project would be approximately 137 residents. A total of 82 parking spaces would be provided for a ratio of 2.56 spaces per unit.**

**Open space and landscaping on the property would cover 40.7% of the site for a total of 57,026 sq. ft. Amenities (barbecues, benches, picnic tables) would be provided in the common areas.**

**Water and sewer services are to be provided by the Golden State Water Company and Laguna County Sanitation District (LCSD), respectively. Fire protection service for the site would be provided by Santa Barbara County, Station #22.**

**Public roadway access would come from Hummel Road, to two proposed private drives (24 ft. wide) that provide access to the residential driveways. Drainage for the site would be directed toward an existing retention basin. The project corresponds to Phase IV of the original Northpoint Village Development.**

**The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and**

the conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the conditions of approval hereto. All plans submitted for review and approval shall be implemented as approved.

## **II. Mitigation Measures from Environmental Document**

### **Air Quality:**

2. Dust generated by the development activities shall be retained on site and kept to a minimum by following the dust control measures listed below.
  - a) During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
  - b) After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to prevent wind pickup of the soil until the area is paved or otherwise developed so that dust generation will not occur.
  - c) During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
  - d) All areas not proposed for immediate development (e.g. within two weeks) shall be seeded or treated with soil binders to prevent soil erosion or dust generation.
  - e) Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
  - f) Trucks transporting soil, sand, cut or fill materials to or from the site shall be tarped from the point of origin.
  - g) The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary, to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress.

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

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

**MONITORING:** P&D shall ensure measures are on plans. P&D, Grading and Building shall spot check; Grading, Building shall ensure compliance on-site. APCD inspectors shall respond to nuisance complaints.

**Noise:**

3. Construction activity for site preparation shall be limited to the hours between 7 a.m. and 4 p.m. Monday through Friday. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting and drywall taping are not subject to these restrictions. Two signs stating these restrictions shall be provided by the applicant and posted on site at entrances. **Timing:** Signs shall be in place prior to LUP for grading and throughout construction activities.

**MONITORING:** Building Inspectors and Permit Compliance shall spot check and respond to complaints.

4. Proposed construction methods and materials shall provide a noise reduction factor of not less than 20 dB(A) in all interior habitable living areas.

**MONITORING:** Construction plans shall be reviewed by the Building and Safety Division of Public Works to determine that proposed construction methods and materials shall provide a noise reduction factor of not less than 20 dB(A) in all interior habitable areas.

**Water Resources:**

5. Landscaping with low water-use, drought tolerant plants, shall comprise at least 75% of all new landscaping and lawn areas shall be minimized. Drought tolerant natives and/or Mediterranean type landscape screening, with sufficient trees as determined by Planning and Development staff, shall be included in the landscape plan and planted on the site. The vegetation shall be staggered and shall be situated to blend with natural habitats and to screen the effects of grading and paving. The applicant shall submit three copies of a final landscape plan for all 32 units to P&D for review and stamped approval prior to issuance of a land use permit for residential construction. Performance security shall be posted with the County, for plant installation, water-conserving irrigation, and 3-year maintenance prior to issuance of a land use permit for residential construction. However, if the development is phased, the applicant shall post sureties for the balance of the units prior to issuance of building permits. The surety shall guarantee compliance with the provisions below:
  - a. Installation of landscaping, irrigation, timers, walls, fencing and amenities in accordance with the approved landscape plan prior to occupancy clearance; and
  - b. Two performance securities shall be provided by the applicant prior to land use clearance for residential construction, one equal to the value of installation and/or replacement of all items listed in section a. above (labor and materials) and one equal to the value of maintenance of the items listed in section a. for three years. These amounts shall be agreed to by P&D. Changes to approved landscape plans may require a substantial conformity determination or a modification to the plan. The installation security shall be released upon satisfactory installation of all items

in section a. If plants and irrigation (and/or any items listed in section a. above) have been established and maintained, P&D may release the maintenance security 3 years after installation. If applicant fails to either install or maintain according to plan, P&D may collect security and complete work on property.

**MONITORING:** P&D shall review and approve landscape plans. Bonds shall be reviewed by P&D and approved as to form by County Counsel, if necessary. Prior to occupancy, landscaping and irrigation shall be installed and inspected by P&D compliance staff. P&D shall inspect plantings prior to release of both installation and maintenance sureties.

6. Prior to issuance of Land Use Permit for residential construction, the applicant shall provide evidence that an avigation easement has been recorded over each lot in Phase IV.

**MONITORING:** P&D Compliance staff shall verify that the document has been recorded before any permits for structures are issued by this department.

### **III. Project Specific Conditions**

7. **Grading/Erosion Control.** A grading and erosion control plan, which minimizes erosion/sedimentation, shall be implemented, including the following:
  - a. Graded areas shall be re-vegetated within 4 weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. If necessary, as determined by Planning and Development (P&D), irrigation shall be provided.
  - b. Until construction of individual homes, exposed areas shall be stabilized to prevent wind and water erosion, using methods approved by the P&D Grading Division and Air Pollution Control District.
  - c. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.
  - d. Temporary storage of construction equipment shall be limited to 100 by 100 foot areas located on-site.
  - e. The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a P&D Building & Safety approved erosion control plan is in place and all measures therein are in effect.
  - f. Irrigation shall be controlled so that over watering does not occur. An irrigation schedule shall be reviewed and approved by P&D prior to land use clearance for grading.

**Plan Requirements:** The grading and erosion control plan shall be submitted for review and approved by P&D and the Flood Control District prior to approval of the first land use permits for the project. This condition shall be noted on grading plans. Applicants for development shall notify P&D Permit Compliance prior to commencement of grading.

**Timing:** Components of grading plans shall be implemented prior to occupancy clearance. **Monitoring:** Permit Compliance will photo document re-vegetation and

ensure compliance with plan. Grading inspectors shall monitor technical aspects of the grading activities.

8. **Drainage Control.** Drainage shall be consistent with approved drainage plans. Runoff from roof drains and gutter downspouts shall be collected and conveyed to the street or nearest catch basin. **Plan Requirements and Timing:** A drainage plan which incorporates the above and includes a maintenance and inspection program to ensure proper functioning shall be submitted prior to approval of Land Use Permit for site grading by the applicant to P&D and the Flood Control District for review and approval. The plan shall include the location(s) of all proposed pipelines, the entire length of all proposed pipelines, trees located within fifteen feet of the pipeline, pipe diameters, and locations where the pipe(s) would surface in the creek, and amount of water that would flow from each pipeline. The components of the drainage plan shall be implemented as part of the project site grading. Grading inspectors shall monitor technical aspects of grading activities.
9. **Grading in dry season:** The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety approved erosion and sediment control plan is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within 4 weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion. P&D shall site inspect during grading to monitor dust generation and 4 weeks after grading to verify reseeded and to verify the construction has commenced in areas graded for placement of structures.
10. **Seismic Standards.** Structures shall be designed to earthquake standards of the Uniform Building Code Seismic Zone IV. **Plan Requirements and Timing:** Prior to plan check, the applicant shall submit building plans indicating standards to the satisfaction of Building and Safety Division. Building inspectors shall site inspect prior to occupancy clearance.
11. **Archaeological/Cultural Resources Discovery.** In the event that archaeological or palaeontological remains or historical artifacts are uncovered during grading, work shall be stopped immediately or redirected until a County-qualified archaeologist and, as applicable, a Native American representative or historian, are retained by the applicant to evaluate the find pursuant to the County Archeological Guidelines. If a cultural resources site is found, Orcutt Community Plan 95-EIR-01 Mitigation Measures ARCH-1 through ARCH-9 shall apply. **Plan Requirements and Timing:** The developer shall fund all mitigation of resource impacts. This measure shall be printed on all grading and building plans. This measure shall be in effect throughout grading and building.

12. A trash storage area shall be installed which is architecturally compatible with the project design. The storage area shall be enclosed with a solid wall of sufficient height to screen the area and shall include a solid gate. The trash storage area shall be maintained in good repair. **Plan Requirement:** Location and design of trash storage area shall be denoted on landscaping plans. **Timing:** Trash storage area shall be installed prior to occupancy.
13. Prior to land use clearance of the Development Plan, the applicant shall form a Homeowner's Association and record CC&R's that provide for shared maintenance responsibilities by parcels 107-560-001 through 107-560-032 for the private open space area (APN 107-560-033) appurtenant landscaping, subject to approvals from Flood Control, P&D and County Counsel. The CC&R's shall also include by reference responsibilities for all parcels to maintain property in compliance with all conditions of approval for the project. The Homeowner's Association shall pay the existing Northpoint HOA for its share of the repair and maintenance to Northpoint Circle and Parkview North (existing access roads) and the existing Northpoint retention basin; the pro rata share shall be 15% of any such repairs and maintenance.
14. Project grading shall not exceed the limits shown on the preliminary grading and drainage plan. Staff may determine substantial conformity if the final grading plan shows grading volumes that exceed original estimates. **Plan Requirements:** The requirement shall be printed on the grading and construction plan. P&D to review and approve final grading and drainage plans. Grading/Building Inspectors shall monitor technical aspects of the grading activities.
15. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements:** This requirement shall be printed on the grading and construction plan. Permittee shall provide P&D with receipts for recycled materials or for separate bins. **Timing:** Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance. P&D shall review receipts prior to occupancy clearance.
16. **Washout Area:** During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs. **Plan Requirements:** The applicant shall designate a washout area, acceptable to P&D, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to approval of Land Use Permits. The washout area(s) shall be in place and maintained throughout construction. P&D staff shall check plans prior to approval of

Land Use Permits and compliance staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area(s).

17. Electrical utilities shall be installed underground.
18. Consistent with the project description and to provide consistency with Orcutt Community Plan Fiscal Policy FSCL-O-2 and Development Standards DevStd FSCL-O-2.2 (new development is required to pay its fair share of the cost of operation and maintenance of public facilities), DevStd FLD-O-4.2(regional retention basins), DevStd OS-O-7.3 (recreation facilities, landscape medians, open space, trails), and DevStd LIB-O-1.4 (library), and to provide revenue for operations and maintenance of such regional public facilities shown in the Orcutt Community Plan Public Infrastructure Finance Program, prior to land use clearance the permittee shall complete annexation to the existing Community Facilities District unless the Board of Supervisors determines there is an alternative funding mechanism.
19. Any exterior night lighting installed on the project site shall be of low intensity, low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. **Plan Requirements:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on a Lighting Plan to be reviewed and approved by P&D. **Timing:** P&D shall review a Lighting Plan for compliance with this measure prior to approval of a Land Use Permit for structures. Permit Compliance shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

#### **IV. Standard Conditions**

20. Approval of the Final Development Plan shall expire five (5) years after approval by the Planning Commission, unless prior to the expiration date, the first house in the development has been completed or a time extension has been applied for by the applicant. The decision-maker with jurisdiction over the project may, upon good cause shown, grant time extensions in accordance with the provisions of Article III.
21. No permits for development, including grading, shall be issued except in conformance with an approved final development plan. The size, shape, arrangement, use, and location of buildings, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved final development plan marked Planning Commission Exhibits A-F, dated September 13, 2006. Substantial conformity shall be determined by the Director of P&D.
22. If the applicant requests a time extension for this project, the project 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. Mitigation fees shall be those in effect at the time of approval of a LUP.

**V. County Rules and Regulations:**

23. **Additional Permits Required.** Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use Permit (zoning clearance) from the Planning and Development Department for all 32 units. Land use clearance for the 32 units shall not be phased even if development is phased. A Land Use Permit expires one year from issuance and a time extension must be sought by the applicant prior to expiration of the LUP. The Land Use Permit (zoning clearance) is required by ordinance and is necessary to ensure implementation of the conditions required by the Planning Commission. Before a Land Use Permit (zoning clearance) will be issued by the Planning and Development Department, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available in the Planning and Development Department.
24. Prior to issuance of a Land Use Permit, the owner shall sign and record an agreement to comply with the project description and all conditions of approval. The forms are available at the P&D office.
25. Compliance with Departmental letters required as follows:
  - a. Air Pollution Control District dated August 25, 2006.
  - b. Environmental Health Services dated July 31, 1992.
  - c. Fire Department dated November 2, 1998.
  - d. Flood Control dated August 29, 2006.
  - e. Roads Division (Public Works) dated July 22, 1992.
  - f. Park Department dated October 21, 1998 (No conditions).
  - g. Santa Maria Public Airport District dated June 24, 1992.

**Plan Requirements:**

26. **Print & illustrate conditions on plans:** All applicable final conditions of approval Planning Commission shall be 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.

**Fees Required:**

27. **Mitigation Monitoring required:** The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the applicant agrees to:

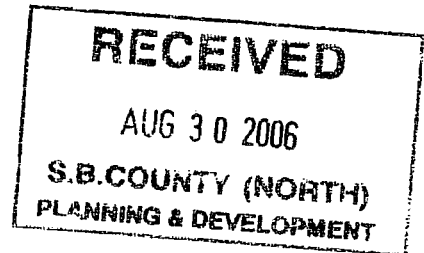
- a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
  - b. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, compliance staff, and other agency personnel and with key construction personnel.
  - c. Pay fees prior to approval of Land Use Permits as authorized under ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.
28. **Fees Required:** Prior to recordation of the map, the applicant shall pay all applicable P&D permit processing fees in full.
29. All applicable Orcutt Community Plan fees shall be paid prior to Land Use Clearance.
30. **Indemnity and Separation Clauses:** Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attach, set aside, void, or annul, in whole or in part, the County's approval of the final development plan. In the event that the County fails promptly to notify the applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
31. **Legal Challenge:** In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for in section 66499.37, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the Planning Commission and no approval shall be issued unless substitute feasible mitigation conditions/measures are imposed.
32. Title to the Open Space shall be held by a non-profit association of property owners in the subdivision, or to any other individual or entity upon such reasonable times and conditions as the Planning Commission may prescribe, subject to the rights to the develop such property to any other use than Open Space or non-commercial recreation uses shall be conveyed to the County of Santa Barbara.





Santa Barbara County  
Air Pollution Control District

TO: Department of Planning and Development  
ATTN: John Zorovich  
FROM: Vijaya Jammalamadaka *VJ*  
DATE: August 25, 2006  
CASE #: 98-DP-023 Northpoint Unit III Phase IV  
(APN 107-560-001)  
(APN 107-560-032)  
(APN 107-560-033)



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

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

cc:  
Urban Planning Concepts, Agent  
~~Project File~~  
TEA Chron File

**SANTA BARBARA COUNTY  
AIR POLLUTION CONTROL DISTRICT  
STANDARD DUST CONTROL REQUIREMENTS**

1. Dust generated by the development activities shall be retained onsite and kept to a minimum by following the dust control measures listed below. Reclaimed water shall be used whenever possible.
  - a. During clearing, grading, earth moving or excavation, water trucks or sprinkler systems are to be used in sufficient quantities, after each day's activities cease, to prevent dust from leaving the site and to create a crust.
  - b. After clearing, grading, earth moving or excavation is completed the disturbed area must be treated by watering or revegetating; or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
  - c. During construction, water trucks or sprinkler systems are to be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

2. Importation, Exportation and Stockpiling of Fill Material:

Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

Trucks transporting fill material to and from the site shall be tarped from the point of origin.

If the construction site is greater than five acres, gravel pads must be installed at all access points to minimize tracking of mud on to public roads.

3. Activation of Increased Dust Control Measures:

The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

4. Recordation of Mitigation Measures:

Prior to land use clearance the applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.

COUNTY OF SAN A BARBARA  
ENVIRONMENTAL HEALTH SERVICES DEPARTMENT

120 CREMONA DRIVE, SUITE C • COLETA, CALIFORNIA 93117  
PHONE (805) 681-4900 • FAX: (805) 681-4901



GARY W. ERBECK, R.E.H.S., M.P.H.  
DIRECTOR

ES X 8743-D

TO: Resource Management Department  
Development Review Division  
Attn: Larry Appel, Planner

FROM: Rick Merrifield  
Environmental Health Services

8743-D *RM*

DATE: July 31, 1992

*Northpoint*

SUBJECT: Case No. 92-OA-006 (REVISED)  
Related Case No. TM 12,414

Orcutt Area

Applicant: Robert Wilks  
5845 Oakhill Drive  
Santa Maria, CA 93455

Property Location: Assessor's Parcel No.'s 107-560-001, -032 and -033 zoned PR, located just south of Foster Road, approximately 0.25 mile east of Hwy. 135 in the existing development of Northpoint, in the Orcutt area.

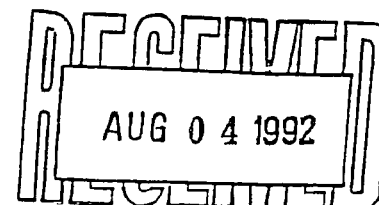
This letter supersedes previous correspondence regarding this project dated July 2, 1992 and is written to correct the timing of recommended conditions of approval.

92-OA-006 represents a request to approve a development agreement to allow construction of 32 townhouse condominiums on previously recorded lots (TM 12,414) and one common lot. The project corresponds to Phase IV of the original Northpoint Village development.

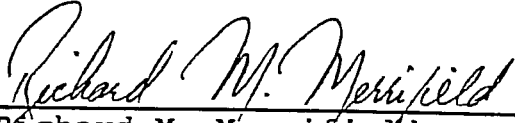
Domestic water supply is proposed to be provided by Southern California Water Company.

Sewage disposal is proposed to be provided by Laguna County Sanitation District.

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



1. Prior to Land use Clearance, Environmental Health Services shall approve written notice from the Southern California Water Company indicating that said company can and will provide domestic water service upon demand and without exception and that all financial arrangements guaranteeing extension of said service have been made to the satisfaction of the district and Environmental Health Services.
2. Prior to Land Use Clearance, Environmental Health Services shall receive written notice from the Laguna County Sanitation District indicating that said district can and will provide municipal sewage collection and disposal service upon demand and without exception and that all financial arrangements guaranteeing extension of said service have been made to the satisfaction of the district and Environmental Health Services.
3. Prior to Issuance of Building Permits, Environmental Health Services shall review and approve the construction plans and regulations for the spa pool and any necessary rest rooms for the pool related facilities.

  
Richard M. Merrifield, R.E.H.S.  
Sr. Environmental Health Specialist

cc: Applicant

Agent, Dennis Bethel & Associates, 2450 Professional  
Parkway, Suite 10, Santa Maria, CA 93454

Southern California Water Company

Laguna County Sanitation District

County Counsel, Rick Sanchez

County Surveyor, Rich Riffero



FA X E D  
NOV - 2 1998  
Page 1 of 4

MEMORANDUM

TO: Brian Foss, Planner  
Planning and Development, Santa Maria Office

FROM: <sup>(JK)</sup> Thadiaz King, Captain  
Planning and Engineering Services Section

DATE: November 2, 1998

RE: APN: 107-560-001,032, 033; Case # 98-DP-023; Site: North Point Circle  
Unit III Phase IV *This letter supersedes all previous condition letters.*

RECEIVED  
NOV 02 1998  
S. B. COUNTY (NORTH)  
PLANNING & DEVELOPMENT

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

**PLEASE READ THIS CONDITION LETTER CAREFULLY. This letter contains conditions on the following subjects:**

- FEES
- ALARM SYSTEM
- HAZARDOUS MATERIALS
- ROAD OR DRIVEWAY ACCESS
- FIRE SPRINKLER SYSTEM
- STORED WATER FIRE PROTECTION SYSTEM
- FIRE HYDRANT(S)
- ADDRESSING
- GATED ACCESS
- FIRE EXTINGUISHERS
- VEGETATION MANAGEMENT PLAN
- ROAD NAME(S)
- AGRICULTURAL BUILDINGS
- OTHER



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

- All access ways (public or private) shall be installed and made serviceable. Roadway plans, acceptable to the fire department, shall be submitted for approval prior to any work being undertaken.

Access to this project shall conform to Santa Barbara County Private Road and Driveway Standard #1. Dead end access roads shall terminate with a fire department approved turnaround.

Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building.

A minimum of 14 feet of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.

Your road/driveway will need to be  $\geq 28$  feet wide with no parking on either side. Curbs to be painted red with appropriate signage as required. Access roads under 36 feet in width shall be posted and striped to indicate parking on one side only.

- A road name(s) shall be required for all public and private roads and for any roads when deemed necessary by the fire department. Please call the Protection Services Division, (805) 681-5523 for additional information and application procedures.
- **Three (3)** fire hydrant(s) shall be installed. The hydrants shall be located per fire department specifications and shall flow 1250 gallons per minute at a 20 P.S.I. residual pressure. Prior to installation, plans showing locations, size and type of hydrants, valves, main lines and lateral lines shall be approved by the fire department. The system shall be tested by the fire department to ensure compliance with recognized standards.
- The applicant shall submit for fire department approval, a landscape and fuel management plan in conformance with Santa Barbara County Fire Department Standard #3-A. (attached)

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

- An automatic fire sprinkler system will need to be installed. Fire sprinkler plans are required to be checked and approved by this department, prior to installation. Any system must be in compliance with Santa Barbara County Fire Department Standard #4 (attached). The system shall be installed in accordance with the latest edition of the NFPA Standard 13-D and 13-R.

Should a Fire Department Connection(s) (FDC) be required, location and type to be determined by the fire department prior to installation.

Any work being undertaken by the applicant (including applicants, agents or contractors) shall be in accordance with the following:

- The fire department shall have on file a set of approved plans prior to any work being done.
  - A set of approved plans, stamped and dated by the fire department shall be kept at the work site and available upon request.
  - Water system(s) shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
  - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by a fire department representative.
  - A minimum of 72 hours' notice shall be given to the fire department by the applicant prior to scheduling an inspection.
- Building address numbers must be a minimum height of three (3) inches for residential and six (6) inches for commercial, reflective, and a color contrasting to the background color.

The address number shall be elevated at least three (3) feet from the ground for clear visibility and easy directional identification.

The numbers shall be visible from the access road when traveling in either direction. If the driveway is over 150 feet in length or the building is obstructed from view at the access road, numbers shall be posted at any driveway and road intersections as is necessary.

- The applicant will be required to pay a fee. In accordance with Chapter 15 of the Santa Barbara County Code, the fee shall be per square foot on each new building, including non-habitable spaces, paid for the purpose of mitigating the incremental increase in needs for emergency services generated by the development.

Checks shall be made payable to the Santa Barbara County Fire Department and shall be paid at the Building and Safety Division of the Planning and Development Department.

- Mitigation fees are subject to change prior to the issuance of the building permit.

**Fee Reduction For Automatic Fire Sprinkler Systems:**

A fire department mitigation fee reduction of 50% will be allowed on buildings fully protected by an automatic fire sprinkler system which is approved by the fire department.

Estimated fees are:

\$ .20 x 70,840 square feet = \$14,168.00	Estimated Total Mitigation Fee
\$ .10 x 70,840 square feet = \$ 7,084.00	- (50% Reduction)
\$ 7,084.00	Estimated Total Mitigation Fee Due

Final occupancy clearance inspection will not be scheduled unless fees have been paid. If a project is denied on the initial inspection, then a second inspection will be arranged with the inspector assigned to the project. This could result in additional delays.

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation's to comply with applicable development standards in effect at the time of change.

The application for a new building permit or time extension for the project may require further review and the imposition of current development standards and fees.

Non-compliance with conditions placed on this project could result in the issuance of a stop work order by the fire department, which may require additional fees and a delay in final occupancy clearance.

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

TK:9-14-98:rw

c: APN

Chron

Building Department/ Santa Maria

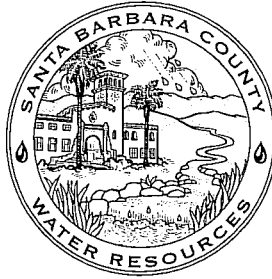
Fire Station 22

Attachments: Refer to #1, #2-A, 3-A, #4

RECEIVED

OCT 10 2006

S.B. COUNTY  
PLANNING & DEVELOPMENT



FILE COPY

Santa Barbara County Public Works Department  
Flood Control & Water Agency

October 10, 2006

Planning Commission  
County of Santa Barbara  
123 E. Anapamu Street  
Santa Barbara, CA 93101

**Re: 98-DP-023; Northpoint Village Unit III, Phase IV  
APN: 107-560-001 through -033/Orcutt**

**Note: This letter supersedes our previous letters dated August 29, 2006 & September 12, 2006**

Dear Commissioners:

This District recommends that approval of the above referenced project be subject to the following conditions:

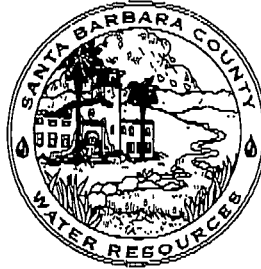
1. Prior to issuance of Land Use Clearance, the applicant shall comply with the Flood Control Standard Conditions of Approval.
2. Prior to issuance of Land Use Clearance, the applicant shall submit drainage plans to the District for review & approval. Said plans shall convey drainage to the existing Northpoint retardation basin.
3. Prior to issuance of Land Use Clearance, the applicant shall form a new Homeowner's Association (HOA) and record CC&R's that provide for maintenance of the private drainage improvements required for the development. Said new HOA shall be liable to the existing Northpoint HOA for repairs and maintenance of the existing Northpoint retardation basin, consistent with the required agreement between the applicant and the existing Northpoint HOA.
4. All drainage improvements required as part of the above conditions shall be constructed in accordance with approved plans and certified by a Registered Civil Engineer prior to issuance of occupancy clearance.
5. The applicant will be required to pay the current plan check fee deposit at the time the plans are submitted for District review and approval.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale W. Weber".

Dale W. Weber, P.E.  
Development Engineer

cc: John Zorovich, Planner, Planning & Development  
Leo Evans, 2248 Glacier Lane, Santa Maria, CA 93445  
Dennis Bethel & Assoc., 2450 Professional Parkway, Suite 210, Santa Maria, CA 93455  
Mike Zimmer, Building & Safety



Santa Barbara County Public Works Department  
Flood Control & Water Agency

August 29, 2006

Planning Commission  
County of Santa Barbara  
123 E. Anapamu Street  
Santa Barbara, CA 93101

**Re: 98-DP-023; Northpoint Village Unit III, Phase IV  
APN: 107-560-001 through -033/Orcutt**

Dear Commissioners:

This District recommends that approval of the above referenced project be subject to the following conditions:

1. Prior to issuance of Land Use Clearance, the applicant shall comply with the Flood Control Standard Conditions of Approval.
2. Prior to issuance of Land Use Clearance, the applicant shall submit drainage plans to the District for review. Said plans shall convey drainage to the existing Northpoint retardation basin.
3. Prior to Issuance of Land Use Clearance, the applicant shall form a new Homeowner's Association (HOA) and record CC&R's that provide for maintenance of the private drainage improvements required for the development. Said new HOA shall be liable to the existing Northpoint HOA for repairs and maintenance of the existing Northpoint retardation basin in the pro-rated amount of 15% of any such repairs and maintenance.
4. All drainage improvements required as part of the above conditions shall be constructed in accordance with approved plans and certified by a Registered Civil Engineer prior to issuance of occupancy clearance.
5. The applicant will be required to pay the current plan check fee deposit at the time the plans are submitted for District review and approval.

Sincerely,

Dale W. Weber, P.E.  
Development Engineer

cc: John Zorovich, Planner, Planning & Development  
Leo Evans, 2248 Glacier Lane, Santa Maria, CA 93445  
Dennis Bethel & Assoc., 2450 Professional Parkway, Suite 210, Santa Maria, CA 93455  
Mike Zimmer, Building & Safety

G:\FLOOD\DREV\CND\98-DP-023cnd.doc

123 E. ANAPAMU ST.  
SANTA BARBARA,  
CALIFORNIA 93101  
AREA CODE 805  
588-3000  
FAX 588-3019



F. G. (SANDY) SI  
Assistant Direc

EDWARD J. MAI  
Deputy Direct

## DEPARTMENT OF PUBLIC WORKS

MARLENE F. DEMERY  
Director

July 22, 1992

Planning Commission  
County of Santa Barbara  
Engineering Building  
123 East Anapamu Street  
Santa Barbara, CA 93101

Re: 92-OA-006  
Wilks-Northpoint  
Development Agreement  
(Phase IV of TM 12,414)

Dear Commissioners:

The Department of Public Works recommends the following conditions for the above referenced project:

1. Prior to the beginning of any construction activities, all applicable building, grading, and encroachment permits shall be re-activated and all associated issuance and inspection fees paid. Any associated bonds or securities not already in place shall be posted.
2. The payment of off-site road fees and the credit of these fees towards construction of the Union Valley Parkway shall be in accordance with the settlement agreement.

Sincerely,

Bret A. Stewart, P.E.  
Senior Development Engineer



**Jennifer Briggs**

Director of Parks

(805) 568-2461

**Michael Gibson**

Business Manager

(805) 568-2477

**Rick Wheeler**

South County Deputy Director

Tel: (805) 681-5653

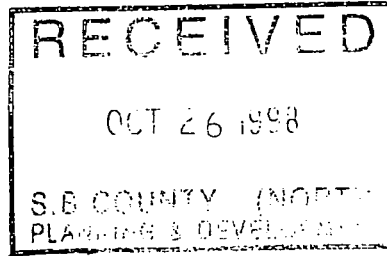
Fax: (805) 681-5657

**Jeff Stone**

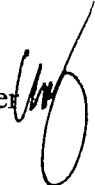
North County Deputy Director

Tel: (805) 934-6145

Fax: (805) 934-6213



**TO:** Analise Merlo, Planner  
Planning and Development

**FROM:** Claude Garciacelay, Park Planner 

**DATE:** October 21, 1998

**RE:** **98-DP-023 Northpoint Unit III Phase IV**

County Parks has no conditions of approval of the above referenced case(s).

**cc:**

610 Mission Canyon Road  
Santa Barbara, CA 93105

**Tel:** (805) 568-2461

**Fax:** (805) 568-2459

[www.sbparcs.com](http://www.sbparcs.com)

**Reservations:**

(805) 568-2460 Voice/TDD

Equal Opportunity Employer



SANTA MARIA  
PUBLIC AIRPORT DISTRICT

TELEPHONE 805/922-172  
FAX 805/922-067

RECEIVED  
JUL 01 1992  
S. B. COUNTY (NORTH)  
RESOURCE MGT. DEPT.

DAN J. HOBACK  
General Manager  
BRENT S. SHINER  
Asst. General Manager  
DOROTHY J. HAMILTON  
Auditor - Controller

AIRPORT DISTRICT DIRECTORS  
ELAINE A. HALE  
President  
J. WESLEY KEMP, Vice President  
RICHARD A. HULME, Secretary  
KEN BRUCE  
EDMOND HENNON  
ANNE M. RUSSELL  
District Counsel

June 24, 1992

Larry Appel, Environmental Planner  
RESOURCE MANAGEMENT DEPARTMENT  
County of Santa Barbara  
123 E. Anapamu Street  
Santa Barbara, CA 93101-2058

Re: 92-AO-006, Village of Northpoint Phase IV, Wilkes

Dear Mr. Appel:

I have reviewed the Public Notice, project description and environmental review for the referenced project and forward the following for your consideration.

The Village of Northpoint lies on either side of the Safety Corridor which has been established for the Santa Maria Public Airport. Phase IV lies on the north side of the corridor.

When aircraft, regardless of approach category, are landing at the Santa Maria Public Airport and following the visual glide slope projected by the Visual Approach Slope Indicator (VASI) in the vicinity of Phase IV, they will be at an average elevation above the ground of 250 feet.

While aircraft will not normally be operating directly over the homes in Northpoint due to the presence of the safety corridor, it is strongly recommended that the developer grant an Avigation Easement in favor of the Santa Maria Public Airport District over Assessor's Parcel Numbers 107-560-001, -32 and -33 in their entirety.



Mr. Larry Appel

Page 2

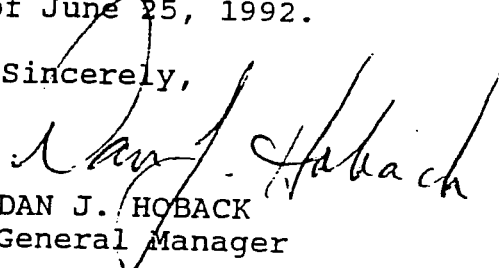
June 24, 1992

I further ask that the ambiguity which is created by the language of Section 3 of Noise and the language of the MONITORING provision be eliminated as follows:

MONITORING: Construction plans shall be reviewed by Building and Safety Division of Public Works to determine that proposed construction methods and materials will provide a noise reduction factor of not less than 20dBA in all interior habitable living areas.

I appreciate the opportunity to comment on this project and your kind offer to read my comments into the record at the meeting of June 25, 1992.

Sincerely,

  
DAN J. HOBACK  
General Manager

DJH:tw

Cy to: Mike Powers

**ATTACHMENT C**

**SECTION 15162 UPDATE**

**&**

**SUPPLEMENTAL DOCUMENT 92-SD-2**



# County of Santa Barbara Planning and Development

John Baker, Director  
Dianne Meester, Assistant Director

TO: Decision-Makers

FROM: Zoraida Abresch, Deputy Director  
Development Review Division, Planning and Development  
Staff Contact: John Zorovich

DATE: September 1, 2006

RE: CEQA Determination for Use of Prior Documents, Environmental Impact Report 78-EIR-9 and Subsequent Document 92-SD-2: Finding that Section 15162 of the State CEQA Guidelines applies to Case No. 98-DP-023, Northpoint Village Unit III, Phase IV.

CEQA Section 15162 allows the use of a previously prepared EIR or ND unless subsequent changes are proposed in the project which will require important revisions of the previous EIR or ND due to the involvement of new significant environmental impacts, or there are substantial changes with respect to the circumstances under which the project is undertaken, or new information becomes available.

Location: The project is located east of Hummel Drive, south of Foster Road, north of Union Valley Parkway, approximately 0.25 miles east of State Route 135 in the existing development of Northpoint, in the area of Orcutt, in the Fourth Supervisorial District. (APNs 107-560-001 through -032 and 107-560-033)

Background:

A Final Development Plan, 92-DPF-017, for Phase IV of the Northpoint Village development was approved by the Board of Supervisors on September 1, 1992. The project involved the construction of 32 two and three bedroom townhouse condominiums on previously recorded lots (TM 12,414) and one common lot. The 32 units would comprise four buildings of six to nine units per building. The size of the units would range from 1,671 square feet for the two bedroom units to 1,810 square feet for the three bedroom units. All units would have an attached two car garage. A total of 82 parking spaces would be provided, as well as recreational amenities.

Environmental impacts associated with the entire Northpoint Village development were reviewed originally in 78-EIR-9. A Supplemental Document 92-SD-2 was prepared to address school impacts not previously reviewed in the original environmental impact report. The supplemental document concluded that school impacts would be unmitigated (Class I impact). A settlement agreement between the previous developer and the school district stated that since TM 12,414 was recorded prior to implementation of school fees, the Northpoint Village development project would not be subject to payment of school fees. A statement of overriding considerations

was approved for the project. The supplemental document concluded that, with the application of mitigation measures to reduce impacts associated with traffic, air quality (short and long term), noise (short and long term), biology, archaeology, land use (airport plan conflict), hydrology, and aesthetics (visual), environmental impacts of the project would be less than significant.

A Time Extension (92-DPF-017 TE01) was approved for the project until September 1, 1998 on June 18, 1997. Pursuant to Section 35-317.9 of Article III, the project expired because substantial physical development had not occurred as of September 1, 1998.

#### Current Project:

The project is a Development Plan (98-DP-023) for construction of the 32 townhouse condominiums previously approved as 92-DPF-017. No changes to the project description are proposed. The settlement agreement involving 92-DPF-017 no longer applies to 98-DP-023, however, school mitigation fees still can not be collected since the tract map was recorded prior to the implementation of the school fees mitigation program. There are no changes to the environmental setting or anticipated environmental impacts as identified in the original environmental impact report and supplemental document. Mitigation measures identified in the environmental impact report and supplemental document would continue to be applied to the project.

#### Changes in Project Impacts:

The Development Review Division has determined that the project description change to 98-DP-023 will not result in any significant impacts.

#### Findings:

It is the finding of this Division that the previous environmental documents (78-EIR-9 and 92-SD-2) may be used to fulfill the environmental review requirements of Northpoint Unit III, Phase IV, 98-DP-023. No impacts previously found to be insignificant are now significant. Taken together, the original environmental document, the supplemental document and this letter fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15162, preparation of a new EIR or ND is not necessary.

Discretionary processing of 98-DP-023 may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

COUNTY OF SANTA BARBARA  
RESOURCE MANAGEMENT DEPARTMENT  
DIVISION OF ENVIRONMENTAL REVIEW

FINAL SUPPLEMENTAL DOCUMENT

RECEIPT DATE: March 25, 1992  
APPLICANT: Robert Wilks  
AREA: Santa Maria\Orcutt  
PROJECT: 92-OA-006  
PUBLIC HEARING DATE: 6/25/92; 7/2/92

SUPPLEMENTAL DOCUMENT: 92-SD-2 Final

The Resource Management Department (RMD) has prepared this Supplemental Document (SD) pursuant to Section 15163 of the State Guidelines for the Implementation of the California Environmental Quality Act and the County of Santa Barbara Environmental Guidelines. The SD is a written document which briefly describes the potential adverse impacts of a proposed project and why those impacts will have a significant effect on the physical environment. The issuance of an SD indicates there are significantly adverse impacts associated with the proposed project and therefore the project. The attached Final Supplemental Document identifies and discusses potential impacts, mitigation, and residual impact for each subject area. Specific mitigation measures and monitoring language are included in a separate mitigation section.

DOCUMENT PREPARED BY: Environmental Planner Larry Appel. Please contact Ms. Appel at 934-6261 if you have any questions.

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

PUBLIC COMMENTS: Public hearings have been held at 9:30 a.m. on June 25, 1992 and on July 2, 1992 in the Santa Barbara County Administration Building, Planning Commission Hearing Room, 123 East Anapamu Street, Santa Barbara, CA 93101. Copies of this SD may be obtained at our offices. Anyone wishing to see the project file for this SD may do so by visiting our North County office.

\_\_\_\_\_  
Jeffrey T. Harris, Deputy Director

\_\_\_\_\_  
Date





# County of Santa Barbara

## RESOURCE MANAGEMENT DEPARTMENT

John Patton, Director  
Phil Overeynder, Assistant Director

North County

TO: Albert J. McCurdy, Deputy Director  
Development Review Division

FROM: Jeffrey T. Harris, Deputy Director  
Division of Environmental Review  
DER Staff Contact: Larry Appel

*JTH*  
*by NWB*

DATE: May 21, 1992 (REVISED 7/2/92)

RE: 92-SD-2 - Finding that §15163 of the State CEQA Guidelines applies to 92-0A-006, Northpoint Phase IV, Development Agreement

Location: The existing Village of Northpoint is located in Orcutt and is bounded by Foster Road, Hummel Drive and Union Valley Parkway, Fourth Supervisorial District. APN: 107-560-001 through - 032, and -033. Refer to Exhibit A for current site plan.

Background: The 32 units were originally approved as Phase IV under 82-DP-3. Building footprints were recorded for each lot and the open space lot through TM 12,414. The entire site for 219 units was reviewed under 78-EIR-9 (Orcutt "6") and a subsequent update (§ 15167). To date, 107 units have been constructed. Refer to Exhibit B for the Summary of Impacts from 78-EIR-9.

The 32 units under consideration were the subject of a Settlement Agreement entered into by the owner/developer, Mr. Wilks and the County of Santa Barbara. The Agreement, approved on December 17, 1991, provided specific guidelines on how the remaining 32 units (Phase IV) and 80 units (Phases V, VI) were to be processed. The Draft Development Agreement is attached to the staff report packet.

Prior to approval of the Agreement, the County accepted a Development Agreement from the applicant, reviewed it, deemed it "Complete" for processing and prepared an Initial Study requiring preparation of an addendum ( § 15164) letter based on the original project EIR. Since that time, the Initial Study has been amended to include an accurate representation of local school impacts. Based on the reevaluation of impacts to schools, this supplement has been prepared which acknowledges that a significant impact (schools) not previously known now exists, and therefore, requires preparation and circulation of a Supplement to the original EIR.

Current Project Description: This project consists of construction of 32 (2,3 and 4 bedroom) townhouse condominiums on previously recorded lots and one common lot. The four buildings would be constructed in phases over the next couple years, depending on local economic conditions. The size of the units would range from 1810 sq. ft. (2 bedroom) to 2266 sq. ft. (4 bedroom) and all unit would have an attached two car garage. A total of 85 parking spaces would be provided as

well as new recreational amenities. The future residents of Phase IV would be allowed to use all existing recreational amenities through annexation into the Homeowner's Association. Based on a Settlement Agreement between the applicant and County, this project is being processed as a Development Agreement rather than a Final Development Plan, required under the Provisions of Article III, Section 35-317.2.1 (zoning ordinance).

Environmental Setting: Project site is adjacent to previous phases of Northpoint. The site is generally flat (due to rough grading during initial construction in the early 80's). Most of the site is covered in annual grasses. No rare and endangered species are known to occur on site. The project is not located in a high fire hazard area nor is it within a 100 year flood plain. Surrounding land uses include: North/West- previous phases of Northpoint; East- single family residences; and South- open space and clear zone for the Santa Maria Public Airport (all within Northpoint property).

#### Changes in Project Impacts:

Geology: Site has previously received rough grading for the proposed 32 units. The site would require approximately 2350 cubic yards (balanced cut/fill) to complete grading within this phase of development. Adjacent residents would be impacted during grading due to vibration from heavy equipment. Due to the minimal amount of grading work necessary, the impacts would only be experienced for 7-10 days at most.

Water Resources: Water is provided by Cal Cities Water Company which draws its entire water supply from the overdrafted Santa Maria Groundwater Basin. The threshold of significance for this basin is 13.08 AFY. Original project water impacts for the entire 219 units was determined to be a Class I impact after implementation of mitigation measures. Total water demand for the project would be 11.8 AFY. The figure would be 1-2 AFY less after credit is given for runoff captured by the water recharge basin adjacent to the Union Valley Parkway. Based on these calculations, the current project would be assessed as adverse but not significant since water demand would remain below the current County threshold for the Santa Maria basin.

#### Exterior Water Use:

69,814 sq. ft. x 1.5 AFY/ac. x 1 ac./43,560 s.f. = 2.4 AFY

#### Interior Water Use:

4 (2 bdrm) + 21 (3 bdrm) + 7 (4 bdrm) [ @ +1 res/bdrm ] = 131 residents

131 residents x 0.574 AFY/resident = 7.52 AFY x [ 25% factor ] = 9.4 AFY

Total Water Demand = 11.8 AFY



Transportation/Circulation: The project is expected to generate 18 PHT and 188 ADT (0.56 PHT/hr.; 5.86 ADT/unit; ITE). Areas to be impacted would be Foster Road and the S.R. 135/Foster Road intersection. The intersection is currently operating at LOS D (Las Brisas FEIR). Based on assumptions derived from EIRs in the area and discussions with County traffic engineers, it is expected that 50% of the P.M. PHT would utilize the intersection. Based on the threshold manual, up to 15 peak hour trips could be added by this project and remain below the threshold of significance. Since 9 PHT are below the threshold for the intersection, then the project's impacts concerning Foster/S.R. 135 would be less than significant.

The Foster Road segment between Bradley Road and S.R. 135 currently operates at 6330 ADT which is above the policy capacity (5000 ADT), but well below the design capacity of 11,800 ADT. Since there are no sharp curves, poor sight distance, or inadequate pavement structure, etc. (as described in the threshold manual), the project could exceed the policy capacity and not result in significant impact to the roadway. As a result of a previous agreement between the applicant and County, a portion of Union Valley Parkway has been completed which connects Hummel Drive to Bradley Road. This segment provides alternate access, especially for local residents to bypass Foster Road during peak hours.

#### Air Quality:

Short-term - Due to minimal grading needed on-site (2350 cu. yds. balanced cut and fill on 3 acres), short-term dust emissions (0.314 tons) would be well below the  $PM_{10}$  threshold. APCD would require standard dust mitigation measures as conditions of approval. Calculations have been included as Exhibit C.

Long-term - Based on the APCD worksheet, which estimated emissions from ITE trip generation rates, the 32 units would not approach the long-term emissions threshold of 2.5 lbs/peak hr. Calculations have been included as Exhibit C.

Although air quality impacts associated with the project would be considered less than significant, short-term emissions associated with project construction and long-term emissions associated with increased vehicle trips would contribute toward cumulative degradation of air quality in Santa Barbara County. ~~the North County Air Basin.~~

#### Noise:

Construction - Since existing residents are located on three sides of the proposed development, they may be subjected to noise levels that exceed county standards during the hours of construction. Noise sources would be from construction engines and backup warning beepers. However, using the 24 hour weighted CNEL, the noise levels would remain below the County threshold. This would be considered a short term impact and would cease, for the most part, after large grading equipment had completed work.

Airport Overflights - The original project assessed the project noise impacts as Class I (Significant and unavoidable). The assessment was based on the assumption that the open space lot and recreational amenities would be considered a "noise sensitive receptor" area. Several months later when the Noise Element was adopted, these areas were not defined as Sensitive receptors, thereby exempting the noisiest portions of the site from maximum exterior noise level consideration. Subsequent sound level studies confirmed that the exterior living areas of individual units (ie. patios and decks) would not be subjected to ongoing noise levels in excess of County standards (65 dBA CNEL). Exterior living areas could exceed 65 dBA during actual overflight, but due to the nature of 24 hour weighting of CNEL, the threshold would not be exceeded for interior or exterior living areas, provided adequate building insulation is used during construction. Therefore, the project impacts would now be considered adverse but not significant for exterior and interior noise. The Santa Maria Public Airport Director has requested that an Avigation Easement be recorded for each of the new lots. This has been included as Mitigation Measure #7.

Public Services:

Schools - The project is located within the Orcutt Union School District and the Santa Maria High School District. Existing schools which would be used by the project's children are over capacity, with many of the schools utilizing portable classrooms. The project would be expected to generate 11 elementary, 5 junior high, and 7 senior high students. The local districts are generally allowed to collect school fees from the developer totaling \$1.58 per sq. ft. The fee is to be used to provide additional class room space. Beyond collection of these fees, county decision makers are preempted from collecting or mandating mitigation for school impacts per Government Code Section 65995. This section also excludes CEQA and the State Subdivision Map Act authority to mitigate a project's school impacts. Significant impacts on schools cannot be used as a basis for denial, nor can the county decision makers make findings (per CEQA) to approve the project. Instead, according to CEQA Section 15091(2) the county decision makers must make the finding that another agency can and should apply the appropriate mitigation. In this case, the developer has a Settlement Agreement with the Orcutt Union Elementary school district that he is not required to pay the standard fee of \$1.58 per sq. ft. Mr. Wilks and the Santa Maria Joint Union High School District agree that a tract map was approved prior to September 1 1986 and, as such, the school developer fees (\$1.58/sq.ft.) cannot be assessed. Since no physical mitigation is evident, staff assessed this as a Class I impact.

Solid Waste - Staff has calculated that the residents of the 32 units would generate 80.56 tons/year of solid waste. This is currently below the threshold of 196 tons/year, and therefore not considered significant.

Aesthetics/Visual Impacts: Development would occur in an area that has always remained vacant. Introduction of development into the area could impact existing development in an adverse way. A block wall would be constructed along the eastern property line to separate the proposed project from the existing single family neighborhood. Installation of street lighting, consistent with other phases of Northpoint, would minimize the impacts to surrounding properties.

REQUIRED MITIGATION MEASURES: The following mitigation measures would be required in order to address potentially significant impacts. As required by Public Resources Code 21081.6, all projects which have mitigation measures addressing potentially significant impacts must include a Mitigation Monitoring and Reporting Plan (MMRP) to ensure effective implementation of mitigation measures. In some cases a mitigation monitoring coordinator (MMC) would oversee monitoring of the mitigation measures adopted as conditions of approval. The applicant would be responsible for payment of a compliance plan fee. Monitoring of conditions would also occur as part of normal building plan check/inspection procedures and through photo-documentation.

Air Quality:

1. Dust generated by the development activities shall be retained on site and kept to a minimum by following the dust control measures listed below.
  - a) During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
  - b) After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to prevent wind pickup of the soil until the area is paved or otherwise developed so that dust generation will not occur.
  - c) During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
  - d) All areas not proposed for immediate development (e.g. within two weeks) shall be seeded or treated with soil binders to prevent soil erosion or dust generation.

- e) Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- f) Trucks transporting soil, sand, cut or fill materials to or from the site shall be tarped from the point of origin.
- g) The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary, to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress.

**Plan Requirements:** All requirements shall be shown on grading and building plans.  
**Timing:** Condition shall be adhered to throughout all grading and construction periods.

**MONITORING:** RMD shall ensure measures are on plans. RMD, Grading and Building shall spot check; Grading, Building shall ensure compliance on-site. APCD inspectors shall respond to nuisance complaints.

Noise:

- 2. Construction activity for site preparation shall be limited to the hours between 7 a.m. and 5 p.m. Monday through Friday. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting and drywall taping are not subject to these restrictions. Two signs stating these restrictions shall be provided by the applicant and posted on site at entrances. **Timing:** Signs shall be in place prior to LUC for grading and throughout construction activities.

**MONITORING:** Building Inspectors and Permit Compliance shall spot check and respond to complaints.

Interior noise shall be attenuated at least 20 dBA through the use of construction materials.

**MONITORING:** Construction plans shall be reviewed by Building and Safety Division of Public Works to determine that interior noise levels are at or below 45 dBA (ACNEL).

ter Resources:

- 4. Landscaping with low water-use plants shall be required for all new landscaping and lawn areas shall be minimized. **Plan Requirements:** The applicant shall submit three copies of a final landscape plan to DER for review and stamped approval and, once approved, shall post a performance

security with the County, for plant installation, water-conserving irrigation, and 3-year maintenance. Timing: Prior to issuance of grading permits, the performance security shall be posted. Prior to occupancy, landscaping and irrigation shall be installed. Installation and bonding may correspond with the proposed phasing of the 32 units.

**MONITORING:** RMD shall review and approve landscape plans. Bonds shall be reviewed by RMD and approved as to form by County Counsel.

5. Drought tolerant natives and/or Mediterranean type landscape screening shall be planted on the site. The vegetation shall be staggered and shall be situated to blend with natural habitats and to screen the effects of grading and paving. Plan Requirements: The applicant shall submit three copies of a final landscape plan to DER for review and stamped approval and shall post a performance security with the County, for plant installation, water-conserving irrigation, and 3-year maintenance. Timing: Prior to issuance of land use clearance permits, the performance security shall be posted. Prior to occupancy, landscaping and irrigation shall be installed.

**MONITORING:** Prior to occupancy clearance Permit Compliance staff shall photo document installation. Permit Compliance staff shall check maintenance as needed. Release of performance security requires Permit Compliance signature.

Land Use:

6. Prior to issuance of Land Use Permit for residential construction, Street lighting plan shall be reviewed and approved by RMD to assure that placement, height and intensity are consistent with existing street lighting within the development.

**MONITORING:** RMD shall review plans prior to issuance of the LUP for structures.

7. Prior to issuance of Land Use Permit for residential construction, the applicant shall provide evidence that an avigation easement has been recorded over each lot in Phase IV.

**MONITORING:** RMD Compliance staff shall verify that the document has been recorded before any permits for structures are issued by this department.

Changes in Project Impacts:

The change in the environmental setting has required a discussion of school impacts which were not previously addressed. Two other impacts (noise and hydrology) were originally assessed as Class I. Based on new information (ie. adoption of the Noise Element) this impacts would no longer be considered Class I. Impacts to the groundwater would also be considered less than significant since the 32 units being considered in this application would remain below the current threshold of significance. Based on the change in levels of impacts and the inclusion of a significant impacts not previously considered, this supplement is being prepared and recirculated for public comment.

FINDINGS:

It is the finding of this Division that the previous environmental document with this Supplement may be used to fulfill the environmental review requirements of the current project (92-0A-006). Taken together, the original environmental document, 78-EIR-9 and this Supplement fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15163, no new EIR is necessary.

Discretionary processing of 92-0A-006, the Northpoint (Phase IV) Development Agreement may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

LWA:la: ...\\wilks\920A006.163

Exhibit A - Plot Plan

Exhibit B - Summary Table (78-EIR-9)

Exhibit C - Air Quality

Exhibit D - Public Letters

Summary of Impacts and Mitigation Measures for Northpoint Patio Homes (77-RZ-26)

IMPACT	DESCRIPTION OF IMPACT	MAGNITUDE OF IMPACT	UNAVOIDABLE	MITIGATION MEASURES
Traffic	Additional traffic and new roads	Not significant	Yes	Make security gates readily operable by emergency team personnel; Place crosswalks near playing fields
Air Quality	Dust and other emissions during construction	Not significant	Yes	Wet down areas of soil redistribution
Noise	Project related traffic emissions	Not significant	Yes	Refer to regional plans and policies
	Construction noise	Not significant	Yes	Limit construction to hours between 8:00 a.m. and 6:00 p.m.
	Noise attributable to existing and projected aircraft operations	Significant	Yes*	Use special insulation, and monitor indoor noise before occupancy, to test that sufficient noise mitigation is achieved
Biology	Depletion of wildlife habitat	Not significant	Yes	Landscape with drought resistant native plants
Archaeology	Potential subsurface archaeological remains	Not significant	No	Monitor all subsurface construction
Land Use	Conflict with resource removal	Significant	No**	Use proper engineering design to eliminate odor and minimize emissions; landscape
	Conflict with airport protective zone	Significant	Yes*	Refer to alternative project discussion
	Potential conflict with east/west expressway (proposed)	Significant	No	None recommended
Hydrology	Additional water demand of 65 acre feet per year	Significant	Yes*	Refer to regional plans and policies.

\* Unavoidable significant adverse impact for which decision maker issues a statement overriding consideration if the project is approved.

\*\* Significant adverse impacts which are mitigatable and where decision makers must make findings.



Santa Barbara County  
Air Pollution Control District

## MEMORANDUM

TO: Larry Appel, Resource Management Department  
 FROM: Frances Wilson, Air Quality Specialist  
 DATE: June 26, 1992  
 SUBJECT: 92-OA-006 - North Point

\*\*\*\*\*

Here are the calculations you requested during our telephone conversation this afternoon. I have attached the URBEMIS3 printout showing operational emissions. ROC and NO<sub>x</sub> emissions are estimated as 0.53 tons/peak hour and 0.51 tons/peak hour, respectively.

PM<sub>10</sub> emissions were calculated as follows:

### Assumptions:

- \* TSP = 1.2 tons/acre/month (EPA, AP-42)
- \* PM<sub>10</sub> is 50% of TSP
- \* Twice daily watering will reduce emissions by 50%
- \* 3 acres to be graded in 10 days
- \* Buildings will not be constructed at this time, grading only

PM<sub>10</sub> = 1.2 X 0.5 X 0.5 X 3 acres X 10 days/30 days per month = 0.3 tons PM<sub>10</sub>/10 days

If you have any questions regarding these calculations, please contact me at Ext. 8838.

cc: Project File  
 IAD Chron File





Project Name : northpoint

Date : 06-26-1992

Analysis Year = 1995

Temperature = 50

EMFAC7 VERSION : EMFAC7D ...11/88

Unit Type	Trip Rate	Size	Tot Trips	Days Op.
condominiums (Family)	8.9/Unit		32	285

	Residential			Commercial	
	Home-Work	Home-Shop	Home-Other	Work	Non-Work
Trip Length	5.3	3.4	4.2	4.7	3.6
Started Cold	88.2	40.1	58.0	77.2	27.0
Trip Speed	35	35	35	35	35
Percent Trip	27.3	21.2	51.5		

Vehicle Fleetmix

Vehicle Type	Percent Type	Leaded	Unleaded	Diesel
Light Duty Autos	72.8	1.7	95.6	2.7
Light Duty Trucks	14.3	2.2	95.0	2.8
Medium Duty Trucks	4.3	5.3	94.7	0.0
Heavy Duty Trucks	3.9	29.8	70.3	N/A
Heavy Duty Trucks	3.9	N/A	N/A	100.0
Motorcycles	0.9	100.0	N/A	N/A

Project Emissions Report in Lb/Day

Unit Type	<u>ROC</u>	<del>TOC</del>	CO	NOx
Condominiums (Family)	5.3	<del>5.9</del>	67.3	5.1
Peak hour = 1090	= <u>0.53</u>			= <u>0.51</u>

Project Emissions Report in Lb/Day

Unit Type	FUEL USE	PM10	SOx
Condominiums (Family)	55.5	0.5	0.5

TOC, → ROC

$(5.9)(0.9019) = 5.3$

Project Name : northpoint

Date : 06-26-1992

Analysis Year = 1995      Temperature = 50  
EMFAC7 VERSION : EMFAC7D ...11/88

Unit Type	Trip Rate	Size	Tot Trips	Days Op.
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	Residential			Commercial	
	Home-Work	Home-Shop	Home-Other	Work	Non-Work
Trip Length	5.3	3.4	4.2	4.7	3.6
Started Cold	88.2	40.1	58.0	77.2	27.0
Trip Speed	35	35	35	35	35
Percent Trip	27.3	21.2	51.5		

Vehicle Fleetmix

Vehicle Type	Percent Type	Leaded	Unleaded	Diesel
Light Duty Autos	72.8	1.7	95.6	2.7
Light Duty Trucks	14.3	2.2	95.0	2.8
Medium Duty Trucks	4.3	5.3	94.7	0.0
Heavy Duty Trucks	3.9	29.8	70.3	N/A
Heavy Duty Trucks	3.9	N/A	N/A	100.0
Motorcycles	0.9	100.0	N/A	N/A

Project Emissions Report in Lb/Day

Unit Type	<u>ROC</u>	<del>TOC</del>	CO	NOx
Condominiums (Family)	5.3	<del>5.9</del>	67.3	5.1
Peak hour = 1090	= <u>0.53</u>			= <u>0.51</u>

Project Emissions Report in Lb/Day

Unit Type	FUEL USE	PM10	SOx
Condominiums (Family)	55.5	0.5	0.5

TOC, → ROC

$(5.9)(0.9019) = 5.3$

**ATTACHMENT D**

**92-SD-2 CEQA FINDINGS**

**&**

**STATEMENT OF OVERRIDING CONSIDERATIONS**

CEQA FINDINGS  
and  
STATEMENT OF OVERRIDING CONSIDERATIONS  
92-DPF-017

**A. Findings That Certain Impacts Are Mitigated To Insignificance By Project Redesign Or By Conditions Of Approval:**

**The EIR for this project identifies the impacts listed below as adverse impacts which can be mitigated to insignificance (Class II). The Board of Supervisors finds that such impacts are mitigated to insignificance by approved revisions in the project and/or conditions of approval as discussed below:**

1. Traffic: The project is expected to generate 18 PHT and 188 ADT (0.56 PHT/hr.; 5.86 ADT/unit; ITE). Areas to be impacted would be Foster Road and the S.R. 135/Foster Road intersection. The intersection is currently operating at LOS D (Las Brisas FEIR). Based on assumptions derived from EIRs in the area and discussions with County traffic engineers, it is expected that 50% of the P.M. PHT would utilize the intersection. Based on the threshold manual, up to 15 peak hour trips could be added by this project and remain below the threshold of significance. Since 9 PHT are below the threshold for the intersection, then the project's impacts concerning Foster/S.R. 135 would be less than significant.

The Foster Road segment between Bradley Road and S.R. 135 currently operates at 6330 ADT which is above the policy capacity (5000 ADT), but well below the design capacity of 11,800 ADT. Since there are no sharp curves, poor sight distance, or inadequate pavement structure, etc. (as described in the threshold manual), the project could exceed the policy capacity and not result in significant impact to the roadway. As a result of a previous agreement between the applicant and County, a portion of Union Valley Parkway has been completed which connects Hummel Drive to Bradley Road. This segment provides alternate access, especially for local residents to bypass Foster Road during peak hours. The original EIR for the entire project, 78-EIR-9 found that traffic impacts would be adverse but not significant based on implementation of mitigation measures relating to operation of security gates for the project and placement of crosswalks near playing fields within the project site. Therefore, based on the discussion above and the implementation of mitigation measures previously incorporated into the project, the remaining impact of the project is considered adverse but not significant.

2. Air Quality (Short & Long Term): Short-term - Due to minimal grading needed on-site (2350 cu. yds. balanced cut and fill on 3 acres), short-term dust emissions (0.314 tons) would be well below the PM<sub>10</sub> threshold. APCD would require standard dust mitigation measures as conditions of approval (calculations are included in 92-SD-2).

Long-term - Based on APCD calculations, which estimated emissions from ITE trip generation rates, the 32 units would not approach the long-term emissions threshold of 2.5 lbs/peak hr. (calculations are included in 92-SD-2).

Although air quality impacts associated with the project would be considered less than significant, short-term emissions associated with project construction and long-term emissions associated with increased vehicle trips would contribute toward cumulative degradation of air quality in Santa Barbara County. Therefore, based on this analysis and implementation of conditions of approval requiring adherence to APD standard dust mitigation measures, the remaining impact of the project is considered adverse but not significant.

3. Noise (Short & Long Term): Short Term - Since existing residents are located on three sides of the proposed development, they may be subjected to noise levels that exceed county standards during the hours of construction. Noise sources would be from construction engines and backup warning beepers. However, using the 24 hour weighted CNEL, the noise levels would remain below the County threshold. This would be considered a short term impact and would cease, for the most part, after large grading equipment had completed work. Therefore, based on this analysis and implementation of conditions of approval limiting the days and hours that noise producing activities can occur, the remaining impact of the project is considered adverse but not significant.

Long Term - The original project assessed the project noise impacts as Class I (Significant and unavoidable). The assessment was based on the assumption that the open space lot and recreational amenities would be considered a "noise sensitive receptor" area. Several months later when the Noise Element was adopted, these areas were not defined as Sensitive receptors, thereby exempting the noisiest portions of the site from maximum exterior noise level consideration. Subsequent sound level studies confirmed that the exterior living areas of individual units (ie. patios and decks) would not be subjected to ongoing noise levels in excess of County standards (65 dBA CNEL). Exterior living areas could exceed 65 dBA during actual overflight, but due to the nature of 24 hour weighting of CNEL, the threshold would not be exceeded for interior or exterior living areas, provided adequate building insulation is used during construction. Therefore, the project impacts would now be considered adverse but not significant for exterior and interior noise. Based on the analysis above and implementation of conditions of approval recommended by the Santa Maria Public Airport Director concerning recordation of Avigation Easements for each of the new lots, the remaining impact of the project is considered adverse but not significant.

4. Biology: The original project EIR determined that removal of existing habitat would be a potentially significant impact. With implementation of conditions of approval

relating to use of landscaping with native, drought tolerant species, the remaining impact of the project was considered adverse but not significant. The proposed project does not include removal of additional habitat areas and conditions of approval for the project require use of native, drought tolerant plant species. Therefore, based on the analysis above, and with implementation of conditions of approval related to project landscaping, remaining impacts are considered adverse but not significant.

5. Archaeology: The original project EIR determined that there was a potential for subsurface archaeological remains in the project area which could be disturbed by the project resulting in a potentially significant impact. With implementation of conditions of approval related to protection of any archaeological resources which may be found, the remaining impact of the project was considered adverse but not significant. The proposed project does not include disturbance of any areas that were not previously considered and evaluated under the original project EIR. Therefore, on the basis of the analysis above, and with continued applicability of the conditions of approval related to protection of archaeological resources, remaining impacts are considered adverse but not significant.
6. Land Use (Airport Plan Conflict): See discussion of Long Term Noise impacts above. Subsequent to approval of the original project, the County Noise Element was adopted which no longer designated outdoor recreation and open space areas as "noise sensitive receptors." As a result, these areas were exempted from maximum exterior noise level consideration. Subsequent studies also determined that exterior living areas associated directly with each dwelling unit would not be subject to exterior noise levels in excess of County standards on a 24 hour weighted average basis (CNEL). Therefore, on the basis of this analysis it is determined that a conflict with the local Airport Land Use Plan no longer exists and that with implementation of conditions recommended by the Santa Maria Airport District, the remaining impact of the project is considered adverse but not significant.
7. Hydrology: Water is provided by Cal Cities Water Company which draws its entire water supply from the overdrafted Santa Maria Groundwater Basin. The threshold of significance for this basin is 13.08 AFY. Original project water impacts for the entire 219 units was determined to be a Class I impact after implementation of mitigation measures. Total water demand for the project would be 11.8 AFY. The figure would be 1-2 AFY less after credit is given for runoff captured by the water recharge basin adjacent to the Union Valley Parkway. Therefore, based on these calculations, the current project would be assessed as adverse but not significant since water demand would remain below the current County threshold for the Santa Maria basin. However, due to regional cumulative depletion of the Santa Maria groundwater basin, conditions of approval requiring use of drought tolerant landscaping with low water use irrigation, have been placed upon the project.

8. Aesthetics/Visual: Development would occur in an area that has always remained vacant. Introduction of development into the area could impact existing development in an adverse way. A block wall would be constructed along the eastern property line to separate the proposed project from the existing single family neighborhood. Installation of street lighting, consistent with other phases of Northpoint, would minimize the impacts to surrounding properties. Therefore, based on changes to the project description related to construction of a perimeter block wall and implementation of conditions of approval controlling project lighting, the remaining impact of the project is considered adverse but not significant.

**B. Findings That there are Certain Unavoidable Impacts and that the authority to mitigate the impacts is within the jurisdiction of the school districts:**

**The EIR for this project identifies impacts on public services as adverse impacts which cannot be fully mitigated (Class I). The Board of Supervisors finds that such impacts, while not mitigated to insignificance, have been significantly mitigated by the following conditions of approval:**

1. Public Services (Schools): The project is located within the Orcutt Union School District and the Santa Maria High School District. Existing schools which would be used by the project's children are over capacity, with many of the schools utilizing portable classrooms. The project would be expected to generate 11 elementary, 5 junior high, and 7 senior high students. The developer has entered into a settlement agreement with Orcutt Union School District waiving the payment of school impact fees. The Santa Maria Joint Union High School District has similarly waived the payment of school impact fees. Pursuant to CEQA Section 15091 (a)(2) the Planning Commission/Board of Supervisors find that the School Districts can and should apply the appropriate mitigation for this impact. The Planning Commission further finds that since no physical mitigation is evident that this is a Class I impact.

**C. Findings That Project Alternatives Are Not Feasible:**

The EIR for the original project evaluates two alternative projects. These alternatives are not feasible because a tract map has been recorded for this project and a settlement agreement and development agreement have been entered into by the applicant and the County to resolve pending litigation concerning development of Phase IV of the originally approved project. The alternatives originally considered when the project was first approved are as follows:

1. Project Redesign: This alternative would have required preservation of on-site habitat and preclusion of natural resource removal areas on the project site. Single use development was recommended to reduce potential incompatibilities with surrounding residential uses. This alternative was not consistent with the project objectives and determined to be economically infeasible.



2. Alternative Phasing: This alternative would have required project phasing to conform to pre-determined rates of growth for the Orcutt area. Target growth rates had not been adopted by the County at the time the project was originally considered, therefore this alternative could not have been implemented.

**D. Statement of Overriding Considerations:**

**The EIR for this project identifies the school impact as being an unavoidable, adverse impact. The Board of Supervisors makes the following findings of overriding considerations which warrant approval of this project notwithstanding the identified impacts that are not fully mitigated:**

1. Approval of the development agreement by the Planning Commission/Board of Supervisors is in furtherance of and consistent with the Settlement agreement approved by the Board of Supervisors regarding Santa Barbara County Superior Court Case No. SM 63387 said settlement having been determined by the Board of Supervisors to be in the public interest and in the best interests of the County.
2. The project will provide substantial increased property tax revenue to the County of Santa Barbara and other public agencies.

**ATTACHMENT E**

**78-EIR-9**

ALBERT F. REYNOLDS  
Director  
  
105 E. Anapamu St.  
Santa Barbara, Calif. 93101  
Telephone 966-1611



DEPARTMENT OF ENVIRONMENTAL RESOURCES

December 13, 1978

TO: Honorable Board of Supervisors  
  
FROM: Albert F. Reynolds, Director  
Department of Environmental Resources  
  
RE: "Orcutt Six" EIR

Attached hereto is the Final EIR on the environmental consequences of the "Orcutt Six" projects. This document represents my independent analysis of all available documentation on these proposals, including prior EIRs on other projects in the area, the DER initial study, the Draft EIR produced by Earth Metrics under DER management, agency and public comments on the Draft EIR together with DER responses thereto, plus testimony at the DER public hearing in Orcutt of November 30, 1978, at which time I certified the EIR as final.

The Final EIR makes findings of regional and project specific significance and suggests mitigation measures and alternatives thereto. It also identifies such unavoidable impacts as cumulative water quality overdraft and water quality degradation which appear susceptible only to regional policy solutions beyond the capability of any single applicant to carry out.

Also included in this document for Planning Commission consideration in the EIR draft state, is my memorandum of November 22, 1978 outlining certain resource management concerns which I believe need attention in relation to the Orcutt area as a whole.

With the requirements of CEQA and the County's environmental guidelines having been met, final discretionary processing of the "Orcutt Six" projects may now proceed.

Respectfully,

Albert F. Reynolds  
Director

FR:bh  
cc: Applicants



FINAL ENVIRONMENTAL IMPACT REPORT

78-EIR-9

"THE ORCUTT SIX"

PROJECTS INCLUDED IN THIS EIR:

- 1) TIFFANY PARK TTM 12,501
- 2) NORTHPOINT PATIO HOMES  
77-RZ-26
- 3) TOWN AND COUNTRY MOBILE  
PARK 77-GP-4/77-RZ-61/  
76-CP-95
- 4) SOUTHPOINT III TTM 12,553
- 5) SOUTHPOINT IV TTM 12,554
- 6) CANTERBURY OAKS (UNITS  
II & III TTM 12,595)

Prepared For:

Department of Environmental Resources  
County of Santa Barbara

January 15, 1979

Earth Metrics Incorporated  
1000 Elwell Court, Suite 226  
Palo Alto, California 94303  
(415)964-3800



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A. INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA) Section 15149, this environmental impact report, 78-EIR-9 (the "Orcutt 6" EIR), incorporates by reference 77-EIR-11 (known as the "Orcutt 4" EIR). An Initial Study to 78-EIR-9 describes in detail the circumstances of the new projects, (as required by Section 15149), forming a source of background information that allows comparison of new environmental issues with those presented in 77-EIR-11. Both the Initial Study and 77-EIR-11 can be obtained at the following places:

- Orcutt Public Library
- Santa Maria Public Library
- Santa Barbara Public Library (Main Branch)
- Department of Environmental Resources, Room 103, 105 East Anapamu Street  
Santa Barbara, California 93101. Telephone: (805) 966-1611,  
Extension 377.

The environmental document 78-EIR-9 is organized in two major divisions. The Summary of Regional Impacts identifies environmental effects that are regional in nature, consequences of cumulative residential development in the Orcutt area. The Summary of Regional Impacts also identifies unavoidable significant adverse impacts (for which decision makers must issue a statement of overriding considerations if the projects are approved, pursuant to Section 15088 of CEQA). Plans and policies follow the discussion of cumulative regional impacts of the six Orcutt area projects. This discussion identifies measures to abate adverse impacts through regional application.

Project specific environmental analyses follow the Summary of Regional Impacts. This project environmental documentation contains concise descriptions of existing project site settings; site specific impacts, categorized as not significant, significant, or unavoidable adversely significant impacts (for which decision makers must issue a statement of overriding considerations if each project is



TABLE 1. SUMMARY OF REGIONAL FACTORS ASSOCIATED WITH THE PROPOSED SIX ORCUTT AREA PROJECTS

PROJECT	ACRES	DWELLING UNITS	POPULATION	FAIR MARKET VALUE (\$ THOUSANDS)
TIFFANY PARK	62.0	187	204	11,968
NORTHPOINT PATIO HOMES	80.0	221	607	9,061
TOWN & COUNTRY MOBILE HOME PARK	36.5	216	432	797
SOUTHPOINT III	37.0	36	126	1,890
SOUTHPOINT IV	11.2	32	112	1,760
CANTERBURY OAKS	17.5	44	154	3,300
TOTAL	244.2	596	1355	28,800 (28.8 million)

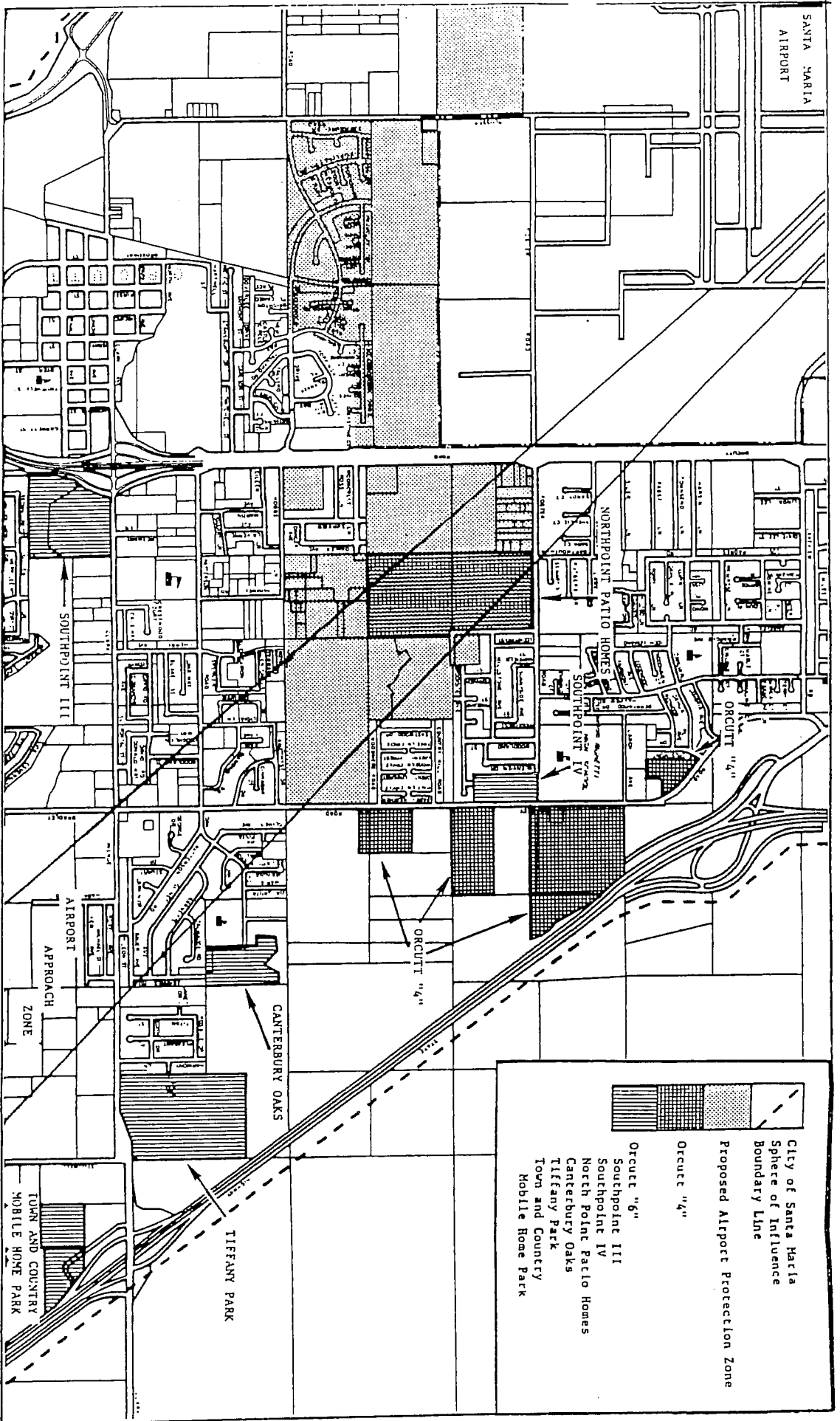
Source: Earth Metrics, Inc. 1978

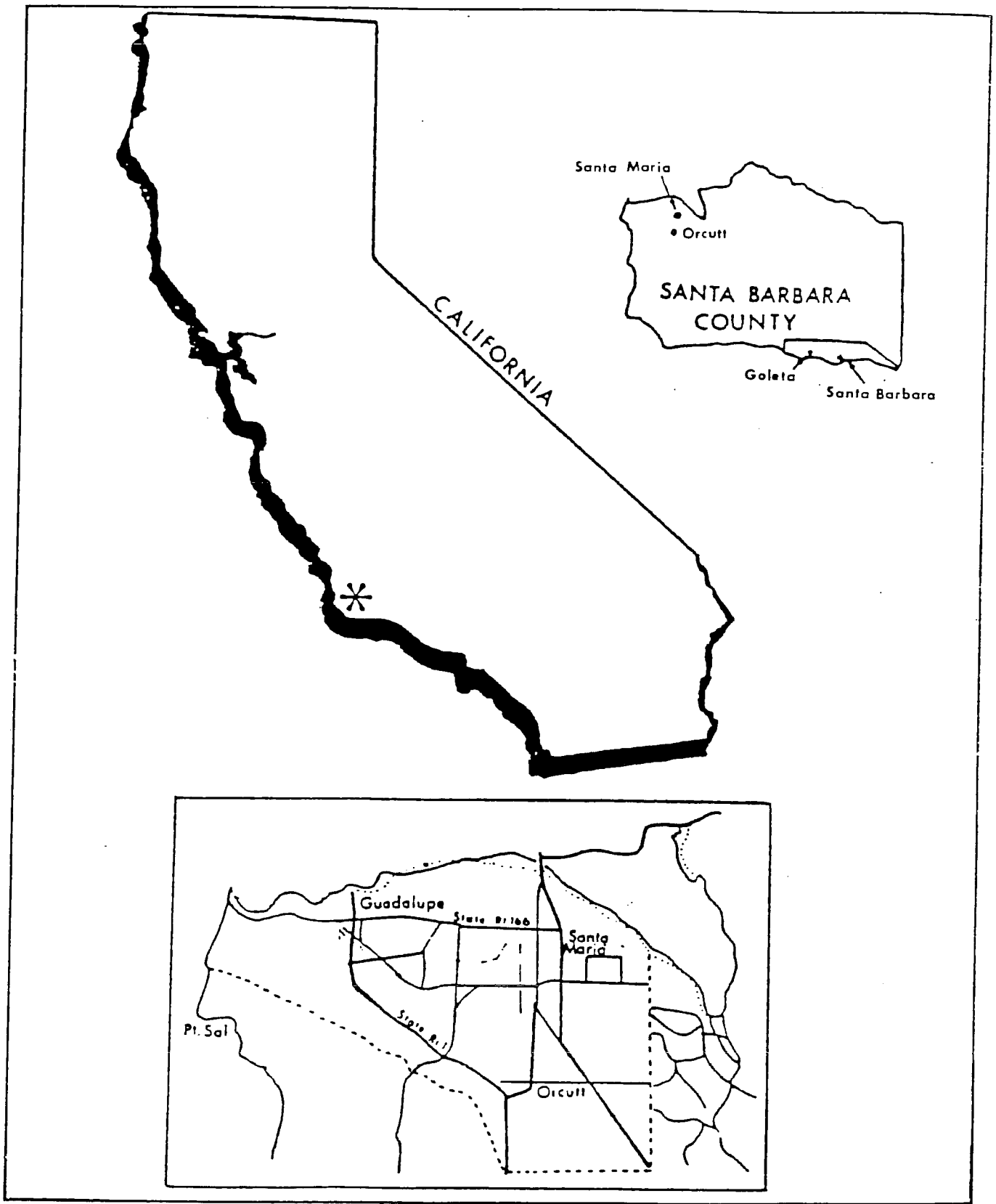


SCALE  
1"=1,100'

EARTH METRICS  
1000 EIMELL COURT  
DALLAS TEXAS 75203

FIGURE 1. THE ORCUTT SIX PROJECTS IN THE SANTA MARIA/ORCUTT AREA





NO SCALE

earth metrics  
1000 elwell court  
palo alto, ca. 94303

FIGURE 2. REGIONAL SETTING OF THE SANTA MARIA/  
ORCUTT AREA

Source: Toups, 1978, p. II-6



to be approved); as well as site specific mitigation measures. Impacts and mitigation measures are summarized in tables for each of the six Orcutt area projects. Information contained the Initial Study amplifies and details project site setting and impact discussions in the project specific portion of 78-EIR-9.

## B. SUMMARY OF REGIONAL IMPACTS

B.1 Land Use and Socioeconomics. The Orcutt area is presently subject to rapid growth, population and housing in the Santa Maria/Orcutt area being projected to reach 77,330 persons and 28,430 dwelling units, respectively, by the year 2000 (Toups, 1978, p. III-14). Table 1 summarizes general land use and socioeconomic factors related to development of the proposed six Orcutt area projects. The six Orcutt projects are shown in Figure 1, and the regional setting of the Orcutt area is shown in Figure 2. Although the individual projects will not in themselves constitute a large part of projected growth, they will generate a number of cumulative significant effects upon land use and socioeconomics that are classified as adverse and unavoidable.

### Land Use

The accumulated acreage that will be removed from open space by the proposed Orcutt projects is 244.2 acres. This land, once developed, will remove a substantial amount of acreage without a forthcoming guarantee of dedicated recreational areas by the applicants (with the exception of acreage dedicated as open space in the Northpoint Patio Homes development).

### Socioeconomics

The existing rural nature of Orcutt is threatened by development patterns that result cumulatively in low density sprawl, and by the concomitant adverse effects upon the valley landscape. Furthermore, the addition of an estimated 1355 people inhabiting 244.2 acres (5.5 persons per acre) will necessitate an increased demand for public services that may outstrip the subsequent rise in property tax revenues required to support infrastructure services.

The increased value of the land (\$28.8 million) may contribute toward speculation on the area's remaining undeveloped open space acreage. Consequently, the ability of fixed income or low and moderate income families to afford housing in the Orcutt area may be diminished unless specific guidelines are adopted to mitigate the probable changes in community structure.

B.2 Air Quality And Nonattainment Status. All of Santa Barbara County has been designated a nonattainment area for oxidant pursuant to the Clean Air Act Amendments of 1977. In the Santa Maria Valley, as elsewhere in the county, on road motor vehicles are currently the chief sources of oxidant precursor chemicals: hydrocarbons and nitrogen oxides. Consequently, anticipated residential development in the Orcutt area will cause cumulative impacts to regional air quality in 1982 and later. By 1982 additional residents will generate 57,600 vehicle miles of travel daily. Construction activity will also add to temporary emissions generation.

Cumulative additional residential development in 1982 will not lead to violations of the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO) and therefore will not affect the attainment status of the Orcutt area with respect to CO. With mitigation measures subsequently described, control of construction related emission of particulate (TSP) is possible, resulting in less severe impairment of local and regional air quality. Construction in the Orcutt area is not expected to alter the attainment status of the Orcutt area with respect to TSP in 1982 or later. Cumulative residential development will contribute negligibly to maximum (hourly average) oxidant concentrations; however, existing sources of oxidant precursor chemicals will probably cause oxidant levels in violation of the NAAQS in 1982.

By 1996 additional residents will generate 440,000 vehicle miles of travel daily. The level of construction activity is expected to subside slightly from that experienced in 1982. Despite the additional travel, CO levels will be in attainment because of the expected cleaner motor vehicles mandated by state and federal legislation. Cumulative residential development in 1996 will contribute ten percent of the projected maximum (hourly average) oxidant level of 0.10 ppm in the Santa Maria Valley. Thus, the

Santa Maria Valley may not be in attainment of the NAAQS for oxidant in 1996, unless the oxidant standard is revised (as is being considered by the EPA).

Residential development in the Santa Maria/Orcutt area is expected to induce the growth of other supporting facilities (commercial and service activities) in the Santa Maria Valley. Consideration of all of the growth in the Santa Maria Valley is essential to forecasting regional air pollutant emissions and concentrations. In spite of total growth in the Santa Maria Valley, emission of nitrogen oxides and of hydrocarbons are projected to decrease slightly in 1996 compared with the reference year 1976 (Refer to the Initial Study). Also, reduced sulfur dioxide emissions in the Santa Maria Valley, measured from the reference year 1976, should be correlated with reduced sulfate levels in the future. (The maximum 24 hour sulfate level in Santa Maria in 1977 was 16.9  $\mu\text{g}/\text{m}^3$ ).

B.3 Water Supply And Water Quality. In the cumulative context, continued overdrafting of groundwater in the Santa Maria Valley must be considered as significant. According to the Santa Barbara County Water Agency (1977a, p. S-8), the cumulative overdraft, in the absence of mitigation measures, would amount to approximately 29 percent of the useable storage in the Santa Maria basin by the year 2000. The cumulative impacts will be most apparent in the Orcutt Storage Unit, an arbitrary geographic division of the Santa Maria basin, which supplies virtually all of the domestic users of the Santa Maria metropolitan area with potable water.

The possible adverse effects of continued long term overdrafting of the Santa Maria basin include the drying up of shallow wells, increased energy consumption to recover water from greater depths, seawater intrusion, soils salt buildup leading to degraded water quality, and land subsidence. A problem peculiar to the Orcutt Storage Unit is the possible inflow of poor quality water resulting from the change in hydraulic gradient caused by the overdraft (Toups, 1978 p. III-40).

The range of possible future water quality degradation in the Orcutt Storage Unit, 800 to 1000 ppm total dissolved solids, is not considered to be an unmanageable problem. The higher value of 1000 ppm total dissolved solids

is the upper limit allowable in drinking water, as established by the California State Department of Health. The slight increase in nitrates concentration presently occurring could eventually pose a health hazard, although at the present rate of change no near term threat is envisioned (Toups, 1978, p. III-38).

The estimated water demand of the combined six projects is 275 acre feet per year, assuming a 15 percent reduction in demand from the use of water saving devices as required by County Ordinance Number 2948. Of the 275 acre feet, approximately 75 percent, or 205 acre feet, would be consumptively used. This amount is equal to 4.6 percent of the annual overdraft for the Orcutt Storage Unit. This effect should be considered significant until regional water resources development projects are undertaken to reduce the overdraft problem throughout the Santa Maria basin.

B.4 Sewage Collection And Disposal. The Laguna County Sanitation District plans to service all future Orcutt area developments within the Santa Maria sphere of influence. The present design capacity of the existing treatment plant is 2.4 million gallons per day (mgd). The average daily dry weather inflow to the plant is 1.59 mgd. An application for enlargement of the plant must be made when 75 percent of the capacity (1.8 mgd) is reached, (Bugh, 1978). This threshold is expected to occur in 1980, but could be reached at a later date if the required water saving devices prove effective. This forecast takes into account the increased rate of growth that the Orcutt area is experiencing (Bugh, 1978).

The treated effluent is received by a local rancher for irrigation purposes under a contractual agreement requiring that disposal of the effluent meets Regional Water Quality Control Board standards. The rancher will be expanding the acreage under irrigation to keep pace with the increase of effluent (Bugh, 1978).

Recently the Santa Barbara County Health Services office has expressed concern over the use of septic tank systems in developments outside the Santa Maria sphere of influence (Santa Ynez Valley News, 1978). The primary concern is that residential developments outside the sphere of influence require the

planned extension of full municipal services, with the decision remaining \_\_\_\_\_ either to provide these services or change the zoning of properties outside the sphere of influence to prohibit residential developments (Pierce, 1978). There is no comparable issue with developments inside the sphere of influence boundary since provisions have already been made to provide sewerage to such areas.

B.5 Fire Protection. The cumulative impact of growth in the Orcutt area upon the ability of the Santa Barbara County Fire Department and the Orcutt Community Volunteer Fire Department to provide services to the residents of the valley is significant: "The number of tracts proposed and under present development in this area may be expected to increase the emergency incident response load. . ." (Santa Barbara County Fire Department, 1978). The fire station presently serving the area is located at the Santa Maria airport. Increases in Fire Department calls to the development area could render equipment increasingly unavailable to the airport and surrounding response areas. The backup station (secondary county fire department apparatus) for this area is 15 minutes away (Sisquoc or Los Alamos). The forthcoming population increases would also impact the number of first aid and rescue calls which must be served by a two person rescue squad from the airport.

B.6 Airport Protection Zone. The Santa Maria Airport is situated near the southwest boundary of the City of Santa Maria, approximately 1.5 miles from the proposed project sites. (See Figure 1). It should be noted that Northpoint Patio Homes project is located in the approach zone of the northwest/southeast oriented runway. This runway accomodates 98 percent of all airport operations. Northpoint Patio Homes is located in the Airport Protective Zone proposed by the Santa Maria Public Airport District (SMPAD) as a part of the current revision of the Santa Barbara General Plan. The Approach Zone, based on FAA standards, is 500 feet wide on either side of the runway, gradually widening to 3500 feet at a distance of 10,000 feet from the end of the runway. There is a vertical height restriction within this zone that prohibits buildings for a distance of 200 feet from the end of the runway and then increases allowable height by 1 foot per 34 feet of ground distance (Gerfen, 1977).

SMPAD recommends that single family detached residential development not be allowed in the Airport Protective Zone. This recommendation follows from the purpose of the Airport Protective Zone to maximize safety for both the adjacent community and airport related activities. The Airport Protective Zone also serves to provide adequate open space to permit emergency landings near the airport.

As the Santa Maria/Orcutt area continues to develop, airport operations can be expected to expand in response to the demand of the community. Consequently, homes constructed now in the Airport Protective Zone will be exposed to increasing noise and potential safety hazard.

### C. PLANS AND POLICIES

The description of environmental setting and the analysis of environmental issues indicate that the Orcutt area would benefit from plans and policies that bear on future residential projects in the area. These plans and policies can abate the specified short term effects of residential projects as well as certain long term, cumulative adverse effects of development in the Orcutt area.

#### C.1 Land Use and Socioeconomics.

1. The County of Santa Barbara should develop a Growth Management Program for the Santa Maria/Orcutt area that will provide a guideline growth rate for housing based upon economic trends in the area, to prevent overbuilding and provide adequate delivery of public services. A monitoring process should be included to adjust the rate of building permit approvals when economic conditions change.
2. As part of the Growth Management Program, specify criteria regarding preservation of open space as well as development with high density, clustered residential designs should be made an essential part of the program.

3. Rezone available residential acreage as DR-4 or DR-8 to permit more intensive use of land reserved for development in the Growth Management Program.

C.2 Air Quality. Attainment and maintenance of the NAAQS in the Santa Maria Valley may require controls over future development and/or operation of transportation and industry. Control could take the form of regulating the type or amount of industrial growth or implementing best available industrial air pollution control technology. Continued demand responsive van service and other transportation control measures (designed to reduce roadway congestion) would also have a beneficial effect on future air quality. The following plans and policies are suggested.

4. Perform additional research of the dispersal/emission characteristics of the Santa Maria Valley to determine the oxidant precursor chemicals and sulfur dioxide emissions tolerances of the airshed. The lead agency should be the Santa Barbara County APCD.
5. Santa Barbara County APCD and Santa Barbara County Cities Planning Council should implement the control strategies developed by air quality planners for the South Central Coast air basin NAAQS attainment plan.
6. Wet down areas of soil redistribution during construction. This could take the form of an APCD monitored and enforced condition of grading and building permits.
7. Provide construction with locally available materials and labor to minimize emissions related to transportation. This could take the form of locally implemented policy, or an APCD enforced regulation. A building permit could include a transportation fee, based upon employer records of employee residences and proposed suppliers of materials specified in the permit application.
8. APCD implementation of a low hydrocarbon content architectural

coatings regulation will minimize hydrocarbon emissions from this source. Model regulations are available from the California Air Resources Board.

C.3 Water Supply and Quality. There are several regional water resources development projects that could be undertaken in the future to ameliorate the overdraft situation in the Santa Maria groundwater basin. These projects include the importation of fresh water to the region (specifically, water from the State Water Project), construction of spreading grounds, construction of a reservoir at the Round Corral site on the Sisquoc River, and weather modification. Each of the above projects would aid in reducing water quality problems as well as reducing the amount of overdraft. These water resources projects, as large scale public works projects, cannot be considered to be mitigation measures applicable to private projects under the provisions of the California Environmental Quality Act (Reynolds, 1978, p.5).

The proposal for implementation of the State Water Project and alternatives is to be included in a Santa Barbara County election to take place in March, 1979. If the proposal is approved, water from the State Water Project would become available beginning in 1986 (Ahlroth, 1978). At full buildout, in the year 2010, the City of Santa Maria would receive 10,700 acre feet per year (AFY) and the California Cities Water Company, which supplies the Orcutt area, would receive 3000 AFY. This importation of 13,700 AFY would result in a significant reduction of pumping from the Orcutt Storage Unit. This pumping reduction would only occur if certain other provisions were met. These provisions would include direct substitution of state water for pumped water (as proposed), and holding the rate of development of the Santa Maria/Orcutt area to previously projected levels. Thus the apparent increase in available water must not be allowed to induce increased development because pumping rates must be reduced as State water becomes available. At present, there are no provisions insuring that pumping rates would be decreased by the substitution of State water. The major action that would assure that the substitution occurs is a requirement by the Regional Water Quality Control Board that the City of Santa Maria reduce the salt content of its sewage effluent. The proposed mechanism for achieving this reduction in salt is the use of State water (Lawrance, 1978).



Most of the other regional water projects are inactive pending the outcome of the State Water Project proposals in the March, 1979 election. The one exception is the weather modification program, which has had a successful experimental trial and may be implemented soon, depending upon the outcome of legal issues (Ahloth, 1978).

Absent action on regional policies addressing basinwide overdraft, cumulative unavoidable adverse impacts may result. Further increases in overdraft resulting from agricultural, municipal, and industrial growth in the basin in the long term must be offset by increased groundwater recharge.

#### C.4 Solid Waste Collection And Disposal.

9. Establish a recycling center in the Orcutt area to minimize the amount of solid waste.
10. Establish a program for composting of food and garden wastes by homeowners in the Orcutt area.

C.5 Fire Protection. The Fire Department position is that the developers should bear the total costs of land, structures, and possibly equipment and staff for a new station in the area of Clark Avenue and Bradley Road, or Clark Avenue and U.S. Highway 101 (Hunt, 1978). Within the proposed subdivisions, the design and location of hydrants and associated water mains, and water pressure must be in conformity with standards required by the Fire Department and approved by the California Cities Water Company.

11. The County of Santa Barbara should establish an equitable policy through which project proponents in the Orcutt area would contribute to the cost of additional fire equipment and personnel. This approach would lessen the overall financial impact of future development in Orcutt upon existing residents. Consideration of a lot tax on all newly developed lots is recommended.
12. Landscape new homes with fire retardant vegetation to minimize fire risk, particularly near structures.

13. Use fire retardant materials in building construction.

C.6 Airport Protection Zone. At present there are no means to mitigate the conflict with the proposed Airport Protection Zone and the proposed Northpoint Patio Homes development. However, certain land uses, considered compatible by the SMPAD, such as industrial, commercial and even clustered residential uses, could be used throughout the proposed Airport Protection Zone (Berry, 1976).

14. Santa Barbara County should restrict land uses in the proposed Santa Maria Airport Protection Zone to the following after the proposed zone is approved:

- Garden apartment and townhouse complexes using the Airport Safety Zone as open space and flood control retention areas. Acoustical treatment would be necessary.
- Commercial use facing on the safety area open space.
- Industrial use maintaining the safety area as open space.
- Garden cluster office and light manufacturing, research center type development - facing safety zone open space.
- Apartment houses in which adequate protection against exterior noise has been included in design and construction, together with a central air conditioning system, maintaining safety area open space.
- Cemetery.
- Recreation (golf course, riding stable, bike trails, park, etc.).
- Oil production.
- Agricultural.

- Open space/flood control.

C.7 Traffic. The following measures would improve roadway accommodation of traffic in Orcutt.

15. Construct the Miller Street extension by 1982.
16. As development and occupancy occur, install necessary signals, stop signs, and left turn protection at new intersections.
17. As needed, retime signals and create additional left turn protection at arterial intersections.
18. The Santa Barbara County Department of Transportation should review all plans for new residential circulation systems and develop a master circulation pattern.

The following mitigation measures would reduce trip generation and regional vehicle miles of travel in the Santa Maria/Orcutt area:

19. Encourage formation of car pools between Santa Maria and Orcutt.
20. Consider the establishment of a Santa Maria/Orcutt van shuttle system along State Highway 135 as demand increases from Santa Maria/Orcutt commuters and shoppers.

In addition, road construction and coverage of open space could be reduced through clustered residential development design. Coverage of land with streets, curbs, gutters, and sidewalks would be reduced by approximately 20 percent for clustered developments over conventional developments.

C.8 Noise.

21. New residential developments near well traveled roadways in the Orcutt area should be designed to mitigate the increases in roadway noise. Mitigation measures such as noise walls or berms, speed

controls, avoidance of ship seal surfacing, increased setback of residences from major roadways or soundproofing of buildings generally provide the most effective mitigation tactics.

22. No new residential development should be allowed in the proposed Airport Protective Zone. The proposed 1500 foot wide corridor should be included in the Noise Element of the County General Plan for final adoption. Acceptable uses within the Zone should be limited to industrial, commercial, or recreational. Prospective residents of homes which are located near the Airport Protective Zone or any aircraft flight patterns should be notified of noise conditions and of the potential for loud aircraft noise, even if infrequent. Local realtors should be instructed by the county to notify potential homebuyers of this possibility for noise impact.

C.9      Energy.

23. It is recommended that all proposed residential dwellings not only meet but exceed the State energy conservation standards. In particular, dwelling units that employ solar water heating or space heating should be sought for the Orcutt area. Savings in construction energy consumption would be significant if a large percentage of new residential development were in the form of clustered single family units or clustered townhouses. Clustered development particularly saves resources by minimizing the amount of streets, curbs, sidewalks, telephone lines, gas lines, and sewer lines that must be developed. In addition, the following measures, if generally applied to development in the Santa Maria/Orcutt area, would aid in conserving energy:

- Insulate corners and the areas around windows early in the construction process.
- Install double glazed windows for insulation purposes.
- Lengthen eaves for better shading over windows and walls (this

shades summer sun but admits winter sunlight).

- Use plastic, rather than standard tar paper, under the exterior, to wrap around the wood structure. This serves as a positive barrier against outside air infiltration.
- Use electric ignition on gas fired appliances.
- Encourage the use of car pools or van pools.
- Provide a recycling center or information regarding nearby recycling centers.
- Provide energy saving tips in the form of available booklets by Pacific Gas and Electric Company to new residents.
- Favor developments with progressive use of available energy conservation technology (e.g., solar heating).

C.10      Biology.

24. Maintain open space areas in cohesive units since fragmented natural habitat interspersed with development is of lower habitat value. (Clustered developments maximize natural open space.)
25. Encourage recreational uses of surrounding open space that are compatible with the maintenance of natural habitat values (e.g., hiking, nature study, photography, low density camping and picnicking).
26. Encourage new developments to fill in open space that is interspersed in urban areas, rather than cause further fragmentation of outlying open spaces.
27. Use drought resistant, native plants for landscaping purposes, rather than exotic ornamentals, since native plants tend to be of

higher habitat value and require less fertilizer, pesticides, and irrigation. (Refer to Appendix 11.3.) Require that model homes be landscaped in this manner so that potential home buyers will be encouraged toward conservation oriented landscaping.

C.11 Community Services

28. Reduce overcrowding at Ernest Righetti High School by any of the following measures:

- Provide for a staggered schedule of classes.
- Hold classes throughout the entire year.
- Construct additional facilities or use portable classrooms.

D. COSTS OF SPRAWL

The urbanization of the Santa Maria Valley and in particular, the unincorporated community of Orcutt will cause significant unavoidable adverse impacts if piecemeal development occurs without proper consideration of the economic and environmental costs of growth. A variety of alternative development concepts exist that can minimize the use of valuable resources and still accommodate growth. Framing a set of policies, through which planned development at a preferred density is eventually achieved, can accrue savings related to environmental costs, economic costs, and energy consumption. Planned development, referred to as planned unit development (PUD) or planned residential development (PRD) which includes cluster approaches, are land management measures that maximize use of open space, energy and other resources, and control the timing of development. A PUD permits mixes of land uses, while a PRD permits only residential development.

The potential for such savings has been well documented (see "Costs of Sprawl", 1974, and "An Urban Strategy", 1978) and generally include:

- a. A reduction in the total capital cost burden to local government by

as much as one third, because a larger proportion of land, roads, and utilities, and facilities for open space will probably be provided by the developer.

- b. A reduction of 20 to 30 percent in air pollution over conventional subdivisions.
- c. Preservation of significant, contiguous wildlife habitat and heavily vegetated areas.
- d. Improved site design to minimize noise impacts.
- e. Careful land use design that minimizes the amount of soil disturbance and paved surfaces, thus reducing the volume of storm-water runoff and related water quality problems.

An influential determinant of the per capita cost of areawide development is density. In most cases, economic and environmental costs, as well as resource consumption, will probably be significantly less per capita at higher planned densities, especially related to housing and providing of services. However, density, community size, and rate of development must be planned carefully so that small, rapidly growing areas, such as Orcutt, can afford the capital costs associated with expanding and maintaining infrastructure services, and can provide new residents with employment, social, and recreational opportunity. A discussion of the savings incurred by planned development is illustrated in the example of clustered development in the Initial Study.

#### Clustered Residential Development

An even dispersal of dwelling units on individual land parcels characterizes conventional single family residential development. Clustered single family residential development typically creates a higher housing density than does conventional single family residential development; however, the advantages of clustered residential development accrue through a reallocation of land use priorities. Grouping single family or other types of homes, such as townhouses and condominiums, reduces the relative acreage required for

streets and residential building land parcels and increases the relative acreage dedicated to open space and recreational land uses. The total effect of clustered residential development as compared to conventional development is to conserve resources and preserve open space.

As an example, a residential community of 1000 conventional single family homes can be compared with a similar community of 1000 clustered single family homes. If both the conventional and clustered styles of homes each contained equal floor areas of 1600 square feet, the conventional home community would require 500 acres of land while the clustered home community would need only 400 acres. In the conventional style community, 330 acres would be dedicated to homes (0.33 acre per dwelling unit), 75 acres to streets and sidewalks, and 45 acres to open space and recreational land uses. In the clustered home style community, 200 acres would be required for homes (0.2 acre per dwelling unit), 60 acres for streets and sidewalks, and 90 acres for open space, wild-life habitat, and recreational land uses. Clustered development also allows the saved open space to be contiguous, which is of great importance to wild-life habitat, whereas conventional home development isolates open space into fragments that do not have comparable habitat value. In either style of development, 50 acres would be required for schools, churches, and other community land uses.

The conservation of resources by a clustered home community over that of a conventional home community is shown in the 26 percent savings in land acreage used for streets and sidewalks, and in the 26 percent energy savings in construction of transportation and utilities lines such as streets, sidewalks, gutters, water lines, gas lines, sewage lines, telephone lines, and electrical cable lines.

The energy and resources necessary for clustered residential developments are even more significantly reduced when the floor space of the homes can also be reduced. Table 20 in the Energy section of the Initial Study compares the energy costs of conventional and clustered single family residential homes in Orcutt. In the Table it is assumed that the clustered housing units have an average 1600 square feet floor area while the conventional units have an average of 2100 square feet.



E. UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

E.1 Land Use and Density. The current vacancy rate in Santa Maria is 2.11 percent (State Special Census, 1975). A housing vacancy rate of five to seven percent is the standard generally used for determining the state of the housing market, additional housing not being needed in areas with vacancy rates above seven percent, and housing demand being indicated in areas with vacancy rates below five percent. The current low vacancy rate indicates that the housing provided by the six proposed projects in Orcutt would be compatible with existing market demand there.

The cumulative effect of the six projects is expected to create a series of unavoidable adverse effects:

1. The nature, appearance, and overall ambience of the existing open space will be altered through urbanization.
2. Cumulative development will place additional demands on an area already suffering from an energy shortage and water quality problems.
3. An increase in regional traffic and an associated decrease in air quality can be expected.
4. The secondary impacts of emissions resulting from increased power generation will add to the degradation of regional air quality.
5. Compliance with Federal Ozone Standards by 1982, as a goal set forth by the county, are less likely to be achieved. The projected growth will keep area ozone levels close to the California state standard of 0.10 ppm, as opposed to the 0.08 ppm federal standard.
6. A long term increase in ambient noise levels associated with increased human activity will occur.

These adverse effects, although unavoidable, can be partially mitigated by

altering the land use configurations from traditional single family detached units, as proposed, to an assortment of Planned Unit Developments, as discussed above.

E.2 Water Supply And Usage. The influx of 1355 people to the Orcutt area will directly affect the existing water supply. Mitigation measures, such as using water conservation fixtures or using native drought tolerant plants for landscaping, can reduce excessive use of water; however, the net gain in households is not offset by the small savings obtained by water conservation. In absence of implementation of regional mitigation measures (measures at a scale greater than a single project applicant would be able to effect), proposed development in the Orcutt area will generate significant unavoidable cumulative impact on the adequacy of water supply. With continued overdraft, intrusion of water of lower quality is likely to occur in the Orcutt storage unit. Total dissolved solids (TDS) may reach 900 mg/l.

E.3 Runoff on Solomon Creek. The accumulation of residential development along the Solomon Creek drainage contributes to increasing peak flows down stream in a cumulative way. This peak flow increase can be destructive and may eventually cause significant adverse impacts.

E.4 Beneficial Impacts. The developments proposed will provide needed housing which, if approved, will be developed over the next one to two years. The local economy will also experience a moderate increase in employment, sales, services, and revenue.

A. SUMMARY OF IMPACTS

A.1 Project Description and Setting. The proposed Northpoint Patio Homes development (77-RZ-26) is shown in relation to the Orcutt area projects in Figure 1 , and the project site plan is presented in Figure 6 . The project includes 221 townhouse condominiums built on 80 acres, phased in six units, and designed in clustered development style. Approximately 71 percent of the project site will be kept as open space: a portion left in its natural state open to the public, a portion developed as public playing fields, and the remainder developed for private recreational uses for residents of the development.

The market value of the project site in 1975 was \$75,000. The average selling price of each dwelling unit will be \$41,000 (Krause, 1978). The project will house an estimated 730 persons.

Land Use and Zoning

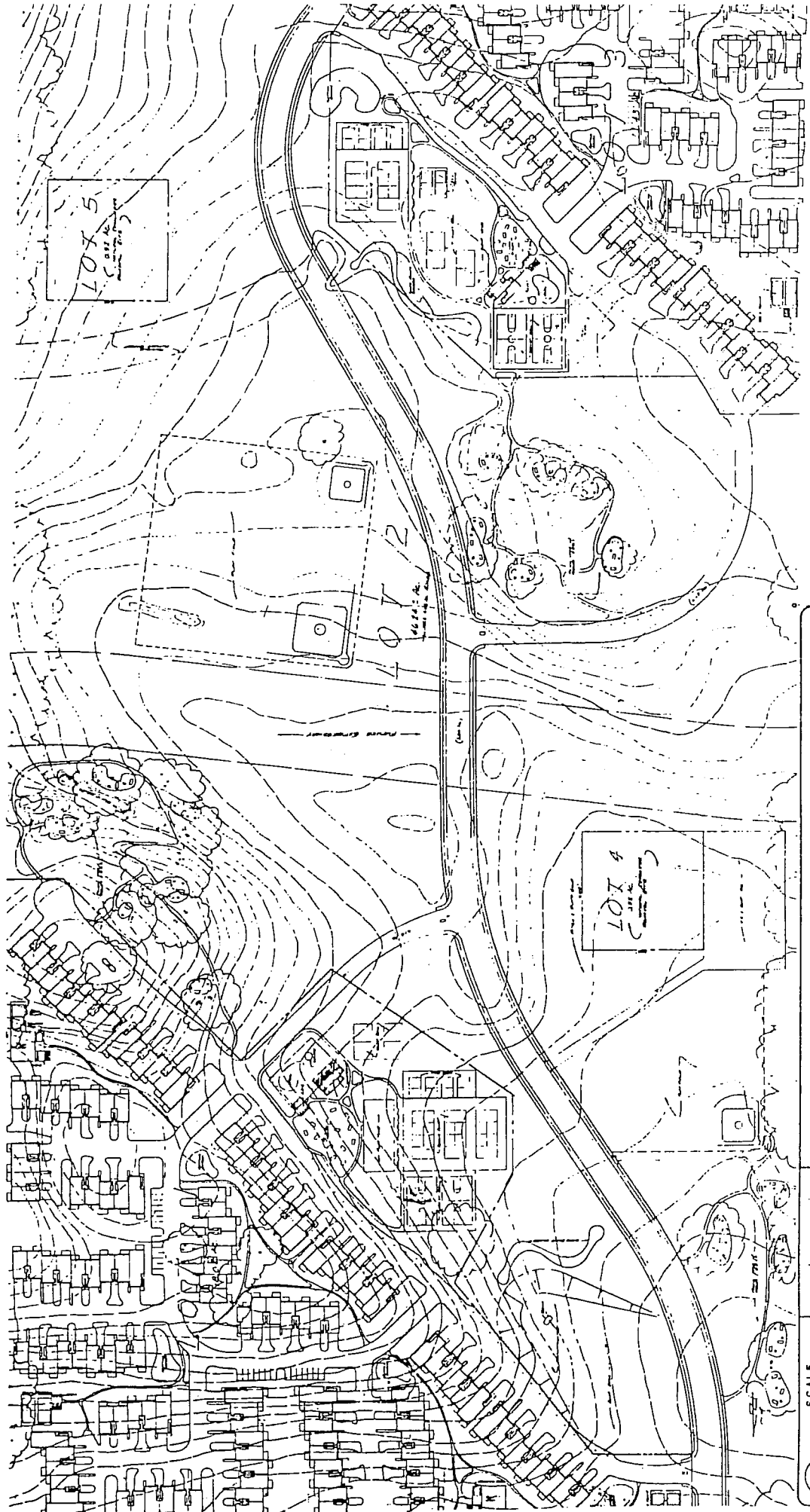
The project is not consistent with existing general plan and zoning designations (single family and 10-R-1 zoning). In addition to zoning change, the developer is requesting a combining regulation because of the number of changes, variances, and uses required, such as mineral rights for the project site. Adjacent land east of the project site is partially developed with single family residences, and is zoned for additional single family residences. Adjacent property west of the project site is largely undeveloped, although there are a few older homes and other structures there. Adjacent land south of the project site is zoned for single family residences.

Access to the project site would be via Foster Road, bordering the project site on the north. Orcutt Road is approximately one quarter mile west of the project site.

Visual

Plate 1 of Figure 7 shows a view of the site from Foster Road. Plate 2 of Figure 7 shows the project site from its southwest corner.






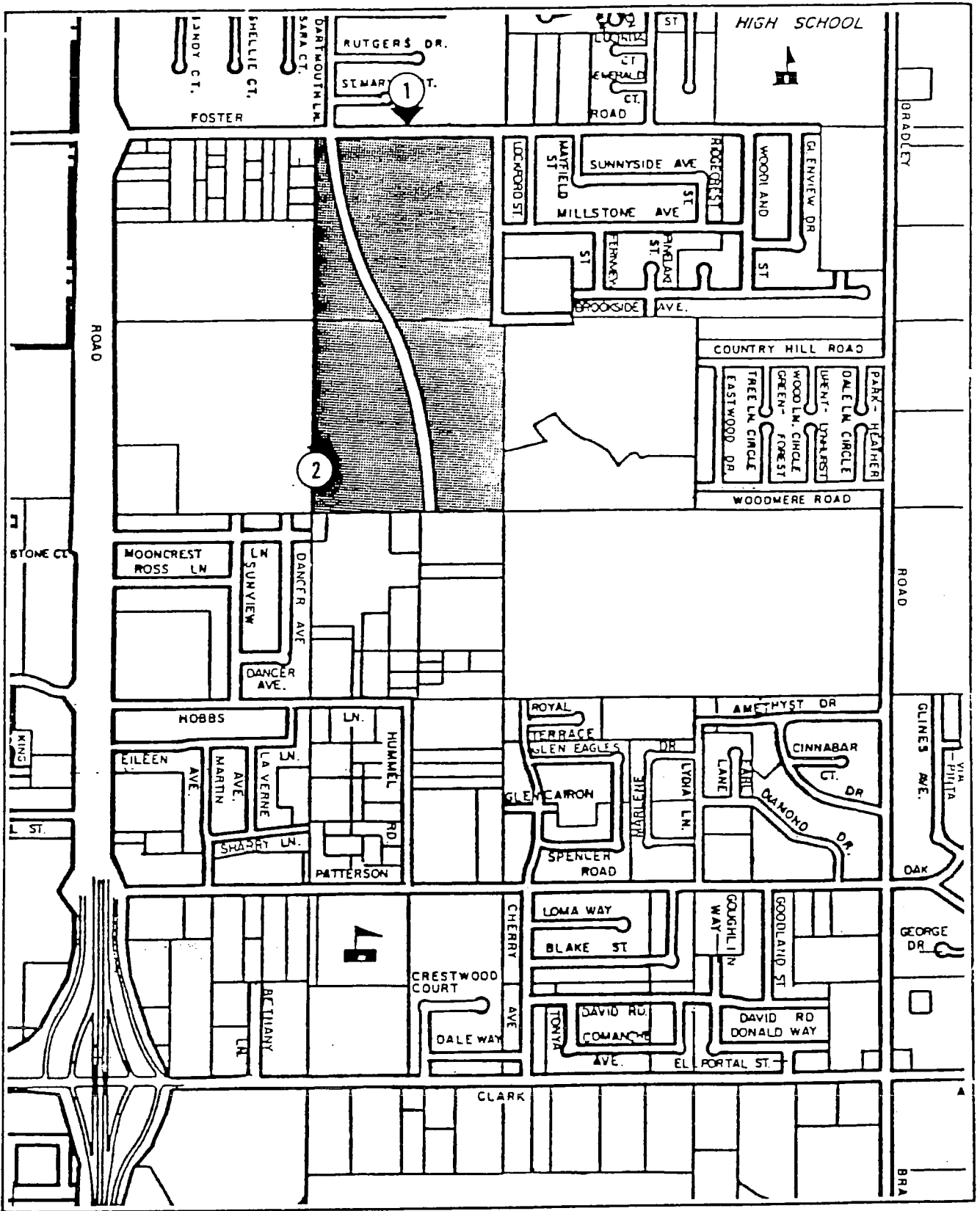

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 palo alto, ca 94303

FIGURE 6. SITE PLAN FOR PROPOSED NORTH POINT PATIO HOMES DEVELOPMENT





earth metrics  
 1000 elwell court  
 palo alto, ca. 94303

FIGURE 8. VISUAL PERSPECTIVE LOCATIONS FOR THE PROPOSED NORTHPOINT PATIO HOMES VISUAL SETTING





The site contains several mature eucalyptus trees, but little else of visual interest. No significant views can be seen from the project site.

## Noise

The project site is beneath the most frequently used approach to the Santa Maria Public Airport. The area defined as 750 feet on each side of the extended centerline of Santa Maria Airport runway 30 between Orcutt Expressway and Bradley Road is proposed as an airport safety and noise control zone by the Santa Maria Public Airport District. Because safety and noise are of critical concern in this zone, no residential development will be allowed there.

A.2 Impacts Subject to Mitigation, Mitigation Measures, and Unavoidable Impacts. Table 3 summarizes impacts and mitigation measures for the North-point Patio Homes development 77-RZ-26.

## B. SITE SPECIFIC IMPACTS FOUND NOT TO BE SIGNIFICANT

B.1 Traffic. Several measures of project traffic intensity were applied in the traffic analysis. These include the project's average daily traffic (ADT) and daily vehicle miles of travel (VMT), number of one way trips per acre of development, volume of one directional traffic making left turns during peak hours of traffic, and linear feet and acreage of paved street surfaces. Project traffic intensity is summarized to be:

- ADT of 2100 vehicles would generate 10,000 VMT upon completion and full occupancy of 221 condominium units.
- The project would create 26.2 one way trips per acre.
- During the peak hours of traffic the project would add 210 vehicles making left turns onto Foster Road from the proposed Hummel Drive entrance into the project site, and 140 vehicles making left turns onto Foster Road from Orcutt Road.

TABLE 3 . SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR NORTHPOINT PATIO HOMES (77-RZ-26)

IMPACT	DESCRIPTION OF IMPACT	MAGNITUDE OF IMPACT	UNAVOIDABLE	MITIGATION MEASURES
Traffic	Additional traffic and new roads	Not significant	Yes	Make security gates readily operable by emergency team personnel; Place crosswalks near playing fields
Air Quality	Dust and other emissions during construction Project related traffic emissions	Not significant Not significant	Yes Yes	Wet down areas of soil redistribution Refer to regional plans and policies
Noise	Construction noise  Noise attributable to existing and projected aircraft operations	Not significant  Significant	Yes  Yes*	Limit construction to hours between 8:00 a.m. and 6:00 p.m. Use special insulation, and monitor indoor noise before occupancy, to test that sufficient noise mitigation is achieved
Biology	Depletion of wildlife habitat	Not significant	Yes	Landscape with drought resistant native plants
Archaeology	Potential subsurface archaeological remains	Not significant	No	Monitor all subsurface construction
Land Use	Conflict with resource removal	Significant	No**	Use proper engineering design to eliminate odor and minimize emissions; landscape
	Conflict with airport protective zone	Significant	Yes*	Refer to alternative project discussion
	Potential conflict with east/west expressway (proposed)	Significant	No	None recommended
Hydrology	Additional water demand of 65 acre feet per year	Significant	Yes*	Refer to regional plans and policies.

\* Unavoidable significant adverse impact for which decision maker issues a statement overriding consideration if the project is approved.

\*\* Significant adverse impacts which are mitigatable and where decision makers must make findings.

- New residential streets and driveways would add 6400 linear feet of roadway and 8.7 acres of paved surface.

Cumulative regional impacts are discussed in the Summary of Regional Impacts.

B.1 Air Quality. Construction will be a temporary source of particulates and nitrogen oxides. Travel related to the completed project (approximately 10,000 vehicle miles per day) will add incrementally to the air pollution loading of the Santa Maria Valley. However, the project will not singly delay attainment of the National Ambient Air Quality Standards. Cumulative regional impacts are discussed in the Initial Study.

B.2 Construction Noise. Construction will temporarily cause increased ambient noise levels near the project site. Traffic related to the project will increase ambient noise levels unnoticeably along Foster Road. However, existing noise levels attributable to motor vehicles on Foster Road and to aircraft, are sufficiently high that noise mitigation will be required at the project site.

B.3 Visual. Development of approximately three fourths of the project site as open space, and preservation of all large trees, will have a beneficial effect on the visual character of the project site.

B.4 Biology. Completion of this cluster development will deplete approximately 23 acres of vegetation and wildlife habitat. Remaining open space will provide some habitat for birds and small mammals, others being displaced by development.

B.5 Archaeology. A review of archaeological site maps and a cursory survey of the project site was conducted. It is not possible to state conclusively that there are no valuable archaeological resources within the project site, but only that the probability is slight.

B.6 Drainage. Development of the project site will increase the amount of stormwater runoff. Storm flow will be discharged to the 50 acres of open space in the project site, then percolate into the ground.

C. SITE SPECIFIC IMPACTS FOUND TO BE SIGNIFICANT

C.1 Significant Impacts Subject to Mitigation. The following significant impacts subject to mitigation are summarized in Table 3.

Land Use

The proposed natural resource removal sites are incompatible with the proposed residential and recreational uses of the site. Oil drilling equipment will be potentially unsightly to both residents and other users of the project site. Odor and noise problems may result from the oil drilling operations, as well.

Noise

The project site is located in an acceptable zone, with respect to aircraft noise, as defined by the Department of Housing and Urban Development. However, the proposed Northpoint Patio Homes will be subjected to occasional aircraft noise that may cause uncomfortable living conditions outdoors and indoors. The frequency of these conditions is expected to increase in the future as airport operations increase at the Santa Maria Public Airport. During infrequent jet take offs over the project site, and during other aircraft operations, the airport may receive complaints from future project site residents who experience high indoor noise levels.

The proposed east and west expressway through the project site would have a significant effect on ambient noise levels in the project site. The magnitude of this effect cannot be determined at present.

Air Quality

Petroleum recovery and production facilities proposed in the vicinity of the project site will create potentially unacceptable levels of sulfur dioxide and hydrogen sulfide downwind of plant facilities. Potential safety, health, and odor effects of petroleum industry processes will be unsuitable for adjacent residential land.

C.2 Unavoidable Significant Adverse Impacts for Which the Decision Maker Issues a Statement of Overriding Considerations if the Project is Approved.

Hydrology

The proposed project will require water in the amount of 76 acre feet per year. Water saving devices, required by Santa Barbara County (Ordinance Number 2948), will reduce water demand to approximately 65 acre feet per year, or 1.5 percent of the currently estimated overdraft of the Orcutt storage unit.

Noise

Outdoor areas in the open space and recreational portion of the project site will be located in the proposed airport protective zone, and will be subjected to high ambient noise levels. As aircraft operations will increase in time, future project site residents may hold the Santa Maria Public Airport District (SMPAD) legally responsible for airport impacts and hazards. SMPAD has noted that the proposed land uses in the project site are not fully consistent with those preferred in the proposed airport protective zone.

D. SITE SPECIFIC MITIGATION MEASURES

D.1 Air Quality

1. Favor construction with locally available materials and manpower to minimize air pollutant emissions related with transportation.
2. Use architectural coatings (e.g., paint) with low hydrocarbons content.
3. Wet down areas of soil redistribution to minimize particulates blowoff.

D.2      Noise

4. Require thorough caulking and weatherstripping around windows, roof/wall interface, and doors of proposed dwelling units within 55 feet of Foster Road.
5. Limit construction hours to those between 8:00 a.m. and 6:00 p.m.
6. Require the following noise insulation be installed to reduce indoor noise levels attributable to aircraft:
  - a. Roof/wall interface, windows, and doors to receive thorough caulking and weatherstripping.
  - b. Windows to be of a sound transmission class (STC) of 35 or better (e.g., double glazed with 2.5 inch air space).
  - c. Central air conditioning to allow for interior comfort during closed window condition.
  - d. Exterior doors to be solid core.
7. Require acoustical monitoring indoors before occupancy of the Northpoint Patio Homes to insure that interior noise levels are acceptable under state, federal, and county guidelines.
8. Notify prospective residents of the Northpoint Patio Homes of existing and project scenarios with respect to aircraft noise.

D.3      Land Use

9. Require as a condition of drilling permits that machinery be enclosed and effectively screened with landscaping to reduce visual impacts. Also, require proper engineering designs that eliminate noise and odor, above ambient levels, outside the property line of the oil drilling operation and placement of an H<sub>2</sub>S monitoring

device that will shut down well if dangerous levels are approached.

10. Require that natural resource removal sites be left as natural open space until oil drilling operations commence.

#### D.4 Drainage

11. Require that catchment basins be installed for stormwater runoff, and that storm flows be directed to the 50 acre open space area for percolation into the ground.

#### D.5 Biology

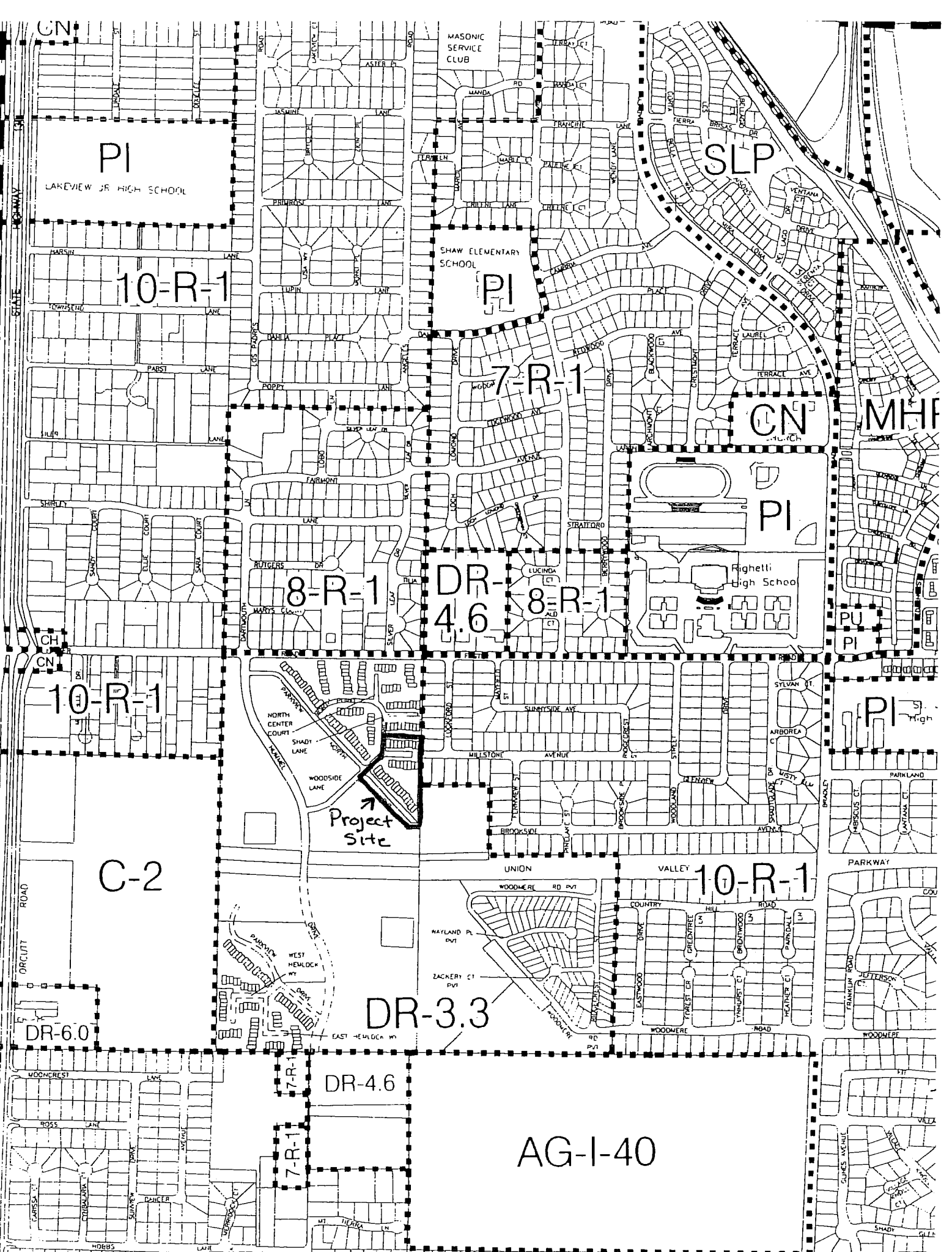
12. Use drought resistant, native plants for landscaping, rather than exotic ornamentals, since native plants tend to be of greater habitat value and require little or no fertilizer, pesticide, or irrigation. Require developer to install low irrigation native plant landscaping for use with model homes developed for tract sales.

#### E. SITE SPECIFIC ALTERNATIVES

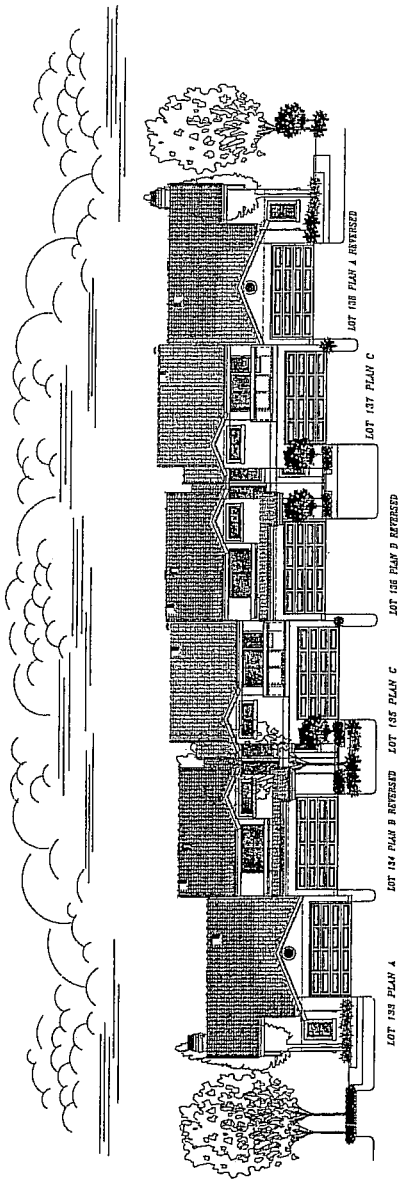
1. Single use alternatives would eliminate potential incompatibilities between residential, open space, and industrial uses at the project site. One single use alternative would be to approve the project without the natural resource removal sites and rezone the land as DR-3 instead of DR-3-0. Other single use alternatives include development of the site solely as a commercial, industrial, or recreational area. Oil drilling, if allowed on site, may still be compatible with adjacent residential land.
2. Deferred development of a portion of the projects proposed would enable county planning and community groups to assess the needs of the community. This method would permit growth at a rate coinciding with needs of the community rather than with the desires of individual developers. The rate and type of development (percent

**ATTACHMENT F**  
**ORCUTT COMMUNITY PLAN**  
**ZONE DESIGNATIONS**





**ATTACHMENT G**  
**REDUCED PROJECT PLANS**



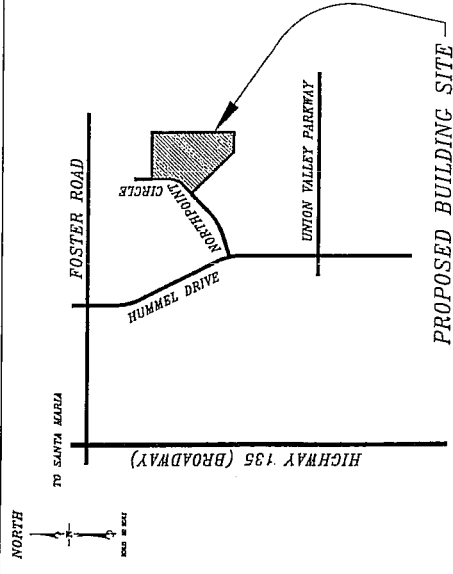
Front Elevation of Building Three on Parkview North

NOTES

SHEET INDEX

SHEET NO.	SHEET TITLE
1	COVER SHEET - VICINITY MAP, SHEET INDEX, & NOTES
2	SITE PLAN AND CHADING NOTES
3	BUILDING ONE FLOOR PLAN
4	BUILDING ONE ELEVATIONS
5	BUILDING TWO FLOOR PLAN
6	BUILDING TWO ELEVATIONS
7	BUILDING THREE FLOOR PLAN
8	BUILDING THREE ELEVATIONS
9	BUILDING FOUR FLOOR PLAN
10	BUILDING FOUR ELEVATIONS
11	FLOOR PLAN OF PLAN A
12	ELEVATIONS OF PLAN A
13	FLOOR PLAN OF PLAN B ON WOODSIDE LANE
14	ELEVATIONS OF PLAN B ON WOODSIDE LANE
15	FLOOR PLAN OF PLAN B ALTERNATE ON PARKVIEW NORTH
16	ELEVATIONS OF PLAN B ALTERNATE ON PARKVIEW NORTH
17	FLOOR PLAN OF PLAN C
18	ELEVATIONS OF PLAN C
19	FLOOR PLAN OF PLAN C
20	ELEVATIONS OF PLAN C

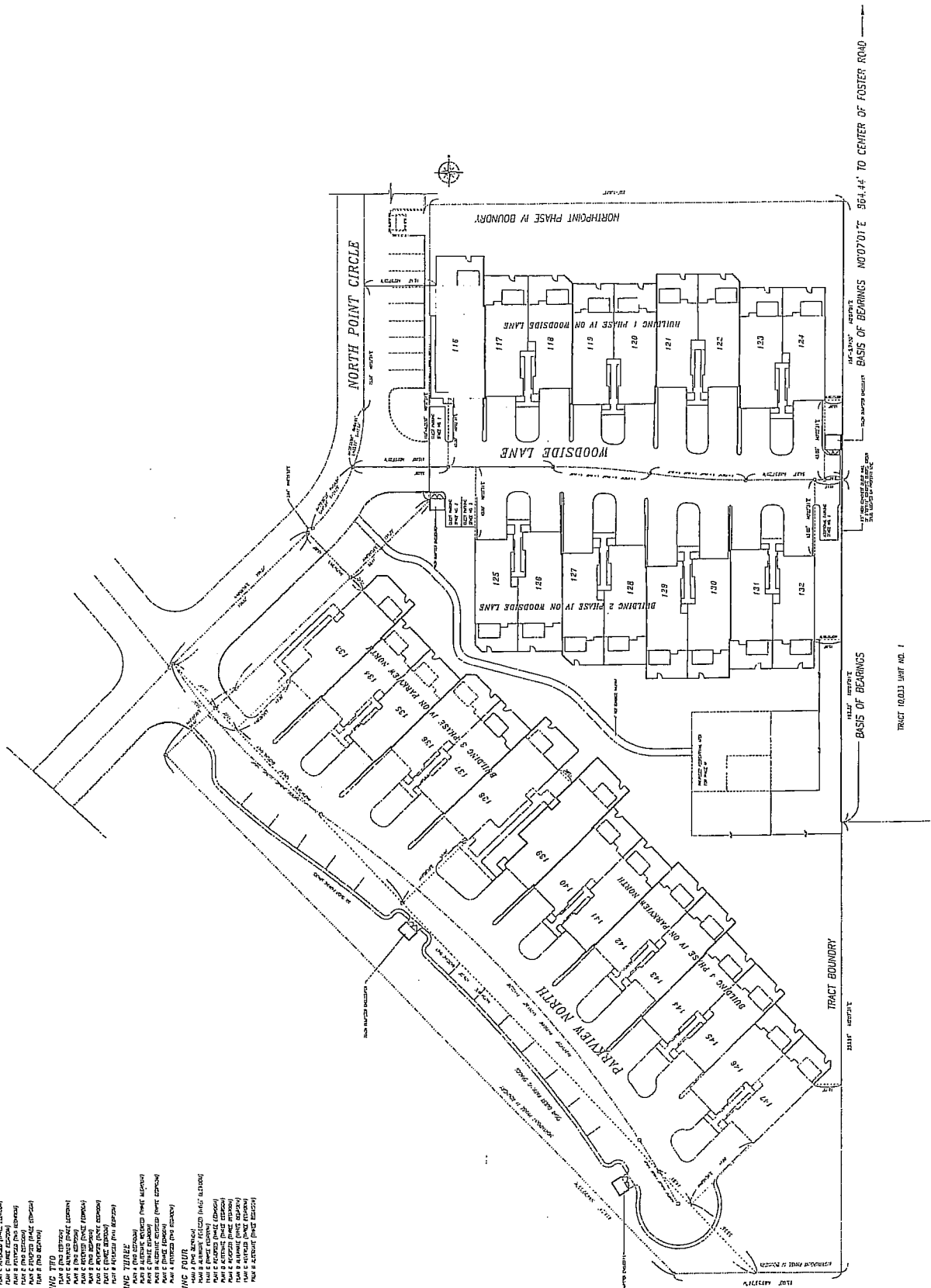
VICINITY MAP



PROPOSED BUILDING SITE

**LOT WITH PLAN SCHEDULE**

101	PLAN 101
102	PLAN 102
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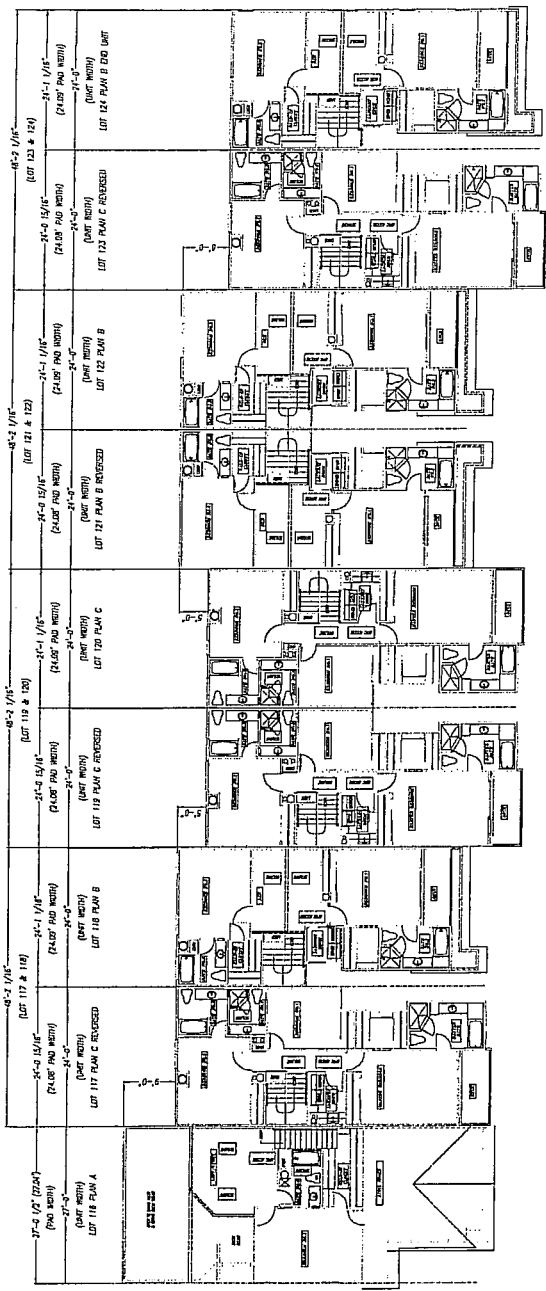
# SITE PLAN

JACKIE C. WILKS ARCHITECTS  
 125-111-1000  
 515 SOUTH 4TH AVENUE  
 SUITE 100  
 DENVER, CO 80202  
 PROJECT NO. 125-111-1000  
 DATE: 10-15-2025  
 SHEET NO. 05-002  
 OF 2

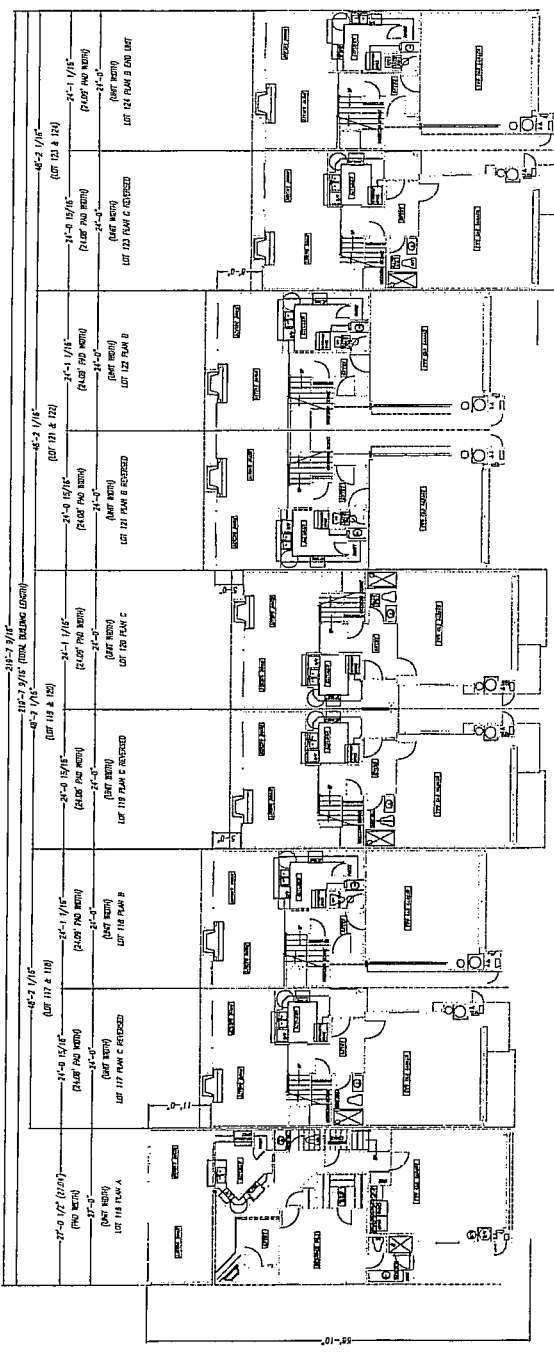
NORTHPOINT VILLAGE - PHASE IV SITE PLAN  
 FOR MR. LEO EVANS  
 125-111-1000  
 SHEET NO. 05-002  
 OF 2

# Floor Plans for Building #1

**SECOND FLOOR PLAN OF BUILDING ONE ON WOODSIDE LANE**



**FIRST FLOOR PLAN OF BUILDING ONE ON WOODSIDE LANE**



JACKIE C. WALKS ARCHITECT  
 2245 GARDEN LANE  
 SANTA MONICA, CALIFORNIA 90405  
 PHONE: (310) 318-1100  
 FAX: (310) 318-1100  
 PROJECT NO. 03-002  
 DATE: OCTOBER 12, 2000  
 SHEET NO. 3

NORTHPOINT - PHASE IV  
 FOR MR. LEO EVANS  
 WOODSIDE LANE  
 SANTA MONICA, CALIFORNIA 90405  
 PROJECT LOCATION  
 PLOT: 12114 LOTS: 116, 117, 118, 119, 120, 121, 122, 123 & 124  
 SCALE: 1/8" = 1'-0"  
 DATE: 10/12/00

FLOOR PLAN OF FIRST FLOOR & SECOND FLOOR OF BUILDING ONE ON WOODSIDE LANE