

Shadow Hills Archeological Easement

05APL-00000-00031

02RMM-00000-00011/ 04DVP-00000-00003



APPEAL

Applicant appeal of Planning Commission denial.

Request was to:

- **Modify Tract Map 13,711 Condition # 7, and Development Plan 86-DP-45 Condition # 25, in order to allow:**
- **Ground disturbance for new testing in the County-owned Archeological Easement within SBA-1820.**

Site Statistics

**Goleta Community Plan Area, Article III, zoned
Design Residential-1.8**

**Total Site Area: 29.5 acres, developed w/ 51
condominium units and related infrastructure**

**Recorded archeological site of significance: 3.28
acres**

Deeded archeological easement: 1.01 acres

Prior County Decisions

- ◆ **January 1986-** Board of Supervisors approval of Tract Map, requiring the Archeological Easement (Condition # 7)
- ◆ **November 1986-** Planning Commission approves Final Development Plan, denying Applicant's request for two additional units within the Archeological Easement
- ◆ **March 1987-** Board of Supervisors denies Applicant request to modify conditions to reduce the size of the required Archeological Easement
- ◆ **June 1987-** Archeological Easement recorded

Recent Review Documents

- ◆ **August 2002-** Engineering Geologist Rick Hoffman submits a geology report.
- ◆ **April 2003-** Archeologist Larry Spanne submits letter opinion to County Staff.
- ◆ **August 2005-** Archeological Consultants Applied Earthworks, Inc. submit peer review and analysis of all existing Shadow Hills archeological easement data, including the Hoffman and Spanne documents.

Applied Earthworks, Inc.

Conclusions

- ◆ No deficiency in existing data that could support the argument for new ground disturbance.
- ◆ All experts' analyses show the entire easement to be significant.

Policy Inconsistencies

- ◆ Comprehensive Plan Land Use Element Historic and Archeological Policies 1, 2, 3 and 5
- ◆ Goleta Community Plan Policies HA-GV-1, HA-GV-1.6, as discussed in Sec. 6.2 of the Planning Commission Staff Report.

Staff Recommendations

1. Adopt the required findings for denial of the project specified in Attachment A of the staff report dated 9/28/05, including CEQA findings,
2. Accept the exemption pursuant to CEQA Guidelines Sec. 15270 [projects to be denied] included as Attachment B of the staff report dated 9/28/05, and
3. Deny the appeal, upholding the Planning Commission denial of the request for revisions to 02RMM-00000-00011/04DVP-00000-00003.

Review and Analysis of
Previous Work at
Archaeological Site
CA-SBA-1820
Shadow Hills Development

Applied EarthWorks, Inc
2 January 2006

Background

- Archaeological site CA-SBA-1820 is located within the Shadow Hills Development in Santa Barbara
- Current archaeological easement is above 510 foot contour
- Previous archaeological work by Wilcoxon and Van Horn included Phase 1, 2 and 3 studies
 - Wilcoxon
 - Entire 510 foot contour contains significant deposits
 - Site is more than 5000 years old
 - Site soils are relatively intact even under cut areas
 - Van Horn
 - Important materials occur in only a small area within the easement
 - Site is younger than 5000 years old
 - Site soils lack integrity

AE Work Scope

- Review and summarize prior work
- Highlight and assess key issues
 - Site age
 - Site integrity
 - Scientific validity of existing archaeological easement boundary (above 510 foot contour)

Tasks and Methods

- Objectively analyze data from previous work
- Assess whether prior projects yielded reliable data
- Compile and convert artifact count data into density values; examine spatial data patterns relative to easement boundary
- Use obsidian and other techniques to assess site age
- Assess whether adequate information exists to resolve disagreements

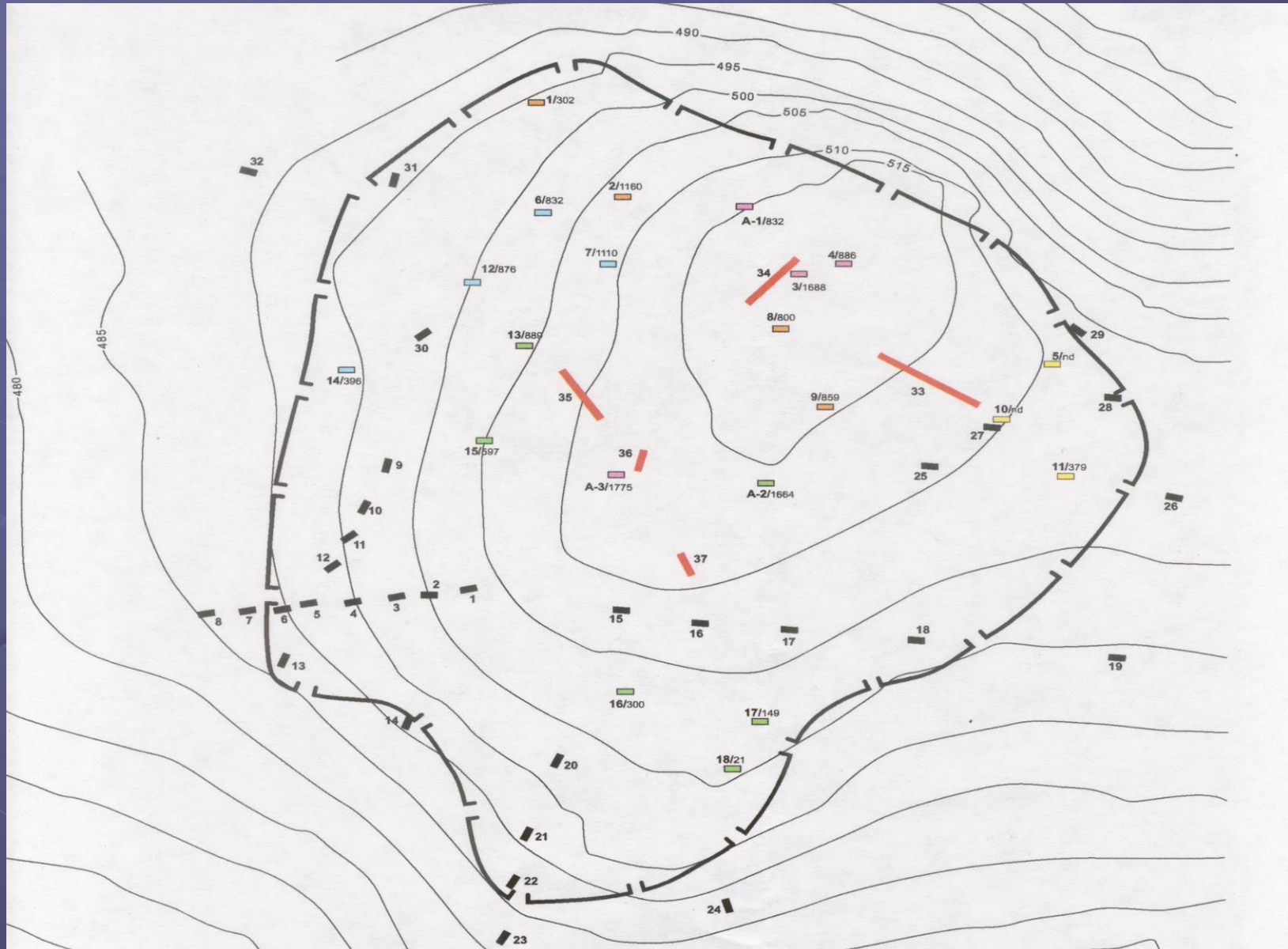
Results

- Previous work yielded data adequate to assess validity of easement boundary
- Both data sets show significant site material within the easement
- CA-SBA-1820 is a single component site at least 5,500 years old
- Wilcoxon's integrity assessment was comprehensive; existing easement boundary accurately marks zone of significant deposits

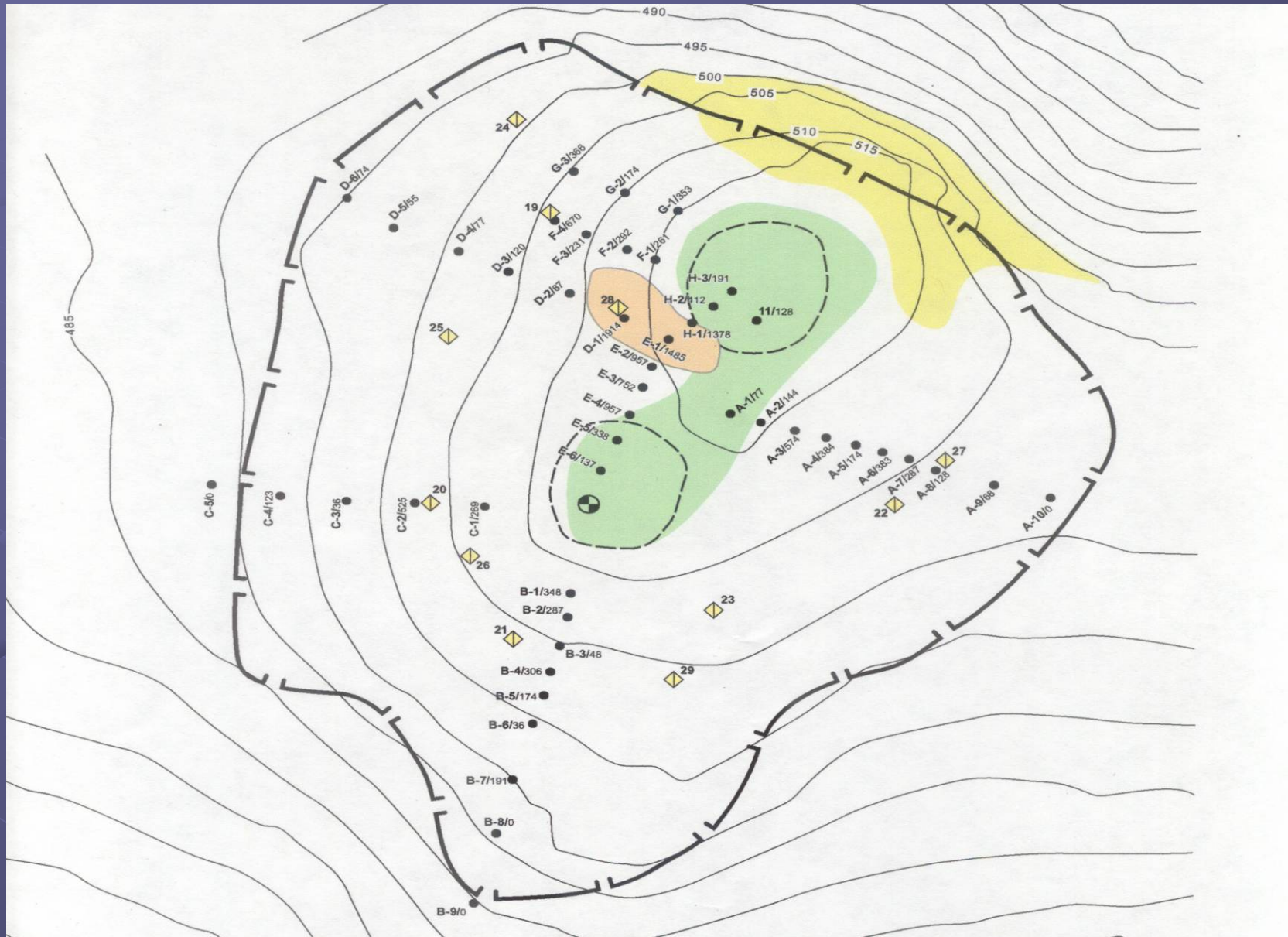
Discussion

- Existing information is adequate to resolve issues of site age, integrity and data potentials within the 510 foot contour.
- The entire easement has adequate integrity and data potential to contribute to the site's importance under CEQA.
- ***Additional test excavations are not necessary to clarify the location of significant site deposits.***

Wilcoxon and Rockwell



Van Horn and Hoffman



Processing Steps for Future Potential Development

- ◆ Board of Supervisors Hearing to amend easement to allow testing
- ◆ Planning Commission hearing for a Recorded Map Modification & Revised Development Plan to allow new development
- ◆ Board of Supervisors Hearing to reduce or eliminate easement
- ◆ Land Use and Building Permits for development

TM 13,711 Condition # 7 and 86-DP-45 Condition # 25:

“Prior to recordation, the applicant shall grant an easement deeding the development rights of areas of SBA-1820 within and above the 510 contour line to the County of Santa Barbara. This easement shall prohibit all ground disturbances except for the following:

- a) Landscaping not requiring sub-surface modifications exceeding 12 inches in depth, turf, seeding, and sprinkler irrigation systems not exceeding 12 inches in depth,
- b) All sub-surface landscaping shall be located in recorded areas previously excavated during systematic archeological investigations. These locations shall be indicated on the final development plan. This deed of development rights shall require the approval of County Counsel and RMD prior to final map recordation.”