



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Santa Barbara County Board of Supervisors

FROM: Glenn Russell, Ph.D., 568-2085
Director, Planning and Development

DATE: May 11, 2012

RE: Applicant Appeal of the County Planning Commission's action to require an Environmental Impact Report for the Park Hill Estates v.2 Project, Case No. 10TRM-00000-00001

At the hearing on May 1, 2012, your Board directed staff to review other development projects that have been approved in the vicinity of the subject property and identify how the issue of emergency access was addressed for those projects. Your Board identified three projects for staff to consider, including the B'nai B'rith pre-school, the La Romana subdivision, and the individual single family dwelling (Fee Residence) constructed at the end of San Antonio Creek Road above Tucker's Grove. Under this direction, staff reviewed these projects to: 1) determine how the issues of emergency access and evacuation were addressed in the respective environmental documents; 2) identify what mitigation measures or conditions of approval were imposed to reduce impacts with respect to fire safety and evacuation; and 3) determine what the status is of the various improvements, if any, that were identified to address this issue. Additionally, staff reviewed the County's ability to use traffic impact mitigation fees to make improvements to the lower portion of San Antonio Creek Road. Staff's focus was on the projects in the immediate vicinity of the proposed Park Hills Estates project, versus on broader planning and zoning options within the proposed Eastern Goleta Valley Community Plan Update.

Below is a discussion of the applicable projects. A summary table and associated vicinity map showing the locations of the projects in relation to the project site and evacuation routes is included in Attachment 1 to this Board memo.

B'nai B'rith

The County approved a Revised Conditional Use Permit for the B'nai B'rith Congregation in 1999 to permit an increase in enrollment for an additional 35 pre-school children, six staff members, a pre-school classroom building and a caretaker's residence. The Tiered Mitigated Negative Declaration prepared for the project which tiered off of the 1993 Goleta Community

Plan EIR identified a potentially significant impact associated with emergency evacuation. In approving the project, the County Planning Commission applied a condition to address this issue in order to make the necessary findings for approval. The condition required that the applicant fund improvements to the Tucker's Grove emergency access route (i.e. the lower portion of San Antonio Creek Road) in order to bring the access road to an initial operational level. The required improvements included tree trimming and installation of a guard rail and/or directional ground sign and reflectors along the southern edge of the emergency access road pursuant to County Standards. (See summary table and location map of emergency access routes in Attachment 1).

According to discussions with Public Works staff and confirmed in a recent site visit, these improvements were made. However, they were made as part of approval and construction of the Fee single family dwelling at the end of San Antonio Creek Road (discussed below), rather than through implementation of a condition of approval of the B'nai B'rith project.

Fee Residence

A single family dwelling was approved in 2004 at the southern end of San Antonio Creek Road, immediately above Tucker's Grove Park. The project was revised in 2007 in response to unpermitted grading and oak tree removal. At that time, the project was required to include improvements to the lower portion of San Antonio Creek Road fronting the property in order to meet County Fire Department and County Public Works (Roads Division) requirements as well as to rectify the unpermitted work. Improvements included paving the road fronting the property down to Tucker's Grove Park, trimming the trees and encroaching roadside vegetation, building a rock retaining wall on the uphill slope in between the two driveway entrances to achieve a minimum road width of 20 feet along this section, installing reflectors along the southern edge of the road, and putting in removable breakaway bollards at the end of San Antonio Creek Road where it connects with Tucker's Grove Park. (See summary table and location map of emergency access routes in Attachment 1). However, at that time it was determined that the guardrail was deemed unnecessary during the walkthrough with Public Works staff. This work was completed in 2007. The wooden bollards at this connection point were later replaced by plastic bollards that can be driven over in either direction. This work has improved the ability of this road to serve as a means of egress from the neighborhood in an emergency.

La Romana Subdivision

The La Romana Subdivision was approved in 1997 for a 28-acre property to be divided into 24 residential lots north of the Park Hill Estates property. A Supplemental EIR (94-SD-1, supplemental to the Goleta Community Plan EIR) was prepared to evaluate the environmental impacts of the project. The document concluded that there were potentially significant impacts associated with emergency evacuation given the project's location in a high fire hazard area with limited options for emergency access. To mitigate this impact, the project was conditioned to establish an emergency access route through the north of the project site and connecting to Via Clarice (see summary table and location map of emergency access routes in Attachment 1). This emergency access necessitated obtaining access easements from two neighboring private properties in order to access the Via Clarice cul-de-sac. In approving the project, the Planning Commission found that incorporating an emergency access road easement for future emergency

access through to Via Clarice and utilizing fire safe building techniques and landscaping reduced impacts to a less than significant level. The required connection to Via Clarice has been established for emergency access purposes. It was constructed with a grass-paved surface and is currently controlled with removable wooden bollards and a removable wooden fence with posts inserted in sleeves.

Other Vicinity Projects

In addition to the three projects discussed above, staff reviewed other projects approved in the vicinity over the last 12 years to see if any issues related to emergency access and evacuation were addressed. These include:

- Warkentin Tentative Parcel Map (4-lot subdivision approved in 1999);
- Funke Tentative Parcel Map (4-lot subdivision approved in 2000);
- Thompson Lot Split (Two-way lot split approved in 2001);
- Community of Christ Church Classroom Addition (CUP Revision approved in 2002);
- Handerhan/Rancho Danzo del Sol (3-lot subdivision approved in 2005);
- Magid Lot Line Adjustment/Lot Split (Two-way lot split approved in 2006); and
- Castro Lot Split (4-lot subdivision approved in 2011).

With the exception of the Handerhan and Community of Christ Church Classroom Addition projects (as discussed further below), the broader neighborhood emergency access and evacuation issue was not addressed as part of these projects beyond the standard access requirements to serve each individual project. These projects were consistent with buildout projections contained in the Goleta Community Plan in terms of lot size, unit density, and consistency with the applicable zone districts. No mitigation measures or conditions of approval were imposed on these projects to improve emergency evacuation for the larger community.

Handerhan/Rancho Danza del Sol

The Handerhan/Rancho Danza del Sol project consists of a three-way lot split located northwest of the Park Hill Estates property which was approved in 2005. A Mitigated Negative Declaration was prepared to evaluate impacts of the project. Similar to other projects, the document determined that impacts with respect to fire safety would be potentially significant. The MND referenced the emergency access through Tucker's Grove Park, similar to the B'nai B'rith MND. The MND concluded that the project's contribution to cumulative impacts could be mitigated to a less than significant level with successful implementation of required mitigation measures, including the use of fire-safe building materials in construction and the provision of secondary emergency access from the public portion of La Riata Lane through to the public section of Via Regina (see summary table and location map of emergency access routes in Attachment 1). However, this map has never been recorded and as such this secondary access for emergency use has not been established.

Community of Christ Church Classroom Addition

In 2002, the Planning Commission approved a revision to the Community of Christ Church's existing Conditional Use Permit (67-CP-018) to expand the existing church facility and increase student enrollment in the church's educational program from 6 to 25 children, and to increase the number of special events permitted each year from six to nine, with up to 175 attendees. The Mitigated Negative Declaration prepared for the project concluded that the increase in intensity of use of the church facility was not considered a significant impact on fire safety. However, the potential for overflow parking on San Antonio Creek Road and Via Los Santos during special events to result in increased evacuation time and impaired emergency access during a wildfire scenario was identified as potentially significant. To reduce this impact, the project was conditioned to require a parking agreement with nearby facilities (e.g. B'nai B'rith) to ensure that parking does not spill over onto public roads (see summary table and location map of emergency access routes in Attachment 1).

Summary

The mitigation measures that have been required on individual development projects to improve the existing emergency access hazards in the area, including improving the access through the end of San Antonio Creek Road and Tucker's Grove Park, establishing a new secondary access route connecting Via Regina with La Riata Lane through the Handerhan property, and establishing a connection between Via Brigitte and Via Clarice through the La Romana subdivision, have only been partially fulfilled.

On May 7, 2012, Planning and Development staff met with County Public Works staff onsite to review the existing condition of lower San Antonio Creek Road leading down to Tucker's Grove Park. Additional improvements that could be made to this road to enhance its viability as an emergency access route include regular vegetation clearance to remove vegetation that is encroaching into the roadway, improving the visibility of the reflectors located along the southern edge of the roadway (i.e. by placing them along the top of the curb), and repaving the roadway (see photos provided in Attachment 2). However, it would be extremely difficult to widen the roadway in its narrower sections given the steep slope that drops off to the south down to the Tucker's Grove parking lot.

In reviewing whether traffic impact mitigation fees applied to the Park Hill Estates v2 project could be applied to these improvements, County Public Works confirmed that these improvements are not a suitable candidate for the use of impact fees for several reasons. Specifically, traffic mitigation fees must be used for capacity-related capital projects which have a regional benefit and are identified in the Goleta Transportation Improvement Plan (GTIP) project list, which this roadway improvement is not. Examples of qualifying projects include traffic signals and additional travel or turn lanes. As a general rule, state law prohibits using traffic mitigation fees for maintenance projects. Moreover, this portion of the roadway is no longer within the County Maintained Road System, so neither GTIP Mitigation Fees nor Road Fund sources are eligible for use on it. Therefore, any improvements to the lower portion of San Antonio Creek Road to enhance emergency access would need to be funded and constructed by a project applicant.

Attachments

Attachment 1: Summary Table and Neighborhood Map - Emergency Evacuation and Secondary Access Routes

Attachment 2: Photos of lower San Antonio Creek Road