



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: July 9, 2013
Placement: Departmental
Estimated Time: 1.5 Hours
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Glenn Russell, Ph.D. 568-2085
Director(s)
Contact Info: Alice McCurdy, 568-2518

SUBJECT: **Hearing to Consider Revised Park Hill Estates Subdivision v.2b Project (Case No. 10TRM-00000-00001) pursuant to Proposed Conditional Settlement Agreement, Second District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

Consider the revised Park Hill Estates Subdivision v.2b Project, Case No. 10TRM-00000-00001, which has been revised from the prior County approved project pursuant to a proposed conditional settlement agreement between the County of Santa Barbara, Oak Creek Company (applicant), and petitioners (San Antonio Creek Homeowners Association, Channel Islands Chapter of the California Native Plant Society, and Friends of Saspili). The project site is located at 4700 Via Los Santos in the Goleta area, 2nd Supervisorial District. The applications involve Assessor's Parcel No. 059-290-041.

Your Board's action should include the following:

1. Make the required findings for approval of the revised project specified in Attachment 1 of the Board Agenda Letter, dated July 9, 2013, including CEQA findings.
2. Consider the Addendum and the previously adopted Mitigated Negative Declaration included as Attachments 3 and 4 of the Board Agenda Letter, dated July 9, 2013, and adopt the mitigation monitoring program contained in the conditions of approval.
3. Approve the revised project, Case No. 10TRM-00000-00001, subject to the conditions included as Attachment 2 of the Board Agenda Letter, dated July 9, 2013.

Summary Text:

On October 16, 2012, the Board of Supervisors considered an appeal (Case No. 12APL-00000-00015) of the Park Hill Estates v.2 residential subdivision project (10TRM-00000-00001) filed by Marc Chytilo on behalf of the San Antonio Creek Homeowners Association and Channel Islands Chapter of the California Native Plant Society. The Board voted 3 to 1 to deny the appeal and approve the project. Subsequent to project approval, the appellants, along with Friends of Saspili, challenged the approval and associated adequacy of the Final Mitigated Negative Declaration (Final MND) by Petition for Writ of Mandate. Pursuant to a proposed Conditional Settlement Agreement between the parties, the applicant has submitted a revised project for approval by your Board. Staff has prepared a CEQA Addendum to the approved Final MND to discuss the revisions to the project, and has also prepared revised conditions of approval and findings for approval. These are included as attachments to this Board Letter. Since the original Tract Map was approved by the Board of Supervisors on appeal, any changes to the Tract Map need to be reviewed and approved in the same manner, thus necessitating approval of the revised project by your Board. The revised project (v.2b) would supersede the prior approved project (v.2) upon approval.

The primary changes to the project involve changes to the grassland restoration requirement, cultural resource monitoring, and roadway improvements in order to enhance emergency evacuation in the area. Specifically, the original project was approved with an off-site grassland restoration requirement (Condition No. 14). The project has been revised to provide greater flexibility in mitigating impacts to native grasslands by accommodating some combination of avoidance, on-site restoration, and off-site restoration. In regards to cultural resources, a mitigation measure requiring that work be stopped upon encountering cultural remains (Condition No. 19) has been modified to require on-site archaeological monitoring by a Native American during all grading and ground disturbance. Lastly, in regards to improvements to the lower portion of San Antonio Creek Road, rather than funding and constructing minor roadway improvements up to a total cost of \$120,000 as part of the project, the applicant will contribute greater funds towards a larger road improvement project that would occur separate from the Park Hill Estates project. A complete description of the revised project and conditions of approval are provided in Attachment 2 to this Board Letter.

The overall scope of the project in terms of the number and layout of lots, scope of infrastructure improvements, and restrictions imposed on future residential development remain the same. As such, the project's consistency with applicable policies of the Comprehensive Plan, including the Goleta Community Plan, as well as the project's conformance with applicable ordinance standards of the County Land Use & Development Code, remains the same with a few minor clarifications. For a clear and complete understanding of the current project's consistency with policy and ordinance requirements, an analysis is provided below.

Comprehensive Plan/Goleta Community Plan Consistency

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Land Use Development Policy #4: Prior to the issuance of a use permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the	Consistent: The Goleta Water District will provide water service to the project. A Water Service Classification Notice was provided by the Water District on May 5, 2010. In more recent discussions

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<p>applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the Comprehensive Plan.</p> <p>Land Use Development Policy #5: Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district or an existing mutual water company, if such service is available.</p>	<p>with District staff (pers. comm. 2013), the 2010 notice remains valid and there are no changes to service. The District has a large cement vault, associated pipelines and an access easement to these facilities on the project site along the southern property line. These facilities are located near the proposed detention basin and overland escape for the basin. The District will coordinate with the applicant on the specifics of how their facilities will be protected during and following construction as well as with regard to future access to their easement prior to issuing can and will serve letters for water service. The South Coast Conduit runs in an east-west direction through the center of the project site. It is covered by a 70-foot easement. No development is proposed within the easement except for Cozy Lane which would cross the easement in order to provide access into the site. No significant grading or change in elevation is proposed within the easement area.</p> <p>As the project is within the District's sphere of influence, the project would receive sewer service from the Goleta Sanitary District following formal annexation. The Goleta Sanitary District, in a letter dated September 18, 2012, has indicated that currently they have adequate capacity to provide sewer service to the new residential lots.</p> <p>With regard to roadways, please refer to discussion of policy CIRC-GV-3 below.</p> <p>The Fire Dept has approved the proposed internal roads and the project is located within the Fire Department's 5 minute response time. Area roadways are designed for and can accommodate peak hour traffic levels at acceptable operational levels.</p>
<p>DevStd FIRE-GV-1.3: Two routes of ingress and egress shall be required for any discretionary new development or subdivision of land unless the Fire Department waives the requirement.</p> <p>Policy FIRE-GV-2: All private roads which serve structures served by the Fire Department shall be constructed to Fire Department standards unless the Fire Department waives the standard.</p> <p>Policy FIRE-GV-4: Emergency access shall be a consideration in the siting and design of all new development.</p>	<p>Consistent: The project includes two routes of ingress and egress and the internal roads are designed to meet County Fire Department standards, consistent with these policies. The site is in close proximity to an evacuation route through Tucker's Grove that provides residents with an alternative to relying on Via Los Santos or San Antonio Creek Road for emergency evacuation.</p>
<p>Policy WAT-GV-1: For discretionary projects</p>	<p>Consistent. The Goleta Water District (GWD) issued a</p>

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<p>which would result in a net increase in water use, there shall be a sufficient supply of water to serve known existing commitments plus the proposed project. This policy shall be implemented consistent with the direction of policy WAT-GV-2.</p> <p>Policy WAT-GV-5: Where physically and financially feasible, all new discretionary development shall utilize reclaimed wastewater for exterior landscaping consistent with State and County standards.</p> <p>Policy WAT-GV-6: In order to minimize water use to the maximum extent possible all new development shall utilize water-conserving landscaping and low-flow irrigation.</p>	<p>water service classification notice letter to the applicant dated May 5, 2010, indicating initiation of application for water service to the proposed new residential units. The GWD currently has adequate capacity to supply the project. No reclaimed wastewater is available to serve this project.</p> <p>The project has been conditioned to conserve outdoor water use by using native and drought-tolerant species in its landscaping, consistent with Policy WAT-GV-6.</p>
<p>Policy CIRC-GV-3: A determination of project consistency with the standards and policies of this Community Plan Circulation Section shall constitute a determination of consistency with LUDP #4 with regard to roadway and intersection capacity.</p> <p><u>Standards for Determination of Project Consistency:</u></p> <p>Roadways: For roadways where the Estimated Future Volume does not exceed the acceptable capacity, a project would be considered consistent with this section of the Community Plan if the number of Average Daily Trips contributed by the project would not cause an exceedance of acceptable capacity.</p> <p>Intersections: Intersection capacity is stated in terms of volume to capacity ratios (V/C). For intersections operating at estimated future Levels of Service A, B, C, D, E and F, no project shall result in a change of V/C greater than 0.20, 0.15, 0.10, 0.03, 0.02, or 0.01 respectively.</p> <p>Policy CIRC-GV-4: New development shall be sited and designed to provide maximum access to non-motor vehicle forms of transportation, including well designed walkways, paths and trails between new residential development and adjacent and nearby commercial uses and employment centers.</p>	<p>Consistent: The project is expected to generate approximately 160 Average Daily Trips and 16 Peak Hour Trips. The additional trips generated by the project and distributed onto the street network would not exceed Circulation Element policy roadway or intersection standards. Levels of Service for nearby roadways and intersections would remain within acceptable levels (LOS C or better). In addition, Public Works surveyed vehicle speeds (12/28/06) and measured sight distances along San Antonio Creek Road (2/17/07) as part of the prior project approved in 2007 and concluded that the safest location for accessing the site on San Antonio Creek Road is the applicant's proposed entrance location for Cozy Drive. Adequate sight distance is also available at the proposed Cozy Lane entrance off of Via Los Santos. The project includes the removal of the existing pepper trees along San Antonio Creek Road near the Cozy Drive entrance and replacement with more appropriate vegetation that is compatible with improving sight distance. Combined with conditions imposing restriction on future plantings to ensure no intrusion into roadway sight distance and proposed inclusion of a pedestrian path along San Antonio Creek Road, the project would be consistent with Circulation policies.</p>
<p>Policy AQ-GV-1: The County shall impose appropriate restrictions and control measures upon construction activities associated with each future development project, in order to avoid significant deterioration of air quality.</p>	<p>Consistent: The project would be conditioned with standard measures to ensure consistency with these policies, similar to other discretionary development projects in the County. Condition #12 requires the implementation of dust control measures during</p>

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<p>DevStd AQ-GV-1.1: Future project construction should follow all requirements of the SBCAPCD, and should institute Best Available Control Technology (BACT) where necessary to reduce emissions below APCD threshold levels.</p> <p>DevStd AQ-GV-1.2: Project construction shall minimize the generation of pollution and fugitive dust during construction.</p> <p>Policy AQ-GV-5: The County shall require the use of techniques designed to conserve energy and minimize pollution.</p> <p>DevStd AQ-GV-5.1: The County shall consider the following energy-conserving techniques to implement Policy AQ-GV-5:</p> <ol style="list-style-type: none"> the installation of low-NO_x residential and commercial water heaters and space heaters per specifications in the 1991 SBCAPCD Air Quality Attainment Plan. the installation of heat transfer modules in furnaces; the use of light colored water based paint and roofing materials; the installation of solar panels for residential water heating systems and other facilities and/or the use of water heaters that heat water only on demand; the use of passive solar cooling/heating; the use of natural lighting; use of concrete or other non-pollutant materials for parking lots instead of asphalt; installation of energy efficient appliances; installation of energy efficient lighting; use of landscaping to shade buildings and parking lots; installation of sidewalks and bikepaths; installation of covered bus stops to encourage use of mass transportation. 	<p>grading and construction. The condition letter from the Santa Barbara County Air Pollution Control District requires the implementation of measures to reduce diesel emissions. Condition #41 requires the implementation of various energy-conserving techniques into future residential development to the extent feasible.</p>
<p>Policy LU-GV-1: The Urban/Rural Boundary around the Goleta community shall separate principally urban land uses and those which are rural and/or agricultural...the Urban/Rural Boundary shall not be extended prior to the development of existing inventories of vacant land within the urban area.</p>	<p>Consistent. The project site is located within the 1-E-1 zone district in the urban area of the Goleta Community Plan.</p>
<p>Policy LU-GV-2: Future growth and development shall occur in a manner which minimizes</p>	<p>Consistent. The proposed subdivision and construction of 16 new residential home-sites are</p>

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<p>construction related impacts on the community.</p>	<p>designed to minimize construction related impacts on the surrounding community. Relevant project conditions of approval will: 1) limit construction hours and control construction traffic (Conditions 23 and 27); 2) require drainage design components which will ensure adequate storm water runoff conveyance that avoids siltation and flooding in the surrounding neighborhood (Conditions 35, 37, and 38); 3) restrictions on future development on-site to protect scenic public views and neighborhood compatibility (Conditions 2 through 9); and 4) require the protection of oak trees and archaeological resources on-site during construction activities and for the life of the project (Conditions 13, 17, and 19).</p>
<p>Historic and Archaeological Site Policies.</p> <p>Policy 1: All available measures, ...shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.</p> <p>Policy 2: When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required to avoid impacts to such cultural sites if possible.</p> <p>Policy 3: When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required....</p> <p>Policy 4: Off-road vehicle use, unauthorized collection of artifacts and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited.</p> <p>Policy 5: Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.</p> <p>Policy HA-GV-1: Significant cultural, archaeological and historical resources in the Goleta area shall be protected and preserved to the maximum extent feasible.</p> <p>DevStd HA-GV-1.5: In the event that archaeological or paleontological remains are uncovered during construction, excavation shall be temporarily suspended and redirected until the provisions of Public Resources Code section 5097.5, 5097.9 et seq. are satisfied.</p>	<p>Consistent: Archaeological survey work performed on-site identified a single bedrock mortar, however no other archaeological artifacts were observed. Project conditions require a setback, fencing, and monitoring for all grading and ground disturbance within the project site (Conditions 17 and 19). In addition, project conditions require that the bedrock mortar and the boulder on which it is located remain permanently undisturbed and protected (Condition #18).</p>

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<p>Hillside and Watershed Protection Policy #4: 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.</p>	<p>Consistent: The permanent detention basin would be constructed as part of the initial tract improvements. Also, approved erosion control measures would be implemented as part of the grading plan approval pursuant to project conditions (Condition #33). These measures would ensure consistency with this policy.</p>
<p>Hillside and Watershed Protection Policy #6: 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 runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p>	<p>Consistent: The project description and conditions of approval (Conditions 1, 35, and 37) include a permanent detention basin and measures/features to improve the quality of runoff water, such as bio-swales and conveyance of runoff through the site via pervious surfaces to the detention basin. The design of these measures would facilitate groundwater recharge. Implementation of an erosion and sediment control plan during construction would protect against project-generated erosion, consistent with this policy.</p>
<p>Policy BIO-GV-1: The County shall designate and provide protection to important or sensitive environmental resources and habitats in the Goleta Planning Area.</p> <p>Policy BIO-GV-2: Environmentally Sensitive Habitat (ESH) areas and Riparian Corridors within the Goleta Planning Area shall be protected and, where feasible and appropriate, enhanced.</p>	<p>Consistent. The northwest corner of Lot 5 is designated as an Environmentally Sensitive Habitat (ESH) on County maps. However, based on field work performed by the applicant's biologist and P&D staff biologist, it has been determined that this area does not meet the criteria for designation as an ESH area and therefore County ESH policies would not apply. Project conditions that address water quality, such as best management practices during grading to minimize erosion and sediment leaving the site, would minimize impacts to offsite ESH areas, such as San Antonio Creek.</p>
<p>Policy BIO-GV-14: To the maximum extent feasible, areas of native grasslands shall be preserved.</p> <p>DevStd BIO-GV-14.1: To the maximum extent feasible, development shall avoid impacts to native grasslands that would isolate, interrupt, or cause a break in a contiguous habitat which would disrupt animal movement patterns, seed dispersal routes, or increase vulnerability of species to weed invasion or local extirpations such as fire, flooding, disease, etc.</p> <p>DevStd BIO-GV-14.2: Impacts to native grasslands shall be minimized by providing a minimum 10 foot buffer vegetated with native species and by placing the project outside of the buffer rather than in or through the middle of the habitat area, except where such an action would preclude reasonable use of a parcel.</p> <p>DevStd BIO-GV-14.3: Onsite mitigation such as</p>	<p>Consistent. The site includes native grassland as described fully in the Mitigated Negative Declaration. Complete preservation is not feasible given their wide distribution throughout much of the site and the scope of the project with the density and number of lots requested and allowed for under State law. However, small portions of native grasslands along the edges of the property and in the area of the proposed detention basin could potentially be preserved as part of the project. These areas could also serve as suitable locations for on-site restoration and revegetation. The project, as conditioned (Condition #14), would provide for a combination of on- and/or off-site restoration of impacted native grasslands at a 2:1 ratio due to insufficient area within the project site to support the full amount of required restoration. This is consistent with these policies and development standards, which prioritize on-site restoration and revegetation, but allow off-site restoration in instances where relying solely on on-site restoration is</p>

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<p>revegetation, erosion and water quality protection, and other measures which would minimize the impact of development on native grasslands shall be included in the project design as necessary.</p> <p>DevStd BIO-GV-15.3: In those cases where adverse impacts to biological resources cannot be avoided after impacts have been minimized to the greatest extent feasible, on-site restoration may be required. Restoration may also be required for parcels on which development is proposed and on which disturbance has previously occurred if the currently proposed development would exacerbate the existing impact. Where onsite preservation is infeasible, or not desirable in terms of long-term preservation, an offsite easement and/or restoration which covers comparable habitat/area and will ensure long-term preservation may be considered. The following policies shall be used as guidelines for the restoration effort but shall not preclude reasonable use of a parcel:</p> <ul style="list-style-type: none"> a. The revegetation effort shall include the appropriate diversity and density of plants native to the locality; b. Restoration plans shall incorporate maintenance measures to insure that the remedial action is carried out for the duration of the impact; c. When restoration is proposed, on-site rather than off-site restoration shall be the preferred alternative. <p>DevStd BIO-GV-22.2: A minimum replacement ratio of 2:1 shall be required for significant native habitat areas eliminated. The area to be restored, acquired, or dedicated for a permanent protective easement shall be of comparable biological value to that which is destroyed.</p>	<p>infeasible. If necessary to fully mitigate the loss of native grasslands, the off-site restoration approach would provide for a long-term, protected and contiguous grassland restoration area that provides equal or greater ecological value than an isolated on-site restoration area. In addition, project conditions (Condition #6) address limiting the scope of initial grading conducted as part of the initial infrastructure development. The planting of invasive plant species would be prohibited in order to help protect any remaining native vegetation left on-site (Condition #15).</p>
<p>Policy BIO-GV-5: Native woodlands designated as environmentally sensitive habitats shall be preserved and protected.</p>	<p>Consistent. The individual oak trees on the subject parcel do not qualify as an oak woodland and no other native woodlands occur on the property.</p>
<p>Policy BIO-GV-16: To the maximum extent feasible, "protected trees" shall be preserved. Protected trees are defined for the purposes of this policy as mature native trees that are healthy and structurally sound and have grown into the natural stature particular to the species.</p> <p>DevStd BIO-GV-16.1: All existing "protected trees"</p>	<p>Consistent. Tree protection has been included as a project condition to ensure protection of the oak trees along the southern property line within the open space/detention basin lot. The pepper trees along San Antonio Creek Road are non-native and do not provide significant wildlife habitat value. The pepper trees are proposed for removal to improve sight distance for vehicles along San Antonio Creek Road</p>

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<p>shall be protected from damage or removal by development to the maximum extent feasible.</p> <p>DevStd BIO-GV-16.3: Where trees may be impacted by new development, a Tree Protection Plan may be required where either the project site contains native or other biologically valuable trees (e.g., oaks, willows, sycamores, cottonwoods, cypress, eucalyptus,) or where such trees on adjacent properties have drip lines which reach onto the project site.</p> <p>Policy BIO-GV-17: Oak trees shall be protected to the maximum extent feasible. All land use development applications shall be processed in such a manner as to avoid damage to native oak trees. Regeneration of oak trees shall be encouraged.</p> <p>Policy BIO-GV-18: Trees serving as known raptor nesting or key raptor roosting sites shall be preserved to the extent feasible.</p>	<p>and to improve pedestrian safety as these trees extend into the right-of-way leaving little space for pedestrians or bicycles beyond the vehicle travel lane.</p> <p>Implementation of the required tree protection condition (Condition #13) would ensure that the oak trees are protected and that the proposed project is consistent with this policy. Any trees that are accidentally damaged or removed would be replaced consistent with these policies.</p> <p>Despite the lack of evidence of raptor or bird nesting or roosting within the site currently and the limited extent of suitable nesting habitat on-site, a low potential exists for raptors and other sensitive bird species to nest or roost on this site in the future. Construction activities have been known to disturb occupied nests and roost sites if they are in close proximity to one another and construction commences during the nesting season. In order to ensure consistency with this policy, the project has been conditioned (Condition #16) to require pre-construction nesting surveys if construction is to commence during the nesting season to ensure the protection of nesting species and their nesting habitat.</p>
<p>Policy BIO-GV-19.1: Additionally, the County shall take effective measures to control the introduction of fertilizers and pesticides into all coastal waters, including rivers, streams, coastal wetlands and intertidal areas.</p>	<p>Consistent. The proposed grading and drainage plan, including the incorporation of bio-swales and a detention basin, will minimize introduction of pollutants into all coastal waters, including drainage courses, wetlands and streams. Project conditions (Conditions 35 through 38) will ensure necessary review and approval of grading and drainage plans and incorporation of water quality measures into plans and during construction.</p>
<p>DevStd BIO-GV-19.1: For all new development, sedimentation, silt, and grease traps shall be installed when necessary as determined by P&D, in paved areas to act as filters to minimize pollution reaching downstream habitats. These filters shall address short-term construction and long-term operational impacts.</p>	<p>Consistent. Proposed drainage improvements associated with the project and implementation of project conditions of approval addressing water quality protection (Conditions 35 through 38) would ensure that the project would be consistent with this policy.</p>
<p>DevStd BIO-GV-19.2: Washing of concrete, paint, or other equipment shall be allowed only in areas where polluted water can be contained during construction and in industrial settings.</p>	<p>Consistent. Project conditions (Condition #32) include this requirement ensuring project consistency with this policy.</p>
<p>Policy N-GV-1: Interior noise-sensitive uses (e.g., residential...) shall be protected to minimize significant noise impacts.</p>	<p>Consistent. Project conditions (Condition #23) restrict the timing of noise-generating construction activities consistent with this policy.</p>
<p>Visual Resources Policy 3: In areas designated as urban on the land use plan maps and in designated</p>	<p>Consistent. The proposed project, as conditioned (Conditions 1, 2, 5, 8, and 9), includes a number of</p>

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<p>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.</p> <p>Visual Resources 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.</p> <p>Policy VIS-GV-1: The County shall through its discretionary and design review process, ensure the maintenance and where necessary the improvement of the quality in the design and landscaping of industrial, commercial, institutional, and residential facilities.</p> <p>DevStd VIS-GV-1.1: Setbacks, landscaping, and structural treatments shall be emphasized along major roadways to help preserve viewsheds and create an aesthetic visual corridor. Parking lots and other impervious surfaces should be placed in side and rear, rather than frontage, areas in all development along roadways.</p>	<p>measures to ensure quality design of future residential development and landscaping on-site. These measures include, but are not limited to height limits for structures, maximum square footage of structural development per lot, structural setbacks from property lines and design standards to avoid uniformity of development. Residential development will also be subject to BAR review and approval pursuant to the Eastern Goleta Design Guidelines. Utilities serving the site will be undergrounded, consistent with Policy 5. Project conditions (Conditions 1, 8, and 28) confirm the applicant's proposed removal of existing pepper trees along the San Antonio Creek Road right-of-way (for traffic safety purposes) and specifications for planting of new landscaping in this area with low growing species to maximize sight distance as well as to maximize retention of scenic views through view corridors visible from public roadways, including views of the Santa Ynez Mountains and coastal views of the ocean and the Channel Islands and the westerly Goleta Valley. Without these measures scenic views from public roads could be substantially eliminated.</p>
<p>Policy VIS-GV-6: Outdoor lighting in Goleta shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.</p>	<p>Consistent. Project conditions (Condition #4) include lighting restrictions to ensure consistency with this policy.</p>
<p>Policy GEO-GV-4: Excessive grading for the sole purpose of creating or enhancing views shall not be permitted.</p> <p>DevStd GEO-GV-4.2: If subject to BAR review, no grading permits for building pads shall be issued until the structure has received Final BAR approval.</p> <p>Policy GEO-GV-5: Ground disturbances and development on slopes of 20 percent or greater should be avoided, ...</p> <p>DevStd GEO-GV-5.2: Erosion control measures including the use of drought tolerant landscaping shall be established in all site drainages.</p> <p>Hillside and Watershed Protection Policy #1: 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.</p>	<p>Consistent: The majority of the site is fairly level. Grading is primarily necessary to create building pads and ensure proper conveyance of drainage to on-site bio-swales and interior roads and finally to the on-site detention basin in the southern end of the property. The project has been conditioned (Condition #6) to minimize grading to that which is necessary to achieve positive drainage on the site and develop level building pads. No grading is proposed on slopes of 20 percent or greater. Project conditions (Conditions 21, 33, 35, 37, and 38) require preparation, implementation, and monitoring of erosion control and best management practices to minimize erosion and sedimentation as well as ensure maximum water quality for runoff leaving the site. These BMPs would be in place throughout grading and construction. In addition, operational BMPs would also be required in order to treat water runoff once construction has been completed. The on-site bioswales and detention basin are components of these measures.</p>

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<p>Hillside and Watershed Protection Policy #2: All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading ... 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.</p> <p>Hillside and Watershed Protection Policy #5: Temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils subject to erosion All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants,</p> <p>Hillside and Watershed Protection Policy #7: 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.</p>	<p>To address flooding and Flood Control District requirements, impervious surfaces, including backyard walkways, patios, etc. would convey runoff to the detention basin. This ensures that increased runoff from post-project impervious surfaces will not contribute to off-site flooding on adjacent properties or streets.</p>
<p>Policy GEO-GV-6: Projects shall be designed and located to minimize the number of persons and amount of property exposed to seismic hazard.</p> <p>Seismic Safety and Safety Element Objective #1: Avoid construction of buildings of all types and most structures on or across historically active or active faults.</p>	<p>Consistent: The project is not located in close proximity to active or potentially active earthquake faults.</p>
<p>Action RRC-GV-1.1: The County shall continue to implement and increase a curbside recycling program in the residential areas of the Goleta Planning Area. Curbside recycling shall be required for all new development and encouraged in current housing as determined appropriate by the County Public Works Department.</p> <p>Policy RRC-GV-2: All new residential development in the Urban area and, where feasible, outside the Urban area shall participate in yard waste collection programs as may be provided by the County of Santa Barbara. Such programs may include yard waste accumulation bins, curbside pickups and</p>	<p>Consistent. Marborg offers curbside pick-up of recyclables and yard waste in the Goleta area.</p>

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backyard composting.	
Policy RRC-GV-3: Recycling bins shall be provided at all construction sites to minimize construction-generated waste which goes to the landfill.	Consistent. Project conditions (Condition #25) require inclusion/use of recycling bins for future construction on the project site.
Policy SCH-GV-1: The maximum allowable school facility fees shall be levied on all new residential, commercial, and industrial projects within the Goleta Planning Area.	Consistent. Standard school fees would be paid at the time that each residential parcel is developed. The fee is based on the square footage of new residential development.

Ordinance Compliance

Development which meets the requirements of the State Density Bonus Program (SDBP) is entitled to additional density beyond what would otherwise be permitted by the base zone district. In this case, while the base zone district requires one-acre minimum parcel sizes, participation in the SDBP allows the parcels to be less than the one-acre minimum in order to accommodate the additional density without requiring a rezone or amendment to the land use designation covering the property.

The project would be consistent with or, in the case of future development on the residential lots, can easily be developed consistent with the requirements of the 1-E-1 zone district. Because each of the lots is relatively flat and includes a large buildable area, each lot has sufficient buildable area to construct a single family home and to accommodate accessory uses similar to most parcels in the surrounding area. Reasonable development on each lot could comply with 1-E-1 development standards without need for variances or modifications to zone district standards in the future. While the building height limits proposed as part of the project would be measured from finished grade, nevertheless, as measured from existing grade houses would remain consistent with the Land Use and Development Code (LUDC) 35-foot height limit. While no development is proposed initially, the building pads for each of the lots are designed to ensure that the minimum setbacks required in the 1-E-1 zoned are adhered to.

Background:

The project consists of the subdivision of a 14.87-acre property zoned 1-E-1 into 16 residential lots, one common open space lot for a detention basin, and one lot covering an existing private road. The project would provide for 15 market rate lots and one lot that would be designated affordable.

Fiscal and Facilities Impacts:

Costs to process this revised project are fully reimbursed by the applicant per the department's adopted fee schedule. Permit revenues are budgeted in the Permitting & Compliance Program of the Development Review Division on Page D-318 of the adopted 2012-2014 fiscal year budget. There are no facilities impacts.

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on July 9, 2013. The notice shall appear in the Santa Barbara News Press. The Clerk of the Board shall fulfill noticing requirements. Mailing labels for the mailed notices are attached. A minute order of the hearing and copy of the notice and proof of publication shall be returned to Planning and Development, attention: David Villalobos.

Attachments:

Attachment 1: Findings

Attachment 2: Conditions of Approval

Attachment 3: Addendum to Final MND

Attachment 4: Final MND – see <http://www.sbcountyplanning.org/projects/10TRM-00001ParkHills/index.cfm>

Attachment 5: Vesting Tentative Tract Map

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