

ATTACHMENT 5: PLANNING COMMISSION STAFF REPORT
DATED SEPTEMBER 21, 2017

SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for Halsell Rezone and Tentative Tract Map

Hearing Date: October 11, 2017
Staff Report Date: September 21, 2017
Case Nos.: 15RZN-00000-00004, 15TRM-00000-00011 (TRM 14,819)
Environmental Document: 17NGD-00000-00009

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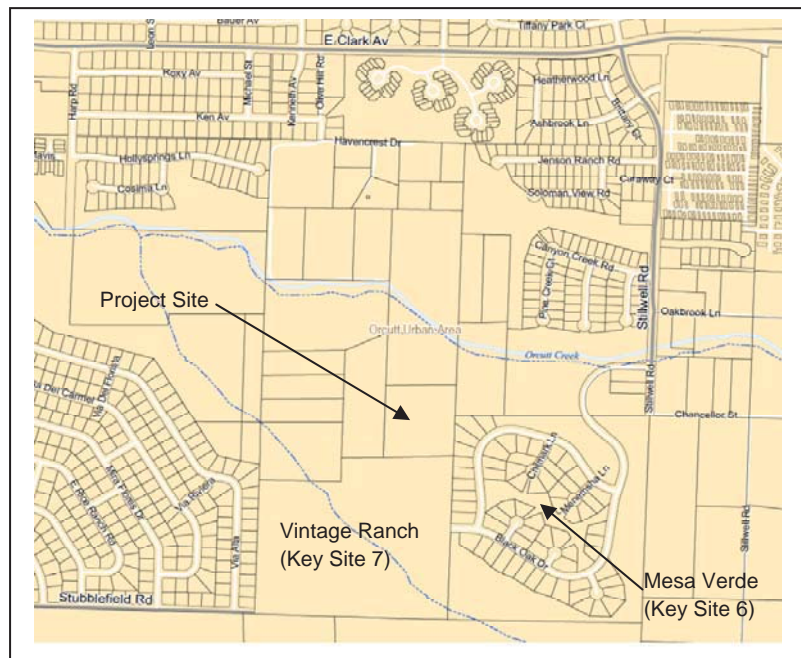
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This site is identified as Assessor Parcel Number 103-200-065, located approximately 0.5 miles south of East Clark Avenue between U.S. Highway 101 and State Route 135, at the southern terminus of Deer Hollow Lane in the Orcutt Community Plan Area, Fourth Supervisorial District.

Application Complete:
Processing Deadline:

November 23, 2016
60 days from adoption of MND

1.0 REQUEST

Hearing on the request of David Swenk, agent for Joe Halsell, owner, to consider the following:

- a) **Case No. 15RZN-00000-00011** [application filed on September 30, 2015] proposing to amend the County Zoning Map in compliance with Section 35.104 of the Land Use and Development Code (LUDC) to rezone 5.74 gross acres from 2-E-1 (residential, two-acre minimum parcel size) to 1-E-1 (residential, one-acre minimum parcel size) consistent with the provisions of Orcutt Community Plan Policy KSB-1; and
- b) **Case No. 15TRM-00000-00004/TM 14,819** [application filed on September 30, 2015] for approval of a Tentative Tract Map in compliance with County Code Chapter 21 to subdivide 5.74 gross acres into 5 lots of 1.41 gross acres (Lot 1), 1.11 gross acres (Lot 2), 1.03 gross acres (Lot 3), 1.10 gross acres (Lot 4), and 1.09 gross acres (Lot 5) on property being rezoned from 2-E-1 to 1-E-1;

and to adopt the Mitigated Negative Declaration (17NGD-00000-00009) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetic/Visual Resources, Air Quality, Biological Resources, Geologic Processes, Land Use, Noise, Public Facilities, and Water Resources / Flooding.

The MND and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu Street, Santa Barbara, and 624 West Foster Road, Suite C, Santa Maria. The ND is also available for review at the Orcutt Branch Library, 175 Broadway St, Orcutt, and online at: <http://sbcountyplanning.org/environmental/active.cfm>.

The application involves Assessor Parcel No. 103-200-065, located at the southern terminus of Deer Hollow Lane, in the Orcutt area, Fourth Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and recommend that the Board of Supervisors approve Case Nos. 15RZN-00000-00011 and 15TRM-00000-00004, marked "Officially Accepted, County of Santa Barbara (October 11, 2017) County Planning Commission Attachments A-E", based upon the project's consistency with the Comprehensive Plan, including the Orcutt Community Plan, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for approval of the project, Case Nos. 15RZN-00000-00011 and 15TRM-00000-00004, as specified in Attachment A of this staff report dated September 21, 2017, including CEQA findings;
2. Recommend that the Board of Supervisors adopt the Negative Declaration, 17NGD-00000-00009 (included as Attachment C of the staff report dated September 21, 2017), and adopt the mitigation monitoring program contained in the conditions of approval for Case No. 15TRM-00000-00004 (Attachment B);
3. Adopt the resolution in Attachment D recommending that the Board of Supervisors approve a rezone (15RZN-00000-00011) changing the zone district on APN 103-200-065 from 2-E-1 to 1-E-1 (draft Ordinance included in Attachment D of this staff report dated September 21, 2017); and
4. Recommend that the Board of Supervisors approve Case No. 15TRM-00000-00004, subject to the conditions included as Attachment B of this staff report dated September 21, 2017;

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

3.0 JURISDICTION

This project is being considered by the County Planning Commission for a recommendation to the Board of Supervisors based on the following:

1. Land Use and Development Code (LUDC) §35-104 identifies the procedures for approving Amendments, including Amendments to the Comprehensive Plan (GPA cases) and amendments to County Zoning Map (RZN cases). The procedures require the Planning Commission to review the requests at a public hearing and to send their recommendation in a resolution to the Board of Supervisors for final action.
2. County Code Chapter 21-6 states that the Board of Supervisors shall be the decision-maker for all tentative maps which are companion to other discretionary cases under their jurisdiction.
3. LUDC §35-80.20.B.1 requires that when two or more discretionary applications are under the jurisdiction of more than one review authority, all project applications shall be under the review authority with the highest jurisdiction. In this case, the highest jurisdiction is the Board of Supervisors due to the rezone application. When the Board of

Supervisors is the review authority for a project, the Commission shall make an advisory recommendation to the Board of Supervisors on each project.

4.0 ISSUE SUMMARY

Rezone and Map. The subject parcel, APN 103-200-065, is part of Orcutt Community Plan (OCP) Key Site B and is currently zoned 2-E-1 (Residential, two-acre minimum parcel size). OCP Policy KSB-1 directs the County to “consider re-designating / rezoning parcel 103-200-65 to Residential /1-E-1 (one-acre minimum parcel size) if access to all new development on this parcel is provided from the south (on Key Site 7).” Further, OCP Development Standard KSB-4 states, “If feasible, access to the southern portion of this site shall be coordinated with/provided through Key Site 7.” Consistent with this direction, the proposed project would rezone the parcel to 1-E-1 and subdivide the 5.74 gross/5.48 net-acre lot into five lots of over one net acre, with access provided from the south on Key Site 7 via a proposed extension of a private drive approved with the Vintage Ranch subdivision (Case Nos. 15DVP-00000-00002 and 15TRM-00000-00002).

Timing of Infrastructure Improvements. Key Site 7, the Vintage Ranch subdivision, was previously approved on January 11, 2017 but development of Vintage Ranch has not yet commenced. As the proposed Halsell Tract Map project would connect to a sewer lift station within, and take access through, Vintage Ranch, the proposed project is conditioned to require the applicant to complete the required sewer and driveway improvements concurrent with the first residential development, if they are not yet in place at that time. Easements for public utilities are already in place within Vintage Ranch. Finalization of the access easement over a portion of Vintage Ranch in favor of the Halsell Tract Map is required prior to the Board of Supervisors’ decision on the current project. Additionally, the nearest regional drainage basin was not designed to accommodate flows from Key Site B. The proposed project includes an on-site retention basin that would receive flows from all five parcels, which is also conditioned to be constructed concurrently with the first residential development.

Sensitive Habitat. The project site has been extensively disturbed by disking and grazing over the past 20 years, and the coastal scrub habitat identified in the OCP EIR no longer exists on-site. The project has been conditioned to protect any existing native oaks and specimen trees, and to require pre-construction nesting bird and rare plant surveys.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Urban, RES-1.0, Orcutt Community Plan Area
Zoning District, Ordinance	Land Use & Development Code, 2-E-1, 2-acre minimum lot size, Orcutt Community Plan Key Site B
Site Size	5.74 (gross) / 5.48 (net) acres
Present Use & Development	Vacant / Undeveloped
Surrounding Uses/Zoning	North: Residential Development, 2-E-1 South: Planned Residential Development, PRD East: Residential Development, 2-E-1, PRD West: Residential Development, 1-E-1
Access	New private cul-de-sac accessed from Black Oak Drive and Claret Lane (to be extended through Vintage Ranch) via Stillwell Road
Public Services	Water Supply: Golden State Water Company Sewage: Laguna Sanitation via proposed new sewer lines Fire: Santa Barbara County Fire Station no. 22, 1596 Tiffany Park Court Police: Santa Barbara County Sheriff Schools : Orcutt and Santa Maria Union School Districts

5.2 Setting

Location: The 5.74- acre project site is located in the southeastern portion of the Orcutt community in unincorporated Santa Barbara County. The property is located approximately 0.5 miles south of East Clark Avenue, between U.S. Highway 101 and State Route 135, at the southern terminus of Deer Hollow Lane, Orcutt, and is known as Key Site B of the Orcutt Community Plan.

Environmental Characteristics: The subject parcel is undeveloped. It is located in a semi-rural area of southeast Orcutt, surrounded by low-density residential development to the north and west. The Mesa Verde and Vintage Ranch residential subdivision projects are located to the east and south, respectively. Vintage Ranch is approved but not yet constructed. Access to the site would be provided off of Black Oak Drive and Claret Lane from the south, through Key Site 7 (Vintage Ranch). Topographically, the site slopes gently from approximately 570 feet above mean sea level (msl) in the southeast corner, to approximately 550 feet above msl in the northwest corner, towards

a steep gully in the northwest corner of proposed Parcel 1. The habitat value of the site has deteriorated in the years since adoption of the Orcutt Community Plan, as grazing and disking has occurred on the site and the project area is covered primarily with disturbed non-native annual grassland and groves of nonnative trees. Eight coast live oaks, eucalyptus (both individually and in groves), and individual Monterey pine trees are currently present on site. The parcel does not contain prime soil or important farmland. There are no surface water bodies on the subject parcel. Two tributaries of Orcutt Creek are located approximately 275 feet northeast, and 800 feet southwest, of the parcel boundaries. The head of a large gully, an erosional feature with steep walls of crumbling soil, debris, and fallen vegetation, is present in the northwest corner of the parcel.

5.3 Description

The project is a request of David Swenk, agent for Joe Halsell, owner, for the following:

Rezone. A rezone from 2-E-1 to 1-E-1 consistent with the provisions of Orcutt Community Plan Policy KSB-1.

Tract Map. A Tentative Tract Map to subdivide the 5.74 gross/5.48 net-acre lot into 5 lots of 1.41 acres gross/1.36 acres net (Lot 1), 1.11 acres gross/1.10 acres net (Lot 2), 1.03 acres gross/1.00 acre net (Lot 3), 1.10 acres gross/1.02 acres net (Lot 4), and 1.09 acres gross/1.00 acre net (Lot 5) on property zoned 1-E-1.

Grading and Drainage: Grading for the proposed private access driveway and retention basin would be approximately 9,310 cubic yards of cut and 988 cubic yards of fill. Stormwater run-off from the access driveway and turnaround would be collected by a bioretention system and conveyed by a storm drain to a retention basin at the north side of Lots 1 and 2. Stormwater runoff from the five proposed lots would be conveyed overland to the retention basin.

Access: The five single family lots would be accessed from a new 36-foot-wide extension of a private drive (Claret Lane) that would connect to Black Oak Drive via a private access easement across APN 101-400-007 and terminate in a cul-de-sac from which individual driveways would access the five lots. The portion of the private drive located within the subdivision would be maintained via a recorded road maintenance agreement encumbering the owner of each parcel.

Utilities and Service: Water would be provided by Golden State Water Company via the purchase of 3.92 acre-feet of supplemental water from the City of Santa Maria. Sewer services would be provided by Laguna County Sanitation District via proposed new sewer lines. Electrical service would be provided by PG&E, gas service by SOCAL Gas, telephone by Verizon, and digital services by Comcast.

No residential development is proposed with this application.

5.4 Background Information

The project site is located within the unincorporated community of Orcutt. The County Board of Supervisors adopted the Orcutt Community Plan (Plan) in 1997 and subsequent amendments in 2009, 2011, and 2012. The Orcutt Community Plan (OCP) area contains forty-five “key sites” which were identified during the formulation of the draft Community Plan. The subject parcel is one of 23 lots totaling 78.79 acres and collectively known in the Plan as Key Site B.

The Statement of Overriding Considerations made as part of the OCP adoption proceedings provides a fundamental component of the OCP. Particularly as they pertain to traffic congestion and air pollution, the adverse impacts of increased development on the community were deemed to be offset by the beneficial aspects of the plan. Additionally, site specific mitigation measures for regional Class I impacts were incorporated as Key Site policies or development standards. To that end, all applicable policies and development standards of the OCP have been applied to the project.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

6.1.1 OCP EIR

Prior to the adoption of the Orcutt Community Plan (OCP), the County prepared, considered, and certified the Orcutt Community Plan Environmental Impact Report (OCP EIR) (95-EIR-01, certified 7/22/97). The OCP EIR found that even after application of mitigation measures, implementation of the OCP would have unavoidable significant residual environmental impacts to Land Use, Biology, Agriculture, Geology, Flooding, Water Supply, Archaeology, Traffic, Air Quality, Risk of Upset, Police, Solid Waste, Library Services, Visual/Aesthetics, Parks/Trails/Recreation, Schools, and Noise; a Statement of Overriding Considerations was adopted.

The Orcutt Planning Area contains forty-five “key sites” that were identified during the formulation of the draft Community Plan. Generally, the key sites were larger than three acres and were un- or under-developed. More detailed analysis was conducted for key sites where owners contributed financially to the preparation of the EIR, and focused EIRs were written for seven using this information. The additional environmental review increased the information available for Community Plan decision-making, and decreased the level of environmental review likely to be necessary in the future, when actual development of such key sites was proposed.

For key sites such as Key Site B that did not receive expanded review, the level of review in the OCP EIR was limited to the identification of environmental constraints and development standards for issues that promoted needed public benefits such as parks and open space. The OCP EIR specified that future development on these parcels would require additional CEQA review to analyze potential site-specific issues not addressed in the OCP EIR. As a result, a Mitigated Negative Declaration was prepared for the proposed project due to the lack of site-specific review under the OCP EIR.

6.1.2 Key Site B Mitigated Negative Declaration

A Draft Mitigated Negative Declaration (Draft MND, 17NGD-00000-00009) was prepared for the proposed project (see Attachment C) pursuant to Section 15070 of the State Guidelines for the implementation of the California Environmental Quality Act and the County of Santa Barbara Environmental Guidelines. Please refer to the Proposed Final Mitigated Negative Declaration for a full discussion of all environmental issues, including the existing setting, potential project impacts, and required mitigation to reduce these identified impacts.

Mitigation measures required to reduce potentially significant impacts on Aesthetic/Visual Resources, Air Quality, Biological Resources, Geologic Processes, Land Use, Noise, Public Facilities, and Water Resources / Flooding were accepted by the applicant on July 3, 2017 and are included in the recommended conditions of approval (Attachment B). The Draft MND was circulated for a 30-day public review period from July 5 to August 7, 2017.

A single comment letter, dated August 9, 2017, was received from the California Department of Fish and Wildlife (CDFW). In response, the MND was revised to include additional information regarding consultation with the California Department of Fish and Wildlife (CDFW) for California Tiger Salamander (CTS), as well as additional information regarding three rare plant species and their potential to occur on-site.

The cultural resources section of the Draft MND (Section 4.5) was also modified to address tribal cultural resources and summarize the results of tribal consultation, pursuant to the requirements of AB 52.

6.2 Comprehensive Plan Consistency

The following Comprehensive Plan Consistency analysis organizes the applicable Orcutt Community Plan policies with the general policies of the Comprehensive Plan by issue area in order to reduce redundancy.

REQUIREMENT	DISCUSSION
<p><u>Comprehensive Plan Land Use Element</u> <u>Designation:</u> Residential</p> <p>Zoning: 2-E-1, Land Use & Development Code (LUDC)</p> <p><u>Orcutt Community Plan – Key Site B</u> <u>Development Standards:</u></p> <p>Policy KSB-1: Key Site B is designated Res 1.0 and zoned 1-E-1 on APNs 103-200-20, -56, -79, -80, -84, -85, -88, -89, -90 and -91; Res. 1.0 and zoned 2-E-1 on APNs 103-200-56, 57, -58, -59, -60, -64, -65, and -74; and designated Res. 0.3 and zoned 3-E-1 on APNs 103-200-48, -52, -55, -86, and -87. The County shall consider re-designating / rezoning parcel 103-200-65 to Res. /1-E-1 if access to all new development on this parcel is provided from the south (on Key Site 7). Any proposed development on Key Site B shall comply with the following development standards.</p> <p>DevStd KSB-4: If feasible, access to the southern portion of this site shall be coordinated with/provided through Key Site 7.</p>	<p>Consistent: The proposed project would rezone the subject 5.74 (gross) / 5.48 (net) - acre parcel (APN 103-200-065) from 2-E-1, 2-acre minimum lot size, to 1-E-1, 1-acre minimum lot size and access would be taken through Key Site 7, consistent with Policy KSB-1 and Development Standard KSB-4. Therefore, the proposed project is consistent with the Key Site B land use element designation and the policy and development standard.</p>
<p><u>Comprehensive Plan Land Use Element –</u> <u>Land Use Development Policy 4</u> Prior to 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</p>	<p>Consistent: The proposed project is located within the urban boundary line of Orcutt. Adequate fire and police protection, ingress and egress, public school capacity, landfill capacity, and wastewater service would be available for the proposed project. Water would be provided by the Golden State Water Company via a supplemental water agreement that has been executed with the City of Santa Maria in compliance with</p>

REQUIREMENT	DISCUSSION
<p><i>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><i>Land Use Development Policy 5</i> <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 existing mutual water company, if such service is available.</i></p> <p><u>Orcutt Community Plan – Land Use</u></p> <p><i>Policy LU-O-5:</i> <i>To improve fiscal balance in both the development, operations, and maintenance of public infrastructure, the County shall pursue establishment of appropriate funding mechanisms to ensure that development pays its "fair share" of public infrastructure costs.</i></p>	<p>Orcutt Community Plan Policy WAT-O-2 (Letter from Lisa Long to David Swenk dated October 5, 2016). Sewage disposal would be provided by the Laguna County Sanitation District (LCSD) (letter from Martin Wilder to David Swenk dated December 11, 2015) via proposed new sewer lines that would connect to a lift station within the previously approved Vintage Ranch development on Key Site 7 (Case Nos. 15DVP-00000-00002 and 15TRM-00000-00002). The LCSD condition letter requires permits for service and a can-and-will serve letter prior to zoning clearances. As of the date of this staff report, the Vintage Ranch project has not yet been constructed. Should development of the proposed Halsell Tract Map project site occur prior to installation of the Vintage Ranch trunk line and lift station, the owner/applicant of the Halsell Tract Map site would be required to install them at the owner’s expense prior to approval of zoning clearances for any residential development (Condition 22).</p> <p>The project is conditioned (Conditions 51-56) to pay development impact mitigation fees. Therefore, the project would pay its “fair share” of public infrastructure costs and is consistent with these policies and development standards.</p>
<p><u>Orcutt Community Plan – Residential</u></p> <p><i>Policy LUR-O-2:</i> <i>Future growth and development shall occur in a manner which minimizes construction related impacts on the community.</i></p>	<p>Consistent: Implementation of standard dust control measures (Condition 7), and emission control measures and other APCD requirements (Condition 58), would ensure that construction-related air quality impacts on the community would be minimized.</p>

REQUIREMENT	DISCUSSION
	<p>Additional conditions addressing erosion and sediment control (Conditions 14-16, 20), construction days and hours (Condition 17), equipment shielding during construction (Condition 26), and the disposal of solid waste from construction activities (Condition 18) would minimize construction-related impacts and support development of clean, safe, residential areas. All construction related vehicles, equipment staging and storage areas would be required to be located onsite (Condition 24). Therefore, the proposed project is consistent with this policy.</p>
<p>Hillside and Watershed Protection Policy #1: <i>Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</i></p> <p>Hillside and Watershed Protection Policy #2: <i>All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</i></p> <p>Hillside and Watershed Protection Policy #3: <i>For necessary grading operations on hillsides,</i></p>	<p>Consistent: Grading for the proposed project has been minimized to the maximum extent feasible. The project includes grading for construction of a new private access driveway, storm water retention basin, and related drainage features. Additionally, future residential development would require grading for building sites, access, and utilities. Grading for the proposed private access driveway and storm water retention basin would be approximately 9,310 cubic yards of cut and 988 cubic yards of fill, with a remainder of approximately 8,322 cubic yards. While some of this may be used for future building pads, the project would still generate excess material. Condition 16 requires the excess material to be removed in a timely fashion to an approved receptor site.</p> <p>The proposed project is subject to the standard County erosion control measures. Additionally, Condition 14 requires submittal of grading and erosion and</p>

REQUIREMENT	DISCUSSION
<p><i>the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.</i></p> <p>Hillside and Watershed Protection Policy #4: <i>Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained through the development process to remove sediment from runoff waters. All sediment shall be retained on-site unless removed to an appropriate dumping location.</i></p> <p>Hillside and Watershed Protection Policy #5: <i>Temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants, or with acceptable landscaping practices.</i></p> <p>Hillside and Watershed Policy #6: <i>Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water</i></p>	<p>sediment control plans using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems, and keep contaminants and sediments onsite during construction. Condition 15 requires timely re-vegetation of graded areas with deep-rooted, native, drought-tolerant species to minimize erosion potential.</p> <p>The proposed project is also subject to standard Flood Control District regulations including those addressing sediment control (Condition 58d). In conformance with Hillside and Watershed Protection Policy #6, stormwater run-off from the access driveway and turnaround would be collected by a bioretention system and conveyed by a storm drain to a retention basin at the north side of Lots 1 and 2, which has been designed and would be permitted in accordance with Flood Control requirements.</p> <p>The proposed project would not result in the degradation of the water quality of the groundwater basin or any tributary to Orcutt Creek. There are no stream corridors within the project area. The project would include the use of Low Impact Development (LID) technologies, which would also contribute to minimizing sediment loads and other contaminants. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, would not be discharged into or alongside coastal streams or wetlands either during or after construction. The</p>

REQUIREMENT	DISCUSSION
<p><i>runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</i></p> <p><i>Hillside and Watershed Policy #7:</i> <i>Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</i></p> <p><u>Orcutt Community Plan - Geology/Topography/Soils Policies</u></p> <p><i>DevStd GEO-O-2.1:</i> <i>Consistent with Hillside and Watershed Policy #1, excessive grading for creation or enhancement of views shall not be permitted. Where new roads and driveways would require substantial grading, development shall be sited close to existing access roads.</i></p> <p><i>DevStd GEO-O-2.3:</i> <i>To aid in erosion control, existing hillside topography, large stands of trees, and natural flood channels shall be preserved, unless this would prevent reasonable development of a property.</i></p> <p><i>DevStd GEO-O-2.6:</i> <i>All landscape plans shall be reviewed by P&D to ensure revegetation of graded areas in areas of sandy soils. Landscape securities shall be required unless expressly waived by P&D.</i></p>	<p>project would include Best Management Practices such as the installation of oil/water separators and sediment traps.</p> <p>As the project site is relatively flat, excessive grading for creation or enhancement of views would not occur. The new access road, cul-de-sac, and driveways have been sited as close as possible to approved access roads. Neither hillsides nor natural flood channels located on the project site, and the project would not remove large stands of trees. Condition 6 requires that all future development and its associated landscaping receive BAR approval and is installed per those plans prior to final building inspection clearance. Therefore, the project is consistent with these Policies and Development Standards.</p>
<p><u>Land Use Element - Flood Hazard Area Policies</u></p> <p><i>Flood Hazard Area Policy #1:</i> <i>All development, including construction,</i></p>	<p>Consistent: The project site is not located within the FEMA designated 100-year floodway or the floodway fringe.</p> <p>The proposed project is designed to conduct</p>

REQUIREMENT	DISCUSSION
<p><i>excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</i></p> <p><u>Orcutt Community Plan - Flooding and Drainage Policies</u></p> <p><i>Policy FLD-O-1: Flood risks in the Orcutt planning area shall be minimized through appropriate design and land use controls.</i></p> <p><i>Policy FLD-O-2: Off-site runoff associated with development should be minimized.</i></p> <p><i>Policy FLD-O-3: Short-term and long-term erosion associated with development shall be minimized.</i></p>	<p>all surface runoff to an onsite Flood Control-approved retention basin, thereby minimizing any potential for development to generate off-site runoff. Conditions 14 and 15 require preparation of a SWPPP and immediate re-vegetation of graded areas. Implementation of these conditions would ensure minimization of flood risk, off-site runoff, and short- and long-term erosion associated with future development. Therefore, the proposed project is consistent with these policies.</p>
<p><u>Land Use Element – Historical and Archaeological Sites Policies</u></p> <p><i>Policy #1: All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.</i></p> <p><u>Orcutt Community Plan – History and</u></p>	<p>Consistent: Based on the results of a Phase 1 Survey conducted by Dudek, Inc. (Stone and McDaniel, February 25, 2016), there are no prehistoric or historic cultural resources within the project area. Additionally, based on the results of AB 52 consultation conducted for the proposed project, there are no traditional cultural resources located within the project area. Condition 25 requires work to stop and standard County procedures to be followed in the event of an unanticipated discovery of</p>

REQUIREMENT	DISCUSSION
<p><u>Archaeology</u></p> <p><i>Policy HA-O-1: Archaeological and historic resources in the Orcutt Planning Area shall be protected and preserved to the maximum extent possible.</i></p>	<p>cultural resources during construction. Therefore, the proposed project is consistent with these policies.</p>
<p><u>Land Use Element - Visual Resource Policies</u></p> <p><i>Policy #3: In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.</i></p> <p><i>Policy #5: Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where cost of undergrounding would be so high as to deny service.</i></p> <p><u>Orcutt Community Plan – Visual</u></p> <p><i>Policy VIS-O-1: Significant scenic and visual natural resources in Orcutt shall be protected in order to preserve the semi-rural character of the OPA.</i></p> <p><i>Policy VIS-O-2: Prominent public view corridors (U.S. 101, State Routes 1 & 135, Clark Ave., Santa Maria Way, and Union Valley Parkway) and public view-sheds (Orcutt/Solomon Hills, Casmalia Hills, and Orcutt Creek) shall be protected.</i></p>	<p>Consistent: The project is located within the urban boundary of Orcutt. Future build-out of the proposed project would result in five single family dwellings that would be visible from Black Oak Drive and adjacent properties. New single family dwellings and associated landscaping would be reviewed by the BAR to ensure that they are in conformance with the scale and character of the existing community and preserve the semi-rural character of the Orcutt Planning Area (OPA) (Condition 6). All electrical utilities would be required to be placed underground (Condition 41).</p> <p>Although development of the site would contribute to a change in visual character compared to existing conditions, development of the project site would be consistent with the OCP Key Site B development standards intended to protect scenic and visual resources and preserve the area’s semi-rural character. The project site is not located within a prominent public view corridor or viewshed and would not disrupt any important public view corridor or viewshed.</p> <p>In order to minimize the impacts of outdoor lighting associated with future site development on neighboring properties and the community in general, mitigation</p>

REQUIREMENT	DISCUSSION
<p><i>DevStd VIS-O-2.1: Development shall be sited and designed to minimize the disruption of important public view corridors and viewsheds through building orientation, minimization of grading on slopes, landscaping, and minimization of sound walls.</i></p> <p><i>Policy VIS-O-6: 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><i>DevStd VIS-O-6.1: Low pressure sodium (LPS) lighting or other alternative methods used for street lighting, parking lot lighting and security lighting should be investigated by the Public Works Department to reduce off-site impacts from night lighting.</i></p> <p><i>DevStd VIS-O-6.3. Night lighting fixtures adjacent to residential areas shall be of the minimum height and intensity required for security/safety.</i></p>	<p>measures from 95-EIR-01 and standard conditions addressing lighting have been incorporated as conditions of approval (Conditions 3 and 6). These conditions require lighting which is shielded and directed downward to ensure that lighting does not spill over into the open space areas, and the incorporation into the project’s design of natural colors and building materials that are compatible with the surrounding development. The Public Works, Transportation Division condition letter dated September 7, 2017 (Condition 58g) contains standard specifications for street lights, which will be of the minimum height and intensity required for security/safety.</p> <p>Therefore, the proposed project is consistent with these policies and development standards.</p>
<p><u>Orcutt Community Plan – Fire Protection</u></p> <p><i>Policy FIRE-O-2: Fire hazards in Orcutt shall be minimized in order to reduce the cost of/need for increased fire protection services and to protect the natural resources in undeveloped open space areas.</i></p> <p><i>DevStd FIRE-2.1: Development within or adjacent to high fire hazard areas should include the use of fire prevention measures such as perimeter roads, trails, Class A or B roofs, adequate access to the urban/rural interface and inclusion of structural setbacks</i></p>	<p>Consistent: Key Site B is located within a designated "High Fire Hazard" area. The project site would continue to receive fire protection services from the Santa Barbara County Fire Department Station 22, located at 1596 Tiffany Park Court. This station is located within a five-minute response time to the project site.</p> <p>The County Fire Department has identified development standards that would adequately mitigate potential fire hazards on the site. These measures include requirements for specified road widths and</p>

REQUIREMENT	DISCUSSION
<p><i>per DevStd BIO 1.7. Fencing within the structural setback shall be comprised of fire-resistant material to minimize fire hazards.</i></p> <p><i>DevStd FIRE-2.2:</i> <i>The County shall require two routes of ingress and egress for development unless the Fire Department waives this requirement based upon substantial evidence that public safety will not be compromised. Emergency access and egress routes are not required to be paved or meet width standards for normal roadways.</i></p>	<p>adequate fire vehicle turnarounds, adequate site addressing, installation of fire hydrants where needed, adequate onsite water pressure and payment of fire mitigation fees (Conditions 54 and 58c). In addition, the Uniform Building Code contains requirements for fire-resistant building materials, including roofing, and requires that all fences within five feet of a building must be made of noncombustible materials or comply with fire-resistive standards of exterior walls.</p> <p>Access to the project site would be provided from the south via an extension of Key Site 7 / Vintage Ranch’s Claret Lane and Black Oak Drive. Claret Lane and Black Oak Drive, which are approved but not yet constructed, would connect to the existing Mesa Verde development to the east. The Halsell Tract Map project is conditioned to construct these portions of Claret Lane and Black Oak Drive if they are not yet in place at the time of the first Zoning Clearance application for the Halsell Tract Map project (Condition 22). The project’s access plan has been preliminarily reviewed and approved by the Fire Department, and no additional routes for ingress or egress are required.</p> <p>Therefore, the proposed project is consistent with these policies and Development Standards.</p>
<p><u>Orcutt Community Plan – Library</u></p> <p><i>DevStd LIB-O-1.2:</i> <i>The County shall require a library mitigation fee on development to fund</i></p>	<p>Consistent: A Community Facilities District has been formed for development within the Orcutt Community Plan area. The District provides for funds for the operation and</p>

REQUIREMENT	DISCUSSION
<p><i>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><i>DevStd LIB-O-1.4:</i> <i>If Mello Roos Community Facilities Districts are formed in the Orcutt Planning Area to fund operation and maintenance of a library, prior to discretionary project approval of projects which impact libraries, all applicants in the planning area must either agree to participate in the District’s funding mechanisms for library services or otherwise demonstrate that the project is fully mitigating the increase in demand for library services caused by the project.</i></p>	<p>maintenance of libraries. Adherence to Condition 51, which requires the payment of library development impact mitigation fees, would ensure consistency with these Development Standards.</p>
<p><i>Policy RR-O-1:</i> <i>Resource conservation and recovery shall be implemented in Orcutt to divert the waste stream from area landfills to the maximum extent feasible.</i></p> <p><i>DevStd RR-O-1.4:</i> <i>Developers shall provide recycling bins at all construction sites, where collection of currently accepted recyclable construction materials could be accommodated.</i></p>	<p>Consistent: Condition 18 requires preparation of a Source Reduction and Solid Waste Management Plan (SRSWMP) including provisions for recycling during the construction phase of the project. The project site is within the service area of Health Sanitation Services (HSS), providing for curbside recycling and separate green waste pick-up. Additionally, the County ensures compliance with the goals set by AB 939 by requiring a reduction in solid waste generation for all new development projects in the County. The County estimates that implementation of a source reduction and recycling program reduces the total volume of</p>

REQUIREMENT	DISCUSSION
	waste generated by new development projects by approximately 70%. Therefore, the proposed project would be consistent with this Policy and Development Standard.
<p><u>Orcutt Community Plan – Schools</u></p> <p><i>Policy SCH-O-1: 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><i>Action SCH-O-1.1. The County shall require that all statutory school facilities fees established by School Districts in the Orcutt Planning Area pursuant to Govt. Code Section 65996 be paid in full prior to issuance of building permits or as agreed to by the applicant and the school district.</i></p>	<p>Consistent: The proposed project would result in four net new residential lots and the ability to develop five new single family dwellings. The collection of state-mandated fees (pursuant to Section 65995 (3) (h) of the California Government Code) is considered full and complete mitigation for impacts related to public schools. All required school fees would be paid in full prior to issuance of any building permits. Therefore, the proposed project is consistent with this policy and action.</p>
<p><u>Orcutt Community Plan – Wastewater</u></p> <p><i>Policy WW-O-1: The County shall strive to ensure development of adequate sewer facilities necessary to service projected growth.</i></p> <p><i>Policy WW-O-2. Prior to discretionary approval of a 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><i>DevStd WW-O-2.1: 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>Consistent: The Laguna County Sanitation District (LCSD) condition letter dated November 10, 2015 (Condition 58e) indicates that the LCSD has adequate treatment and disposal capabilities to serve the proposed project, and that wastewater from future development of the five parcels would not cause effluent produced by the District’s reclamation plant to exceed RWQCB thresholds. The project would include the extension of a public sewer main (or force main) to the project site, which would require the use of a lift station and force main to the first manhole in the Vintage Ranch project. The LCSD condition letter requires the applicant to obtain a “Final Can and Will Serve Letter” from the LCSD prior to Zoning Clearance issuance and</p>

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<p><i>DevStd WW-O-2.3:</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:</p> <ul style="list-style-type: none"> • <i>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> • <i>Adequate disposal capabilities exist at the plant or through agreement with the City of Santa Maria (providing that treatment and disposal by the City does not further degrade the underlying groundwater quality) to serve the project(s); and Existing or planned and funded transmission lines have available capacity to serve the project(s).</i> <p><i>DevStd WW-O-2.4:</i> At the time of discretionary approval, the County shall condition the recordation of the final map or issuance of LUP’s on provision of an adequate “Can and Will Serve” letter from LCSD.</p>	<p>demonstrating the requirements listed in Development Standard WW-O-2.3. Therefore, the proposed project is consistent with these policies and development standards.</p>
<p><u>Noise Element</u></p> <p><i>Policy #1:</i> In the planning of land use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</p> <p><u>Orcutt Community Plan – Noise</u></p>	<p>Consistent: Single family dwellings are considered to be noise sensitive land uses. All proposed development is located outside of the 65 dB(A) CNEL noise contour as identified in the OCP. Therefore, the use of sound walls throughout the project site is not required. Landscaping, unit orientation, and setbacks would be included in the project plans to reduce nuisance noise impacts, ensuring consistency with this development standard.</p>

REQUIREMENT	DISCUSSION
<p><i>Policy NSE-O-1: 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><i>DevStd NSE-O-1.1. Noise sensitive land uses should be located outside of the 65 dB(A) CNEL contours, unless this would prevent reasonable development of a property.</i></p> <p><i>Policy NSE-O-2. Construction noise in Orcutt shall be minimized during non-standard work hours.</i></p> <p><i>DevStd NSE-O-2.1. Standard construction working hours (i.e., 8 a.m. to 5 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-case basis.</i></p> <p><i>DevStd NSE-O-2.2. Noise attenuation barriers, muffling of grading equipment and additional mitigation where deemed appropriate should be required for development where construction equipment generates noise levels in excess of 95 dB(A).</i></p>	<p>The closest sensitive noise receptors to the project site are single family residences located immediately to the east and north, and west of the project site, as well as the development approved for Key Site 7 to the south (Vintage Ranch). Condition 17 limits construction operations to 8 a.m. to 5 p.m., Monday through Friday, excluding State holidays, to ensure that construction noise is minimized during non-standard work hours. Condition 26 requires noise attenuation barriers, muffling of grading equipment, etc. for development where construction equipment generates noise levels in excess of 95 dB(A), which further minimize construction noise. Long-term residential use would not be expected to generate noise levels in excess of 65 dB(A) at the property line. Upon implementation of these measures, exterior noise levels within the proposed project would not exceed 65 dB. Therefore, the proposed project is consistent with these policies and development standards.</p>
<p><u>Circulation Element</u></p> <p><u>Roadway Standards:</u></p> <p><i>a. A project that would contribute ADTs to a roadway where the Estimated Future Volume does not exceed the policy capacity would be considered consistent with this section of this Element.</i></p>	<p>Consistent: The proposed project would result in the creation of four net new residential lots, generating an estimated 40 new ADTs and four new PHTs. As discussed in Section 4.15 (Transportation/Circulation) of the Mitigated Negative Declaration for the proposed project (17MND-00000-00009, Attachment C), all affected intersection and</p>

REQUIREMENT	DISCUSSION
<p><u><i>Intersection Standards:</i></u></p> <p><i>1. Projects contributing PHTs (peak hour trips) to intersections that operate at an Estimated Future Level of Service that is better than LOS C shall be found consistent with this section of this Element unless the project results in a change in V/C (volume/capacity) ratio greater than 0.20 for an intersection operating at LOS A or 0.15 for an intersection operating at LOS B.</i></p> <p><u>Orcutt Community Plan – Transportation</u></p> <p><i>Policy CIRC-O-2. The County shall strive to provide an efficient and safe circulation system to accommodate future growth in Orcutt. The County will use its best efforts to coordinate the timing of roadway, intersection and other transportation improvements with the completion of the development projects that the improvements are intended to serve.</i></p> <p><i>Policy CIRC-O-3. The County shall maintain a minimum Level of Service (LOS) C or better on roadways and intersections within the Orcutt Planning Area, except that minimum Level of Service for the Foster Road/Hwy 135 and Lakeview/Skyway Dr. intersections and Stillwell and Lakeview Roads shall be LOS D.</i></p> <p><i>DevStd CIRC-O-10.2: If an Assessment District is formed in the Orcutt Planning Area to fund and maintain internal subdivision roads, prior to discretionary project approval of projects which impact transportation systems all applicants in the Planning Area must agree to either develop and maintain internal subdivision roads through the</i></p>	<p>road way segments would remain at acceptable levels of service (LOS C or better).</p> <p>The project applicant would be required to pay transportation impact fees in accordance with the Orcutt Transportation Improvement Plan (OTIP) (Condition 56). These improvements or fees would contribute to long-term improvements to maintain acceptable levels of service.</p> <p>The five single family lots would be accessed from a new 36-foot-wide extension of a private drive (Claret Lane) that would connect to Black Oak Drive via a private access easement across APN 101-400-007, to the south (Vintage Ranch, Key Site 7).</p> <p>Condition 22 requires that the on-site extension of Claret Lane be constructed in association with the first Zoning Clearance issued for residential development.</p> <p>Condition 22 also requires this private road to be maintained by the subdivision’s owners via a Homeowner’s Association (HOA) or other suitable mechanism formed to provide for long-term maintenance of the private road.</p> <p>Therefore, the proposed project is consistent with these Policies and Development Standards.</p>

REQUIREMENT	DISCUSSION
<p><i>Assessment District, or agree to maintain these roads privately and demonstrate that a Homeowners Association will be established which will generate adequate revenues to provide long term maintenance of the roads.</i></p>	
<p><u>Orcutt Community Plan – Groundwater Policies, Actions and Development Standards</u></p> <p><i>Policy WAT-O-2:</i> <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.</i></p> <p><i>* “long-term” means permanent source of water for development.</i></p> <p><i>** “supplemental” water means a source of water other than groundwater, unless: 1. the groundwater basin has been determined to be no longer in overdraft, or 2. The use of groundwater is consistent with the final water rights judgment entered in the Santa Maria Groundwater Basin adjudication (Santa Maria Valley Water Conservation District v. City of Santa Maria, et al., Santa Clara County Superior Court Case No. CV 770214). Amended by Res. 01-225, 7/10/01</i></p> <p><i>DevStd WAT-O-2.1:</i> <i>Prior to discretionary action by any County decision-maker on new development, the applicant shall provide one of the following:</i></p>	<p>Consistent: As required by OCP policies, water for future development will be provided by Golden State Water Company via the purchase of 3.92 acre-feet of supplemental water from the City of Santa Maria. The applicant has provided a supplemental water purchase agreement for the proposed project dated October 5, 2016. This contract has been executed and finalized and no additional supplemental water is required for this project. Golden State Water Company (GSWC) has provided a Preliminary Can and Will Serve Letter dated September 18, 2015 indicating that GSWC will be able to provide domestic and fire protection water service to future development on the five one-acre lots. Condition 28 requires the developer to provide a final Can and Will Serve letter from Golden State Water prior to issuance of Building Permits. Therefore, the project has complied with OCP Policy WAT-O2 and OCP Development standards WAT-O-2.1, WAT-O-2.2, and WAT-O-2.3.</p> <p>Future development will be required to comply with the requirements of the State Model Water Efficient Landscape Ordinance and California Green Building Code.</p> <p>Therefore, the proposed project is consistent with these policies and development</p>

REQUIREMENT	DISCUSSION
<p>1. <i>A "Can and Will Serve" letter from California Cities Water Company dated before July 1997;</i></p> <p>2. <i>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. Contract(s), if any, must include terms consistent with the requirements of DevStd WAT-O-2.2.</i></p> <p><i>DevStd Wat-O-2.2:</i> <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 following information, which must be provided prior to application completeness:</i></p> <p><i>Resources</i></p> <ul style="list-style-type: none"> <i>• Provide information on project's projected gross and net demand for water. The supplemental water supply must offset the project's net water demand.</i> <i>• Documentation of the reliability of the proposed water supply as projected by</i> 	<p>standards.</p>

REQUIREMENT	DISCUSSION
<p><i>the Department of Water Resources (for State Water) and confirmed by the County Water Agency.</i></p> <ul style="list-style-type: none"> • <i>A description of how the project will be served during drought periods. If conjunctive use of the Santa Maria Groundwater Basin is planned, demonstration that use of the basin will not contribute to long-term groundwater overdraft considering drought periods. The factual determination of overdraft contribution shall be made by the Planning & Development Department and County Water Agency.</i> • <i>Provide a factual demonstration that the water purveyor has available, firm, long-term reliable water supplies which equal or exceed present demand from existing customers, projects approved for new service, and the proposed project under County review. The demonstration should also show that the project use would not contribute to overdraft of the basin. The factual determination of no additional overdraft shall be made by Planning & Development and County Water Agency.</i> • <i>Provide draft contract(s) with water purveyor(s), which demonstrate(s) to the satisfaction of the County that the development will be served by a long-term supplemental water source and will have a continuing right to obtain water equal to that of the water purveyor's other customers.</i> • <i>Provide information on the water purveyor's existing and projected range of potential State Water and/or other supplemental water delivery amounts</i> 	

REQUIREMENT	DISCUSSION
<p><i>needed for full build-out under the water purveyor’s management plan, status of conservation programs, drought buffers, and groundwater pumpage consistent with applicable state government code requirements on water reporting. Provide information on the most recent annual water deliveries from various sources in the purveyor’s service area, as available from existing reports.</i></p> <p><i>Facilities</i></p> <ul style="list-style-type: none"> • <i>Documentation of the facilities necessary to deliver water and demonstration of permanent access to the facilities such that uninterrupted service would be provided. The documentation must include a list and description of facilities, site plans, capacity and capital costs necessary to distribute water to the project.</i> • <i>Demonstration that capital costs associated with providing service to the new development will not impact existing Orcutt development.</i> • <i>Demonstration that the water supply project is designed, approved, funded and scheduled for implementation prior to tract map recordation or land use clearance.</i> • <i>Describe approvals and entitlements necessary for the proposed water supply and delivery system.</i> <p><i>DevStd Wat-O-2.3:</i> <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</i></p>	

REQUIREMENT	DISCUSSION
<p><i>terms of the draft contract(s).</i></p> <p>Policy WAT-O-3: <i>Development in Orcutt shall incorporate water efficient design and technology.</i></p>	
<p><u>Orcutt Community Plan – Air Quality</u></p> <p>Policy AQ-O-2: <i>Significant fugitive dust and PM₁₀ emissions shall be reduced through implementation of appropriate construction restrictions and control measures, consistent with standards adopted by the Board.</i></p> <p>Policy AQ-O-3: <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>Consistent: In order to reduce fugitive dust and PM₁₀ emissions, the project would be required to implement standard dust and emission control measures during construction such as wetting down areas to keep dust from leaving the site, covering stockpiles, tarping of trucks transporting fill material to and from the site, and designating a dust monitor, as specified in the APCD condition letter dated November 5, 2015 (Conditions 7 and 58a).</p> <p>Future development would be required to comply with the requirements of the latest California Building Code, including Title 24 (Building Energy Efficiency Standards) requirements, which are designed to ensure that new buildings achieve energy efficiency and preserve outdoor and indoor environmental quality. Therefore, the proposed project is consistent with these policies.</p>
<p><u>Orcutt Community Plan – Biological Resources</u></p> <p>Policy BIO-O-1: <i>Important natural resources in Orcutt, including sandhill chaparral, central dune scrub, wetlands, oak trees and woodland, Bishop pine forest, specimen trees, and central sage scrub shall be protected, consistent with the Open Space Plan and the standards below, unless this would prevent reasonable</i></p>	<p>Consistent: The subject parcel has been subject to disking and vegetation removal for many years. Based on the results of the biological assessment conducted for the project (Rincon Consultants, February 2016), the site does not currently contain substantial habitat value, sensitive vegetation communities, or rare plants. The project is within the potential range of the California Tiger Salamander. The species was not</p>

REQUIREMENT	DISCUSSION
<p><i>development of a property.</i></p> <p><i>DevStd BIO-O-1.1:</i> <i>Development shall be sited and designed to avoid disruption and fragmentation of significant natural resources within and adjacent to designated undeveloped natural open space areas, 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><i>DevStd BIO-O-1.3:</i> <i>Landscaping for development on the edge of designated natural undeveloped open space areas shall include native trees and shrubs, with habitat restoration efforts focused on buffers. Planting of highly invasive weedy plants (e.g., iceplant, pampas grass, veldt grass, monterey pine, eucalyptus, spiny clobur, and Australian fireweed) shall be prohibited within 500 feet of natural undeveloped open space areas as designated on the Open Space map (Figure 20).</i></p> <p><i>Policy BIO-O-3:</i> <i>Established native trees in designated open space areas shall be protected. Established native trees in developable areas shall be incorporated into the site landscaping plan to the greatest degree feasible except where it would interfere with reasonable development of a property. Native trees shall be considered established if they are six feet in height.</i></p>	<p>detected in the study area during the biological survey nor were suitable breeding or aquatic habitat or potential burrows detected. However, as the parcel is within the dispersal distance of one potential breeding ponds, Condition 30 requires that prior to issuance of Zoning Clearances, the permittee obtain all necessary approvals from the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service, including an Incidental Take Permit and/or Habitat Conservation Plan for the California Tiger Salamander, if required.</p> <p>At the time of the biological surveys, the subject parcel contained eight coast live oak trees of protected size (6 in. diameter at breast height or greater). After completion of the biological surveys, the extension to Claret Lane, access drive and cul-de-sac, and retention basin were sited to avoid impacts to established native trees. However, construction of the onsite storm water retention basin would require removal of one coast live oak tree. The OCP does not provide a formal mitigation approach for oak trees, but rather states that where oak trees are impacted, they shall be replaced in a manner consistent with County standards. In accordance with County Standard Conditions and Mitigation Measures Bio-1, Condition 10 requires pre-construction fencing of all native oak trees, regardless of their health, at least six feet beyond the dripline, as well as replacement of any oaks that are removed or damaged at a 10:1 ratio and hiring of an outside consulting biologist or arborist to assess damage and</p>

REQUIREMENT	DISCUSSION
<p>DevStd BIO-O-3.1: <i>To the maximum extent feasible, development shall be designed to avoid damage to established native trees (e.g., oaks) by incorporating setbacks, clustering, or other appropriate methods. Areas protected from grading, paving, and other disturbances shall include the area 6 feet outside of established native tree driplines, unless this distance would interfere with reasonable development of a property. Where native trees are removed, they shall be replaced in a manner consistent with County standards.</i></p> <p>Policy BIO-O-4: <i>Non-native trees (e.g., eucalyptus groves and windrows) that provide known raptor nesting or key roosting sites shall be protected; non-native specimen trees shall be protected to the greatest degree feasible except where it would interfere with reasonable development of a property. Non-native trees of less than 25 inches in diameter at breast height do not qualify as specimens for this Policy.</i></p> <p>DevStd BIO-O-4.1: <i>Where non-native specimen trees are removed for development the County should consider replacement with native trees.</i></p> <p>Policy BIO-O-5: <i>New facilities in Orcutt, including roads, bikepaths/trails, sewer lines and retention basins, shall to the maximum extent feasible be sited and designed to avoid disruption of significant natural resources within designated natural undeveloped open space areas, minimize removal of significant native vegetation and trees and provide for reasonable levels of habitat restoration for</i></p>	<p>recommend mitigation.</p> <p>Condition 3 requires exterior lighting to be downward facing and shielded, which would reduce light pollution in the adjacent open space.</p> <p>Condition 31 requires that established native trees (over six feet in height) be incorporated into the site landscaping to the greatest extent feasible, and also prohibits the planting of highly invasive weedy plants (e.g., ice plant, pampas grass, veldt grass, Monterey pine, eucalyptus, spiny clotbur, and Australian fireweed) within 500 feet of natural undeveloped open space area as designated on the OCP Open Space map.</p> <p>The subject parcel contains individual and stands of mature eucalyptus trees of habitat value that are used by songbirds and raptors for nesting and roosting. Construction of the access drive cul-de-sac and onsite retention basin would require removal of three individual eucalyptus trees. Condition 11 requires construction to occur outside of the nesting season, or if this is not feasible, the performance of pre-construction nesting bird surveys and appropriate fencing and avoidance of trees with nests. Condition 29 requires replacement of damaged or removed non-native specimen trees on a 1:1 basis with minimum 5-gallon sized native trees. Therefore, the proposed project is consistent with these policies and development standards.</p>

REQUIREMENT	DISCUSSION
<i>significant habitats disrupted by construction.</i>	
<p><u>Orcutt Community Plan – Fiscal Policies and Development Standards</u></p> <p><i>Policy-FSCL-O-1:</i> <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><i>Policy-FSCL-O.2:</i> <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><i>Devstd-FSCL-O-2.2:</i> <i>All development should be required to pay its fair share of the cost of operation and maintenance of public facilities.</i></p> <p><i>Devstd-FSCL-O-2.3:</i> <i>Any development approved after community plan adoption and prior to completion of the Public Infrastructure Financing Program shall be required to participate in maintenance funding mechanisms adopted as part of that program, and must agree to pay those on-going fees before issuance of Building Permits.</i></p>	<p>Consistent: The project is conditioned to require the payment of all applicable development impact mitigation fees, including Orcutt area fees (Conditions 51-56). Payment of the Orcutt area fees would ensure that funding is available for the operation and maintenance of public facilities in the community of Orcutt. With implementation of these conditions of approval, the proposed project is consistent with these policies and development standards.</p>

6.3 Zoning: Land Use and Development Code Compliance

6.3.1 Rezone

Consistent: Approval of the proposed rezone would amend the current zoning of 2-E-1 (Residential, two-acre minimum parcel size) to 1-E-1 (Residential, one-acre minimum parcel size) under the Santa Barbara County Land Use and Development Code (LUDC). The E-1 zones are applied to areas appropriately located for one-family living at a reasonable range of

population densities, consistent with sound standards of public health, safety, and welfare. This zone is intended to protect the residential characteristics of an area and to promote a suitable environment for family life. Each lot would meet or exceed the one-acre minimum lot size requirement for the 1-E-1 zone. Any future development on the subject parcels would be subject to all applicable provisions of the LUDC, including development standards for density, setbacks, height limits, landscaping, and parking.

6.3.2 Chapter 21, County Code (Subdivision Regulations)

The proposed Parcel Map would be consistent with the rules and regulations of the County's subdivision regulations as described in the findings (Attachment A). The proposed lots would conform to the following applicable configuration requirements as outlined in Chapter 21, Section 21-24:

Lot depth. No lot shall be created the rear line of which is less than 100 feet from the front line of the lot, except that one sideline may be less than one hundred feet in length if it terminates at a corner curve or cul-de-sac turn-around curve. In the case of through lots or corner lots, at least one lot line must be parallel to and not less than one hundred feet distant from the street on which the lot fronts. The rear line of a lot shall be considered as any lot line other than a front line which does not intersect the right-of-way line of the street on which the lot fronts.

Consistent: The proposed project would not create rear property lines which are less than 100 feet from the front line of the lot.

6.4 Inclusionary Housing Ordinance

Section 46A-3 (Applicability) of the Inclusionary Housing Ordinance (IHO) (Ordinance No. 4855) states that the IHO applies to (1) development of five or more net new primary housing units, and/or (2) subdivisions that would permit the eventual development of five or more net new primary housing units. Approval of the proposed project would permit the eventual development of five new primary housing units, for a net increase of four new units over what would occur under existing conditions. Therefore, the IHO does not apply to the proposed project.

6.5 Subdivision/Development Review Committee

The proposed project was reviewed by the Subdivision/Development Review Committee (SDRC) on November 5, 2015 and updated project information was provided to the SDRC members in July of 2017. The Air Pollution Control District, Fire Department, Flood Control Division, Parks Division, and Surveyor have issued condition letters which are included in Attachment B of this staff report.

6.6 Development Impact Mitigation Fees

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment various development impact mitigation fees. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid. The amount and timing of development impact mitigation fees will be dependent upon the specific development proposed (and approved) in the future, in accordance with the fee resolution in effect when the fees are paid.

The developer of a project that is required to pay development impact mitigation fees may appeal to the Board of Supervisors for a reduction, adjustment or waiver of any of those fees based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted or waived. The appeal must be submitted to the director(s) of the relevant departments within 15 calendar days following the determination of the fee amount(s). For a discretionary project, the date of determination of fee amounts is the date on which the decision-maker adopts the conditions of approval and approves the project.

Estimated Orcutt Development Plan Impact Mitigation Fees			
Fee Program	Base Fee (per unit or 1,000 sf)	Estimated Fee	Fee due at
Quimby	\$4,556/lot * 5 lots	\$22,780	Map Recordation
Transportation	\$3,600/unit * 5	\$18,000	Final Inspection
Bikeways	\$348/unit * 5	\$1,740	Final Inspection
Landscape Medians	\$401/unit * 5	\$2,005	Final Inspection
TOTAL		\$21,745	Final Inspection
Fire	\$590/1,000 sf	unknown	Final Inspection
Library	\$805/SFD * 5	\$4,025	Final Inspection
Public Administration	\$449/SFD * 5	\$2,245	Final Inspection
Sheriff	\$317/SFD * 5	\$1,585	Final Inspection

7.0 APPEALS PROCEDURE

The recommendation of the Planning Commission will be forwarded to the Board of Supervisors. Pursuant to Government Code Section 65856, any interested party may file a written request with the Clerk of the Board for a hearing by the Board of Supervisors within five days after the Planning Commission acts on the proposed zoning map amendment. Whether or not a written request is filed, a public hearing before the Board of Supervisors will be conducted.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval for 15TRM-00000-00004
- C. Proposed Final Mitigated Declaration 17NGD-00000-00009
- D. Draft Ordinance / Resolution
- E. Tract Map