

May 12, 2014

Amy Donatello
California Department of Transportation
50 Higuera Street
San Luis Obispo, CA 93401

PLANNING COMMISSION
HEARING OF MAY 7, 2014

RE: CalTrans State Route 192 Arroyo Parida Bridge Replacement Project; 14APL-00000-00004

Hearing on the request of Amy Donatello, agent for the California Department of Transportation to consider Case No. 14APL-00000-00004, [application filed on February 18, 2014] to appeal the South Board of Architectural Review (SBAR) denial of Case No. 12BAR-00000-00096 in compliance with Chapter 35-182 of the Article II Coastal Zoning Ordinance (CZO), on property located in the Transportation Corridor (TC) zone district in the Coastal Zone; and to determine the project is exempt from CEQA pursuant to Section 15270 of the State Guidelines for the Implementation of the California Environmental Quality Act. The application involves AP Nos. 005-310-007, -008, -012, -021, -025, -026, 005-320-025, -042, located on State Highway 192, post mile 15.4/15.6 Foothill Road, approximately ½ mile west of Cravens Lane, Carpinteria, First Supervisorial District.

Dear Ms. Donatello:

At the Planning Commission hearing of May 7, 2014, Commissioner Cooney moved, seconded by Commissioner Brown and carried by a vote of 4 to 1 (Blough no) to:

1. Make the required findings for denial of the preliminary design approval for Case No. 12BAR-00000-00096, specified in Attachment A of the staff report, dated April 18, 2014, including CEQA findings;
2. Determine the denial is exempt from CEQA pursuant to CEQA Guideline Section 15270, included as Attachment B of the staff report, dated April 18, 2014; and
3. Deny the appeal, Case No. 14APL-00000-00004, thereby affirming *de novo* the decision of the SBAR to deny preliminary approval of Case No. 12BAR-00000-00096.

The attached findings and conditions reflect the Planning Commission's actions of May 7, 2014.

The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, May 19, 2014 at 5:00 p.m.**

Final action by the County on this project may be appealed to the Coastal Commission by the applicant, an aggrieved person, as defined above, or any two members of the Coastal Commission within the 10 working days following the date the County's Notice of Final Action is received by the Coastal Commission.

Sincerely,

Dianne M. Black
Secretary to the Planning Commission

cc: Case File: 14APL-00000-00004
Planning Commission File
California Coastal Commission, 89 S. California Street, Suite 200, Ventura, CA 93001
SB School District, 720 Santa Barbara Street, Santa Barbara, CA 93101
Owner: California Department of Transportation, 50 Higuera Street, San Luis Obispo, CA 93401
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Salud Carbjal, First District Supervisor
Michael Cooney, First District Commissioner
Jenna Richardson, Deputy County Counsel
Jennifer Siemens, Planner

Attachments: Attachment A - Findings

DMB/dmv

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

The proposed denial is exempt from environmental review pursuant to Section 15270 (Projects Which are Disapproved) of the Guidelines for Implementation of the California Environmental Quality Act. Attachment B, incorporated herein by reference, contains a more detailed discussion.

2.0 DESIGN REVIEW FINDINGS

Findings required for all Design Review applications for sites outside of the Montecito Community Plan area. In compliance with Section 35-184.6 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for Design Review for sites outside of the Montecito Community Plan area, the review authority shall first make all of the following findings. However, as a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

- 1. In areas designated as rural on the land use plan maps, the design, height, and scale of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.*

Though the appellant has stated that the project footprint has been reduced to Caltrans' minimum allowed state safety standards, the appellant has also discussed with County staff that safety standards can be modified on a case by case basis; therefore, staff's opinion is that this is a case where the safety standards should be modified to consider the specific environment of the project site, including the rural character of the roadway and the environmentally sensitive habitat of the creek.

The proposed project would replace an existing, narrow stone bridge and would level and widen Highway 192 for a total of approximately 690 feet on the western approach and 290 feet on the eastern approach. The engineered bridge and roadway design would be incompatible with the existing character of the roadway which is narrow, scenic, and rural. Vegetation removal necessary to build the project would denude what is now mature landscaping including specimen, +/- 80 foot tall clustered sycamore trees. The project includes removal of up to 64 mature, specimen trees including 12 sycamores and 21 oaks, many located within a riparian corridor. Therefore, the scale and design of the project is not subordinate to the surrounding natural environment and is incompatible with the character of the surrounding natural environment.

- 8. Site layout, orientation, and location of structures, buildings, and signs are in an appropriate and well designed relationship to one another, and to the environmental qualities, open spaces, and topography of the property.*

All projects subject to SBAR approval are subject to the same findings of approval, whether the project consists of a new project or a redesign of an existing structure.

The proposed project would widen and level an existing stretch of narrow, scenic highway and would install a replacement bridge in the location of an existing narrow stone bridge. Construction of the project would necessarily flatten the existing topography. Additionally, the project would require the removal of all trees within 30 feet on either side of the roadway for the entire 980 foot length of the improvement thereby creating a sense of wide open highway where one does not currently exist. The project includes removal of up to 64 trees, many of which are

mature, specimen trees including 12 sycamores and 21 oaks. Therefore, the project does not respect the environmental quality and topography of the area.

9. *Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of planting which will be appropriate to the project, and adequate provisions for maintenance of all plantings.*

The proposed project does not have due regard to the preservation of specimen and landmark trees and existing vegetation. The project includes removal of numerous mature specimen trees including approximately 12 sycamores and 21 oaks, many located within a riparian corridor. Some of the trees proposed for removal reach up to 80 feet in height. Proposed new landscaping would maintain 30 feet clear on either side of the widened roadway for the entire length of the project site. Therefore, regardless of the number of new plants proposed, landscaping will not will not be in proportion to the project, the site, or the area adjacent to Highway 192.