

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for Park Hill Estates Subdivision and Road Naming

Hearing Date: April 25, 2007
Staff Report Date: April 6, 2007
Case Nos.: 06TRM-00000-00001
Campbell
06RDN-00000-00001
Environmental Document: : 06NGD-00000-00028

Assistant Director: Dianne Black
Division: Development Review South
Staff Contact: Natasha Heifetz
Supervising Planner: Anne Almy
Planner's Phone #: 962-0030

OWNER/APPLICANT:

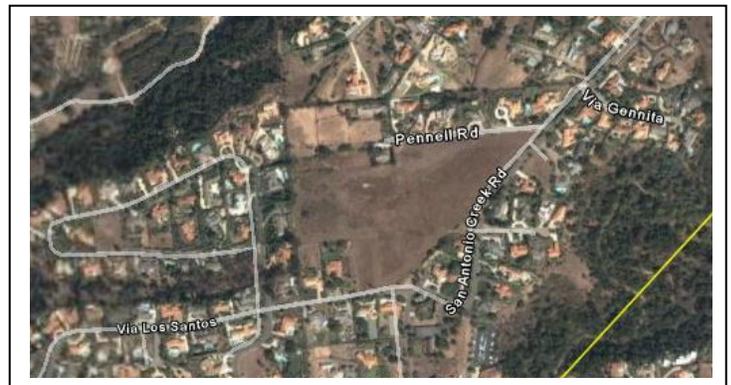
DHL Realty Company
Attn: Joan Zeluck
1222 South Westlake Blvd. Unit J
West Lake Village, CA 91361-1938
805-497-1222

AGENT:

Susan McLaughlin,
Suzanne Elledge Permit Processing Services
800 Santa Barbara Street
Santa Barbara, CA 93101
805-966-2758

ENGINEER:

Mike Gones
1518 Bath Street
Santa Barbara, CA 93101
805-966-2259



Assessor Parcel Number 059-290-041, bounded on the south and east by San Antonio Creek Road and Via Los Santos, on the north by Pennell Road (private) and on the west by homes fronting on Via Los Santos and Via Los Padres. The property is commonly known as 4700 Via Los Santos, in the 2nd Supervisorial District.

Application Complete: February 6, 2006¹
Processing Deadline: 60 days from approval of 06-NGD-00000-00028

¹ See Project Processing Timeline, Section 5.2, for project history.

1.0 REQUEST

Hearing on the request of Susan McLaughlin of Suzanne Elledge Permit Processing Services, agent for DHL Realty Company, LP, to consider: Case No. 06TRM-00000-00001, [revised project submitted on 1/4/06] for approval under County Code Chapter 21 to divide an approximately 14.36 acre parcel into twelve, approximately 1-acre lots and one open space lot of approximately 2.2 acres, in the 1-E-1 zone district of Article III and Case No. 06RDN-00000-00001 for approval of the naming of two proposed private roads, proposed Cozy Drive and Cozy Lane, currently addressed off Via Los Santos in compliance with Section 35.76 of the County Land Use and Development Code and approve the Tiered Negative Declaration (06-NGD-00000-00028) 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: Aesthetics, Biology, Cultural Resources, Fire Safety, Geology, Land Use, Water Resources, and Short-term Traffic. The certified Goleta Community Plan Program EIR further identified significant, unavoidable, adverse cumulative impacts under Community Plan buildout related to fire hazards from development in the foothills and biological impacts, including loss of foraging habitat, when undeveloped lands are converted to urban uses. The ND, the Goleta Community Plan Program EIR and all other documents referenced therein may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara. The ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 E. Anapamu Street, Santa Barbara and on the County Planning & Development website: www.sbcountyplanning.org, under the Recent Updates, Park Hill Estates. The application involves AP No. 059-290-041, located at 4700 Via Los Santos, in the Goleta area, Second Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case No. 06TRM-00000-00001 marked "Officially Accepted, County of Santa Barbara April 25, 2007 Planning Commission Exhibit 1" based upon the project's consistency with the Comprehensive Plan, including the Goleta Community Plan, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Adopt the required findings for the project specified in Attachment A of this staff report, including CEQA findings.
2. Approve the Tiered Negative Declaration (06NGD-00000-00028) (Attachment C of this staff report) and adopt the mitigation monitoring program contained in the conditions of approval.

3. Approve the Tentative Tract Map, Case No. 06TRM-00000-00001, to subdivide the property into thirteen lots, including one open space lot.
4. Approve the Road Naming, Case No. 06RDN-00000-00001, to name the two private roads within the site Cozy Drive and Cozy Lane.
5. Approve the project subject to the conditions included as Attachment B.

Refer back to staff if the 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 based on Section 35-292d. of the Article III zoning ordinance, which states that jurisdiction over two or more applications relating to the same development project rests with the highest level decision-maker for any of the individual applications. Because the Planning Commission is the decision-maker for the proposed Tentative Tract Map (06TRM-00000-00001), the Planning Commission will also be the decision-maker for the Road Naming (06RDN-00000-00001) request.

4.0 ISSUE SUMMARY

Traffic Safety/Emergency Access: Neighbors have identified a number circulation issues that they believe contribute to traffic hazards and difficulty in evacuating the area in the event of an emergency similar to the Paint Fire and are further concerned that adding 12 new residences to the neighborhood will exacerbate the existing situation. P&D, Fire Department and Public Works staff met with a group of neighbors in the field following public circulation of the project's draft mitigated negative declaration [06NGD-00000-00028] to discuss concerns related to emergency access/escape routes, sight distance when entering and exiting San Antonio Creek Road, use of Pennell Road for project access, vehicle speeds on San Antonio Creek Road approaching from Highway 154, and whether a left-turn pocket should be included at the project's Cozy Drive entrance. Public Works and the Fire Department have provided condition letters on the project. In coordination with these departments, P&D has determined that project conditions of approval would ensure that the project would be consistent with the circulation policies of the Comprehensive Plan and would not result in significant traffic impacts.

Grading: The project proposal includes implementing initial tract improvements (new roads, retardation basin and other drainage features, perimeter landscaping and walking path, etc.). Specific residential lot development plans are not known at this time as the individual lots may be developed concurrently by a single developer or may be sold and developed by separate owners. Grading calculations have been provided with the tentative map for these initial improvements and for later individual lot development. However, the estimates are very preliminary and could be somewhat less or significantly more than identified. The need to export cut material from the site and to import clean fill material will be dependent upon the specific

details of the structural and outdoor living area design for each of the 12 residential lots and the amount of cobble and boulder material which is encountered during grading operations.

Aesthetics: There are currently expansive mountain and coastal views across the project site from various public vantage points on San Antonio “mesa”, especially from Via Los Santos and San Antonio Creek Road. Depending upon the location, extent and type of structural development and landscaping on the subdivided lots, these views could be substantially eliminated. While expansive public views across the site would be lost following buildout of this infill site, project conditions of approval would allow the reasonable maintenance of some view corridors through the site of the coast and the Santa Ynez Mountains, mitigating significant aesthetic impacts to less than significant levels, and ensuring consistency with applicable County policies and development standards.

Follow-up Zoning Clearance Process for Buildout: Pursuant to the County Land Use and Development Code, for subdivisions involving five or more lots, the follow-up development of each residential lot would be processed under the “zoning clearance” process, rather than the land use permit process. There are no noticing requirements or the ability to appeal development approved pursuant to a zoning clearance.

The current project does not include specific development plans or detailed grading plans for the twelve separate residential lots; the residential lots may be developed concurrently or may be sold and developed separately. Regardless, future residential development would be subject to BAR review pursuant to the newly adopted Eastern Goleta Design Guidelines and project neighbors within 300 feet of the lot under consideration would receive notice that the project had been submitted for BAR review. BAR approvals (or denials) are appealable. However a BAR appeal is limited to those issues under the BAR’s specific jurisdiction (e.g., design, compatibility with neighborhood development, etc.).

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Urban area of the Goleta Community Plan, Residential 1.0, one unit per acre maximum density
Ordinance, Zoning District	Article III, 1-E-1, Single Family Residential, one acre minimum lot size
Site Size	14.36 acres gross and 14.19 acres net
Present Use & Development	The site is undeveloped. The South Coast Conduit runs under/through the project site
Surrounding Uses/Zoning	<i>North:</i> Single family residences/1-E-1 <i>South:</i> Single family residences/1-E-1 <i>East:</i> Single family residences/1-E-1 <i>West:</i> Single family residences/1-E-1

Site Information	
Access	Two new private internal roads, one connecting to San Antonio Creek Road and the other connecting to Via Los Santos.
Public Services	Water Supply: Goleta Water District Sewage: Proposed annexation to Goleta Sanitary District Fire: SB County Fire Dept., Station #13 Other: Goleta Union School District

5.2 Setting

The 14.36-acre property is approximately 5,000 feet north of U.S. Highway 101 and approximately 4,000 feet west of State Highway 154. The site is approximately 350 feet northeast of Tucker’s Grove County Park and approximately 620 feet west of San Antonio Creek at its closest point. It is bordered to the north, east, south and west by single family residential development on one-acre parcels (1-E-1 zoning) and has frontage on and is visible from Via Los Santos and San Antonio Creek Road. The property is an elevated terrace with fairly level topography, generally sloping toward the south central portion of the site, with the rear portions of proposed Lots 4-8 sloping toward the rear of each of these lots. There are scattered rock outcroppings throughout the site, including cobble and boulder material.

A Phase I archaeological study revealed a bedrock mortar on site. However, additional survey work revealed no additional archeological artifacts.

The property includes native and non-native plant species typical of grassland habitats. There are three coast live oak trees along the southern property line and a number of pepper trees along San Antonio Creek Road. Wildlife on site is typical to rural Goleta: gophers, squirrels, coyote, raccoons and an assortment of lizards and snakes. A whitetail kite (a “Special Status” species under the California Department of Fish and Game) was observed foraging on at least two occasions on the site by the P&D staff biologist; however, no evidence of a roosting ground for this species was observed. The pallid bat, another sensitive species, may also use the site for foraging. No other nesting or roosting sites were observed for any endangered or protected species. The primary role of the site, in terms of local ecology, appears to be for foraging.

There are two existing cement vaults in the southern portion of the property. These vaults are associated with the South Coast Conduit which runs across the center of the site. The more easterly vault is proposed for removal by COMB in the near future as it is no longer in use.

The property was farmed prior to 1971 and was used for horse grazing between 1971 and 1995. All land surrounding the site is zoned 1-E-1 (one acre residential) and, with three exceptions, all parcels adjacent to the property have been developed with residential uses. APN 059-130-040 is a vacant lot on Pennell Road surrounded by proposed lots 1, 2, and 3 of Park Hill Estates. The large parcel at the western terminus of Pennell Road immediately north of proposed Lots 5 and 6 includes residential development, as well as several large horse pastures. There is also a vacant parcel across

San Antonio Creek Road between Pennell Road and the proposed Cozy Drive entrance.

The Painted Cave Fire swept through the project area in 1990 and destroyed all but a few homes. Another fire caused by an arcing power line burned all but a portion of the vacant project site again in 2002, but no residences were affected. Older residences in the project area are generally more modest in respect to height, size and design than newer homes in the area which are larger, include more 2-story components and range in size from 2,000 s.f. to 5,000+ s.f. (with one residence of ~7,400 s.f.). The exterior materials on the newer structures are typically limited to white or light colored stucco siding, black wrought iron detail elements and red or brown tile roofing. The numbers of rebuilt homes in the area have altered the character of the neighborhood, tipping its architectural aesthetic toward “Santa Barbara Spanish”. The Park Highlands subdivision adjacent to Park Hill Estates on the west includes 78, 1-acre parcels and was developed in the 1960’s and 1970’s. The majority of homes on these parcels are one-story, pursuant to restrictions in the CC&Rs for that entire tract.

For more details on the setting, please refer to the applicable sections of the Tiered ND.

5.3 Statistics

Statistics			
Item	Proposed	Ordinance	Project Description/ Recommended Condition
Structures (floor area)	To be determined at time of the 12 individual residential parcels’ development	No maximum floor area	5,500 square foot maximum structural square footage (net) per parcel
Max. Height of Structure(s)	As allowed by Ordinance	35 feet; architectural projections can further exceed 35 feet)	18-22 feet
Building Coverage (footprint)	To be determined at time of the 12 individual residential parcels’ development	No maximum building coverage	No maximum building coverage
Roads Parking (covered/un-covered, ratio)	2 covered unless Public Works/P&D determine not necessary	No applicable standard	No requirement
Open Space Public Common Area Private Landscaping Undeveloped/Other	No public open space proposed. The 2.2 acre common area (lot 13) includes the retardation basin and most of the grassland	No open space requirements	Project conditions address landscape requirements/restrictions to address line of sight for vehicles entering/exiting the property, protection of significant views, and the

Statistics			
Item	Proposed	Ordinance	Project Description/ Recommended Condition
	restoration area; Landscaping in private yards will be determined at time of individual lot development. Common landscaping includes perimeter plantings and plantings along the new private roads and common area fencing.		proposed native grassland restoration area.
Number of Dwelling Units	12 single family residences and potential for guest houses or second residential units on each residential lot	Maximum 1 single-family residence per acre. Ordinance allows the potential for guesthouses or second residential units.	12 single family residences (pursuant to the project description) and the potential for guesthouses or second residential units subject to approval of necessary permits, if proposed.
Project Density	12 units on 14.36 acres		One unit per acre (plus potential for second residential units on each lot)
Grading	17,450 cut/17,450 fill ²	No specific requirements	

² Grading could be less than estimated depending on ultimate design of the 12 residential homesites and the extent of impervious surfaces in the outdoor living areas, given that grading must ensure that all impervious surfaces ultimately drain to the retardation basin on lot 13. However, depending on the amount of cobble and boulder material encountered during grading activities, grading quantities including import of clean fill material and export of rock material could be substantially greater than the preliminary grading estimates.

5.4 Description

Joan Zeluck and D.H.L. Realty LP, owners and applicants, request approval of a Tract Map under Chapter 21 of the County Code (Subdivision Regulations). Susan McLaughlin of Suzanne Elledge Planning and Permitting Services is the agent representing the project. The Tract Map would divide the parcel into 12 single family residential lots of approximately 1 acre each and 1 open space lot of approximately 2.2 acres. The open space lot is proposed to accommodate storm water retardation in a new graded basin, a portion of a new access road (0.18 acres), and the majority of the 2.72 acre easement for native grassland restoration. The grassland restoration easement would also include portions of the rear yards of lots 8-12.

The applicant has not determined whether they would develop the subdivision themselves, sell the entire property to a developer, or whether the lots would be sold and developed individually. Consistent with tract map requirements, the current tentative tract map request does not include any specific development plans for the proposed 12 single-family residential parcels. To ensure compatibility of future buildout with the neighborhood, the applicant has proposed Architectural Standards for future development. In some instances, these standards mimic existing County Land Use and Development Code requirements as well as recommendations identified in the newly adopted Eastern Goleta Architectural Guidelines. The applicants have included excerpts from the Eastern Goleta Design Guidelines as part of their proposed Architectural Standards pursuant to their letter dated March 1, 2007. The full letter is included in the project conditions (Attachment B) and is incorporated herein as part of the project description. This letter incorporates measures to address building heights, grading, drainage, and privacy. Some specific criteria (from the March 1, 2007 letter) are included below:

Building Heights:

Lot 1: 20 ft	Lot 7: 18 ft
Lot 2: 22 ft	Lot 8: 22 ft
Lot 3: 18 ft	Lot 9: 22 ft
Lot 4: 18 ft	Lot 10: 22 ft
Lot 5: 22 ft	Lot 11: 22 ft
Lot 6: 22 ft	Lot 12: 22 ft

Grading:

- Minimize fill;
- Avoid raising building pads above existing grade;
- Limit grading area;
- Naturalize contours; and
- Step down hillside/slopes.

Drainage:

- Minimize runoff from the site; and
- Maximize water permeability including by maximizing permeable paving materials and conveying roof runoff to permeable/planted areas.

Privacy:

- Locate structures and additions to increase the visual distance between buildings;
- Orient second story windows to protect neighbor's privacy;
- Orient balconies and decks away from overlooking neighboring backyards;
- Use translucent or high windows to allow illumination while protecting privacy; and
- Use landscaping to screen living areas.

The property is located in the San Antonio Creek area of Goleta and has frontage on the following existing roads: Via Los Santos, San Antonio Creek Road and Pennell Road, a private road (see Attachment 1, Location Map).

Site access would be provided by two, new, private, internal roadways, Cozy Drive and Cozy Lane, which would be constructed as part of the initial tract improvements. Cozy Drive would provide access from San Antonio Creek Road, between proposed lots 1 and 12. Cozy Lane would provide access from Via Los Santos at the southwest corner of proposed lot 13 and would continue into the project site between lots 9 and 10, before intersecting with Cozy Drive. The new internal roads would, in effect, provide a looped road that would serve lots 1-13. Cozy Drive would have a 32-foot paved width, with parking on both-sides. Cozy Lane would have a paved width of 24 feet and would not include parking on either side of the road.

No signs are proposed as part of the current subdivision and road naming requests.

The two new internal roadways, proposed Cozy Drive and Cozy Lane, would be constructed as part of the initial tract improvements. Additional tract improvements include bio-swales, a proposed retardation basin, rough grading for building pads for proposed lots 6-8, trenching and installation of utilities to each lot, and implementation of the native grassland restoration plan following completion of the retardation basin. The newly created lots could be developed together or separately regardless of when individual lots are sold.

Total grading for the project, including earthwork estimates for individual lot development, is preliminarily estimated at 17,450 cubic yards of cut and 17,450 cubic yards of fill. These grading figures are based on information included on the tentative tract map, including the specific pad elevations and grading for lots 6-8, the grading required to install utilities to each lot, grading for the new internal roadways and the retention basin, the drainage swales, and the presumed pad elevations for the remaining lots. Because the applicant has amended this project description to include a requirement that earthwork be minimized to only that which is necessary to ensure proper drainage, it is also possible that depending on the design, location, and layout of future

structures and other impervious surfaces on each residential lot (including patios, walkways, etc.) that grading could be less than identified on the tentative tract map.

Grading could also be substantially greater than the estimate identified in the table below. This is due to several factors: 1) the known presence of boulders in this area, 2) limited soil testing which has been performed to date on-site, and 3) the final development designs for each of the 12 residential lots, including the location and extent of impervious surfaces beyond the actual building footprint (as all impervious surfaces must drain to the basin in the southern portion of the property).

In particular, the grading calculations do not specifically presume that boulder/cobble material will be encountered during earthwork activities. Therefore, given the likelihood of encountering this material during earthwork activities³, significant quantities of such material would likely be exported (trucked) from the site⁴ and, consequently, clean fill soil would also need to be imported (trucked) to the site. Therefore, although preliminary figures for grading quantities are provided below, *precise* figures for future tract improvements and lot by lot grading (cut, fill, export, and import quantities) cannot be determined at this time.

Lot Sizes and Preliminary Estimates for Grading Quantities

Lot #	Presumed Pad Elevations	Gross Square Feet (sf)	Net Square Feet (sf)	Gross Acres (ac)/Net Acres	Grading Cubic Yards (cy)	
					Cut	Fill
1	373.3	43,913 sf	39,841 sf	1.01 ac/ 0.91 ac	262	324
2	358.7	43,787 sf	43,182 sf	1.01 ac/ 0.99 ac	470	887
3	352.5	48,192 sf		1.11 ac	709	482
4	347.2	43,706 sf		1.00 ac	334	1835
5	342.1	43,560 sf		1.00 ac	502	391
6	340	43,560 sf		1.00 ac	8	1740
7	340	43,560 sf		1.00 ac		1660
8	341	43,560 sf		1.00 ac		440
9	341	43,581 sf		1.00 ac		1355
10	340	43,597 sf		1.00 ac	32	1041
11	343	43,658 sf		1.00 ac	583	1537
12	342.5	44,854 sf		1.03 ac	1405	186
13		95,836 sf	93,187 sf	2.2 ac/ 2.14 ac	3240	3240

³ Boulders are visible on the surface of the site, preliminary soils tests indicate potential for cobble/boulder material below the surface, and nearby grading projects have encountered large quantities of boulders.

⁴ Some excess cobble/boulder material from grading activities could be used on-site for walls or other landscaping features. However, if earthwork activities on-site generate substantial quantities of this material, it is likely that much of this material would be transported off-site.

Roads:						
Cozy Dr					6,253 cy	260 cy
Cozy Lane					1,581	
Utilities					2,068 cy	2,068 cy
TOTAL				14.36 ac/ 14.18 ac	17,447 cy	17,446 cy

Water would be supplied by the Goleta Water District. Following annexation, the Goleta Sanitary District would provide sewer service to each of the residential lots.

5.5 Project Processing Timeline

The project was originally submitted in 1998. The original project was deemed complete in September of 2000. In 2002 an initial study was completed and the applicant appealed the conclusions of the initial study. The appeal was dropped in December of 2002, with the understanding that the project would be revised and resubmitted to address biological and drainage issues, among others. In 2004 the project was resubmitted. Between April 2004 and January 2006 the applicant worked on revisions to address Subdivision Development Review Committee comments. In January 2006, the applicants, represented by a new project agent, submitted a revised project. While the application was deemed complete on February 6, 2006, this project revision did not include two access roads as required in high fire hazard areas by the Fire Department and the Goleta Community Plan. The plans were again revised and resubmitted in May 2006. A second access road was added back into the May 2006 project revision. Modifications were also made to the grading and drainage plans in order to comply with Flood Control District and Project Clean Water requirements for mitigating the peak runoff volumes and quality of runoff water leaving the site. Finally, revisions were also made to the Grassland Restoration Plan, in response to the other project layout and grading revisions.

Since May of 2006, staff has been working to clarify a number of issues. These include consulting with grading inspectors and the previous and current project engineer regarding on-site soil constraints, the proposed grading and drainage plan assumptions, drainage with regard to water quality features of the drainage plan and Flood Control requirements to ensure that the project does not exacerbate peak storm water runoff volumes off-site on neighboring properties or public streets, determining the location and use of two large cement vaults near the southern property line and whether these features and related pipelines would affect the design and location of the adjacent retardation basin, coordinating parcel validity questions involving the two small APNs paralleling the northern property line with the new project engineer, County Surveyor, County Counsel and the project attorney, coordinating with Fire Department and Public Works staff to address traffic safety and access issues, working with neighbors and the applicants to find appropriate and acceptable measures to ensure that future development on-site would be compatible with the neighborhood and would not result in significant aesthetic impacts, as well as addressing various other comments and questions raised by the public in response to release of the Draft Negative Declaration.

5.6 Background

The site is currently vacant. Staff will provide the Planning Commission with an explanation of the parcel legality issues in an addendum to this staff report prior to the Planning Commission hearing.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

A Tiered Mitigated Negative Declaration (06-NGD-00000-00028) 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. Issue areas addressed in the Tiered Mitigated Negative Declaration are: aesthetics/visual resources, air quality, archaeological resources, biological resources, fire safety, geologic processes, noise, recreation, and water resources/drainage. The Tiered Mitigated Negative Declaration determined that all potential project impacts could be reduced to less than significant levels through incorporation of the proposed mitigation measures as conditions of approval, with the exception of cumulative impacts to the loss of foraging habitat for raptors, including the sensitive white tailed kite and cumulative fire hazard impacts from development in the high fire hazard foothills of the Goleta Valley.

The Draft Tiered Mitigated Negative Declaration was circulated for public comment and review for an initial 32 days (December 1, 2006 through January 2, 2007) and for an additional 14-day extension of the comment period (in response to public comments) through January 16, 2007. Comments were received from the public, other agencies and County departments and revisions in response to comments received have been incorporated into the Draft Final Tiered ND.

Mitigation measures required to reduce potentially significant impacts on aesthetics/visual resources, air quality, archaeological resources, biological resources, fire safety, geologic processes, noise, recreation, and water resources/drainage were accepted by the applicant on November 29, 2006, and changes to conditions were accepted by the applicant on April 5, 2006, and are included in the recommended conditions of approval (Attachment C).

A summary of the main environmental issues is included below. However, please refer to the Proposed Final Tiered Negative Declaration for a full discussion of all environmental issues, including the existing setting, potential project impacts, required mitigation to reduce these identified impacts, and comments received on the Draft Negative Declaration. Revisions to the Negative Declaration are shown with underlining and ~~striketroughs~~ to facilitate a review of how the Negative Declaration has been changed in response to comments received.

6.1.1 Impacts and Mitigation

Aesthetics:

The project site is the last large undeveloped property in the San Antonio mesa neighborhood which is highly visible from well-traveled public roads, which are used by pedestrians and bicyclists, in addition to vehicular traffic. The most prevalent public views include expansive views of the Santa Ynez Mountains when approaching the site from Via Los Santos and when traveling in both directions on San Antonio Creek Road. From San Antonio Creek Road, near Pennell Road, there are also fairly extensive views of the western Goleta Valley and coastal views of the Santa Barbara Channel. Similar views are available from a number of smaller public cul-de-sac streets that connect to San Antonio Creek Road. The views from San Antonio Creek Road are intermittently screened by the existing pepper trees, however, scenic views into and well beyond the site are still clearly visible from public viewing areas. These same views are available from nearby private properties and more distant views are available from Highway 154.

While existing views cannot be expected to be maintained at their current extent following site development, significant impacts to scenic views can be avoided by maintaining reasonable view corridors through the project development and landscaping, even under full build-out. This can be accomplished by ensuring that future development, including landscaping, is sized and sited to provide view corridors.

In response to comments from project area residents, the applicant has incorporated height limits and some of the guideline language from the Eastern Goleta Architectural Guidelines into the project description (see letter from Suzanne Elledge dated March 1, 2007 attached to the project conditions of approval). Project conditions incorporate the applicant's proposed height limits and guideline language to encourage sensitive design. In addition, the project conditions include additional requirements to avoid potentially significant visual impacts and to help guide future development on the one acre lots in a manner which would be compatible with the surrounding neighborhood and which would facilitate construction of visually compatible and attractive development within the Park Hill Estates subdivision. These conditions pertain to minimization of grading, increased setback requirements, maximum floor area limitations and landscape palette restrictions.

Biology:

The project would result in loss of native grassland which is currently scattered in several patches throughout the site. A grassland restoration plan is proposed, which, as conditioned, would mitigate this impact to less than significant levels. The restoration area would be located on lot 13, the open space lot, as well as in a fenced off strip of the rear yards of lots 8-12. This layout provides for a contiguous restoration area and much of the restoration area would be conjunctively used as the project retardation basin, a critical component of the site drainage plan.

The Goleta Community Plan Program EIR identified significant, unavoidable cumulative

impacts to foraging habitat for raptors under buildout of the Community Plan. This site provides foraging habitat (but not nesting sites) for raptors, including white-tailed kites, a sensitive species. Due to the conversion of most of the on-site grassland habitat to residential uses, this project would contribute to the previously identified unavoidable significant impact, for which the Board of Supervisors made a statement of over-riding considerations in approving the Goleta Community Plan. The grassland restoration area will provide partial mitigation for the project's contribution to this impact.

Drainage/Flooding: In order to comply with Flood Control District requirements, the project incorporates an on-site retardation basin on lot 13, the open space lot. Numerous comments were received during the draft ND comment period on existing flooding problems in the neighborhood. With implementation of the project grading and drainage plan, including incorporation of project conditions required by County Flood Control and Project Clean Water, runoff from increased impervious surfaces associated with project buildout should not result in significant flooding or drainage impacts and should avoid impacts on peak stormwater runoff periods and flooding in the surrounding neighborhood.

Geology/Grading: Project grading will involve initial tract improvements and later grading for individual lot development. Impacts from grading are associated with the potential for erosion and sedimentation from earthwork activities, the need to grade and export potentially substantial quantities of cobble and boulder material from the site and related need to import clean fill (because rock material cannot be used for structural fill material) in areas where pad heights for structures and impervious surfaces in yard areas will be need to be raised to accommodate the drainage plan.

Project conditions, including submittal and compliance with an approved soil report detailing site soil and grading criteria, implementation of a construction traffic plan, and incorporation of approved erosion control measure into the project grading and drainage plans will ensure that project grading will not result in significant impacts.

Traffic:

The project proposes two private internal roads, which would effectively serve as a loop road through the development connecting with Via Los Santos and San Antonio Creek Road, both of which are public roads. The new roadways, as proposed on the tentative tract map, meet Public Works and County Fire Department access requirements (as confirmed by Will Robertson, Public Works and Martin Johnson County Fire, personal communication 10/5/06). Based on the County's environmental thresholds and Circulation Element policies, the project generated traffic would not cause area roadways or intersections to exceed their acceptable capacities nor would this increase in traffic result in significant congestion.

The primary traffic issues identified by area neighbors and evaluated by County staff include:

- The speed of vehicles on San Antonio Creek Road, particularly vehicles traveling from Highway 154;

- Line of sight limitations along San Antonio Creek Road for vehicles turning onto and off of the road from public and private roadways and private driveways;
- Line of sight limitations for the proposed main entrance to the development located on a curve and the potential need for a left-turn pocket here to improve line of sight for these vehicles and to avoid vehicles traveling toward 154 from rear-ending project vehicles that are waiting to make this left turn movement into their entrance road;
- Traffic safety concerns for people walking, jogging and bicycling along San Antonio Creek Road due to the minimal area available beyond the paved vehicle travel "lane."
- Traffic hazards created by mailboxes (and vehicles stopping to pick up mail) on San Antonio Creek Road;
- The ability to evacuate the area in the event of another emergency, such as the Paint Fire; and
- General concern that existing traffic problems will be exacerbated by 12 new residences and a total (including the Park Hill Estates project) of 40-50 cumulative new residences that are anticipated to be built in the area under full buildout

Staff's analysis is fully presented in 06NGD-00000-00028 and concludes that all identified impacts can be mitigated.

The project's additional traffic will not substantially impact access during an emergency, such as the Painted Cave Fire. However, the Board of Supervisors in adopting the Goleta Community Plan acknowledged that there would be cumulative significant fire safety impacts under buildout of the plan due to allowance for continued development in the Goleta foothills (such as this project). The provision of two access roads to the development that meet Fire Department standards for design, requirement for adequate water pressure for fire-fighting purposes on-site, and under-grounding of utilities would reduce fire safety impacts for this project to the maximum extent feasible. In addition, the project's roadway design, connecting with both San Antonio Creek Road and Via Los Santos, would provide an additional means of evacuating vehicles from the larger project area.

Water Quality:

Following project buildout, there will be increased runoff from the site as a result of construction of two new paved roadways, 12 new residences and accessory structures, as well as other impervious surfaces associated with driveways, patios, and other outdoor living area surfaces (e.g., sport courts, paved walkways, etc.). In addition to increasing the volume of runoff, the area available for settling of sediment and pollutants in runoff water will be diminished post-project, compared to the existing undeveloped state of the 14.36 acre site. In response, the project design, in conjunction with required mitigation measures/conditions of approval, includes a number of features to slow runoff water moving through the site and improve the quality of runoff before it leaves the project site and later enters San Antonio Creek and the ocean. Conditions of approval include installation and maintenance of bio-swales along Cozy Drive, drainage design to capture roof run-off before it is conveyed to hardscapes (e.g., the driveway), encouraged use of pervious materials in paved areas throughout the site, including walking

paths, driveways, etc.

6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<p>Land Use Development Policy #4:</p> <p>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 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>Consistent: The Goleta Water District will provide water service to the project. 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 retardation 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.</p> <p>The project would receive sewer service from the Goleta Sanitary District following formal annexation. The Goleta Sanitary District has indicated that currently they have adequate capacity to provide sewer service to the 12 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 regular 5 minute response time. Area roadways are designed for and can accommodate peak hour traffic levels at acceptable operational levels. Roadway standards are not designed to address emergency traffic levels. Therefore, more congestion would be expected during an emergency evacuation of the area.</p>
<p>Policy WAT-GV-1: For discretionary projects 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>Consistent. The Goleta Water District (GWD) issued a water service classification notice letter to the applicant dated October 18, 2006, indicating initiation of application for water service to the proposed new residential units. The GWD currently has adequate capacity to supply the project.</p>
<p>Policy CIRC-GV-3: A determination of project</p>	<p>Consistent: The project is expected to generate</p>

REQUIREMENT	DISCUSSION
<p>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>approximately 120 Average Daily Trips and 12 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. In addition, Public Works surveys of vehicle speeds and the two new site entrances concluded that the safest location for accessing the site on San Antonio Creek Road is the applicant's proposed entrance location for Cozy Drive. With incorporation of project conditions confirming the applicant's proposed removal of the existing pepper trees along the road right-of-way and proposal to take no access off Pennell Road as well as 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 CIRC-GV-8: 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 proposed project includes installation of a pedestrian path along San Antonio Creek Road and replacement of some existing pepper trees, the canopies of which extend into San Antonio Creek Road. The trees would be replaced with more appropriate vegetation that is compatible with improving sight distance and pedestrian safety along this roadway segment. The pepper trees have been recommended for removal by a number of neighbors and Public Works due to line of sight concerns when vehicles exit Pennell Road and due to safety concerns of pedestrians who have minimal area to walk when cars are passing currently (due the presence of tree branches in the right-of-way). The applicant proposes to comply with this recommendation.</p>

REQUIREMENT	DISCUSSION
<p>Housing Element Policy 1.4: The County shall require that a % ... of all units created in discretionary residential developments be affordable.... This policy applies to all residential developments of 5 units or greater ...In certain cases, ... requirement may be satisfied through an in-lieu housing fee contribution...</p> <p>Housing Policy 1.5: When...required affordable housing is not being met ... the applicant may contribute in-lieu fees. Projects which propose a total of five to twelve (5-12) units or lots and have the option to pay in-lieu fees may pay a percentage of the maximum in-lieu fee for the applicable HMA. ...</p>	<p>Consistent. The project seeks to satisfy Housing Element policy requirements through payment of in lieu fees. A total of twelve new units would be constructed, therefore, the project would receive a 90% pro-rating on the in lieu fees based upon this policy.</p>
<p>Policy LUR-GV-5: The County shall continue to ensure that the range of housing opportunities in the Goleta Valley remains broad and sufficient enough to meet all housing needs.</p>	<p>Consistent. The project is targeted at a single section of the market. It would, however, satisfy Housing Element policy requirements through payment of in lieu fees. The in-lieu fees paid by the applicant would be deposited in the County's Housing Trust Fund and used for development or rehabilitation of affordable or special needs housing off-site.</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 construction related impacts on the community.</p>	<p>Consistent. The proposed subdivision and construction of 12 new residential home-sites is designed to minimize construction related impacts on the surrounding community including inclusion of project conditions of approval which limit construction hours, require drainage design components which will ensure adequate storm water runoff conveyance that avoids siltation and flooding in the surrounding neighborhood, restrictions on future development on-site to protect scenic public views and neighborhood compatibility, and requirements to protect oak trees and archaeological resources on-site during construction activities and for the life of the project.</p>
<p>Policy LU-GV-5: Appropriate planning tools should be explored and adopted which provide for</p>	<p>Consistent. The project site is visually prominent on the top of the mesa, with the southern and</p>

REQUIREMENT	DISCUSSION
<p>the clustering or relocation of development from environmentally sensitive or visually prominent areas, or other sites which are deemed unsuitable for development, to less sensitive areas or parcels.</p>	<p>eastern portions of the site abutting San Antonio Creek Road and Via Los Santos (both public roadways). Existing public views through the site include expansive views of the Santa Ynez Mountains as well as more limited views of the Santa Barbara Channel. In order to preserve view corridors through the site, project conditions require that future structures on all but proposed parcels 6-8 (due to lot shape) be setback a minimum of 25 feet from the side yard property lines and also require a development envelope on Lot 2 which would setback structural development (excepting a consolidated mail facility) a minimum of 50 feet from the property line along San Antonio Creek Road. Project conditions further require landscape height zones to ensure that landscaping is located and appropriately chosen to ensure that the specified view corridors will not be eliminated by tall plantings. The conditions facilitate maintenance of scenic view corridors through the property for pedestrians and vehicle passengers traveling along area public roads. Development on the westernmost lots would be somewhat clustered (on the more level areas of the site) to ensure proper drainage of these lots and to avoid development on the steeper rear portions of these lots. Given the lot sale, 1-E-1 zoned subdivision, only limited clustering is possible.</p>
<p>Action LUR-GV-6.1: The County shall encourage new development which preserves the character of existing neighborhoods, particularly as to key natural undeveloped open space preservation, traffic safety on local roads and preservation of important natural features...</p>	<p>Consistent. The project density would be consistent with the surrounding single-family residential land use and one-acre minimum parcel size density.</p>
<p>Historic and Archaeological Site Policies. Policy 1: All available measures, ...shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites. 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. Policy 3: When sufficient planning flexibility does</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 earthwork near this feature. In addition, project conditions require that the bedrock mortar and the boulder on which it is located shall remain permanently undisturbed and protected.</p>

REQUIREMENT	DISCUSSION
<p>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 CIRC-GV-8: 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 proposed project includes installation of a pedestrian path along San Antonio Creek Road and replacement of some existing pepper trees, the canopies of which extend into San Antonio Creek Road. The trees would be replaced with more appropriate vegetation that is compatible with improving sight distance and pedestrian safety along this roadway segment. The pepper trees have been recommended for removal by a number of neighbors and Public Works due to line of sight concerns when vehicles exit Pennell Road and due to safety concerns of pedestrians who have minimal area to walk when cars are passing currently (due the presence of tree branches in the right-of-way).</p>
<p>Action WAT-GV-9.1: New urban development in recharge areas shall maximize the use of recharge measures within the project design where technically feasible based upon site-specific geologic conditions. Recharge measures can include, active recharge facilities, pervious pavements, onsite retention basins, maintaining naturalized swales and creekways, and other County-accepted methods.</p>	<p>Consistent: Proposed drainage improvements for the project including the proposed retardation basin and on-site bio-swales would facilitate natural recharge on-site. Project conditions of approval incorporate numerous water quality measures which serve to promote recharge of storm water runoff by slowing the rate at which runoff leaves the site and by reducing the amount of sediment and other pollutants in any runoff that leaves the site.</p>
<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</p>	<p>Consistent: The permanent retardation basin would be constructed as part of the initial tract improvements along with implementation of approved erosion control measures that would be part of the grading plan approval pursuant to project conditions.</p>

REQUIREMENT	DISCUSSION
location.	
<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 include a permanent retardation basin, inclusion of measures/features to improve the quality of runoff water, such as bio-swales and conveyance of runoff, including from house roofs to vegetated areas, French drains, etc., The grading and drainage plan, including the various measures to prevent erosion and improve water quality will be reviewed and approved by Project Clean Water staff, Flood Control and P&D. Some measures will be implemented during grading and others will be implemented throughout the life of the project as specified in the condition language.</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 4 is designated as an Environmentally Sensitive Habitat (ESH) on County maps. However, based on field work performed by the applicants biologist and P&D staff biologist, it has been determined that this area is not considered 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 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</p>	<p>Consistent. The site includes native grassland as described fully in the Tiered Negative Declaration. The project, as conditioned, would provide a native grassland restoration area primarily on the common open space lot that would allow for long-term protected, contiguous native grassland habitat on the project site. In addition, project conditions address restriction on planting of invasive plant species that would reduce maintenance efforts and increase the success of the proposed restoration program. The restoration area would be fenced and residential development would be separated by more than the minimum 10 feet buffer.</p>

REQUIREMENT	DISCUSSION
<p>as 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>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" 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>Consistent. A tree protection plan has been included as a project condition to ensure protection of the oak trees along the southern property line on lot 13. 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 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. Additional trees are proposed to be planted within the project development.</p> <p>Consistent. Implementation of the required tree protection plan condition would ensure that the oak trees (along both sides of the southern property line on lot 13) are protected and that the proposed project is consistent with this policy.</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 retardation basin will minimize introduction of pollutants into all coastal waters, including drainage courses, wetlands and intertidal areas. Project conditions will ensure necessary review and approval of grading and drainage plans and incorporation of water quality measures into plans and during construction. Project conditions also require field confirmation that these plans and water quality measures are implemented as approved.</p>

REQUIREMENT	DISCUSSION
<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 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 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 restrict the timing for loud construction activities consistent with this policy.</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>Consistent. Project conditions of approval include a number of measures to ensure quality design of future residential development and landscaping on-site. These measures include, but are not limited to specific direction regarding height zones for project landscaping, height limits for structures, maximum square footage of structural development per lot, structural setbacks from property lines to maintain scenic views in view corridors, and inclusion of Eastern Goleta Design Guidelines (EGDG) language into the project description. Residential development will also be subject to BAR as part of the project description and pursuant to the EGDG.</p> <p>Consistent. Project conditions 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 include lighting restrictions to ensure consistency with this policy.</p>
<p>Policy VIS-GV-7: For developments proposed on</p>	<p>Consistent. The project site was farmed for</p>

REQUIREMENT	DISCUSSION
<p>parcels being converted out of agricultural use, greenbelt buffer strips and, if appropriate, original orchard plants, should be retained to the extent possible and included within the overall landscape plan for the project.</p>	<p>approximately 50 years until 1971 and was used to pasture horses from 1971 until 1995. The project site appears as a large, undeveloped open space in the middle of a developed suburban neighborhood. Lot 13 would be used for open space purposes (grassland restoration and retardation basin) and would therefore appear as somewhat of a greenbelt from Via Los Santos. The proposed perimeter landscaping along both Via Los Santos and San Antonio Creek Road would be consistent with the surrounding semi-rural feel of the surrounding neighborhood.</p>
<p>Policy GEO-GV-4: Excessive grading for the sole purpose of creating or enhancing views shall not be permitted.</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>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</p>	<p>Consistent: Project conditions include this provision to minimize grading to that which is necessary to accommodate the approved drainage plan.</p> <p>No grading is proposed on slopes of 20 percent or greater.</p> <p>Project conditions 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 that eventually leaves the project site enroute to local stream and ultimately the ocean.</p> <p>The majority of the site is fairly level. Grading is primarily necessary to ensure proper conveyance of drainage to on-site bio-swales and finally to the on-site retardation basin in the southern end of the property. To address flooding and Flood Control District requirements, all impervious surfaces, including backyard walkways, patios, etc. must convey runoff to the retardation basin. This ensures that increased runoff from post-project impervious surfaces will not contribute to off-site flooding on adjacent properties or streets. The rear portions of lots 6-8 are not included as potential building areas to avoid the potential for increased runoff to the adjacent downslope neighbors or the need for excessive earthwork (fill) to bring the grade of these rear yards to a point where they could drain to the basin.</p>

REQUIREMENT	DISCUSSION
<p>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>The erosion control plan incorporates the requirements for temporary vegetation, etc. to minimize erosion.</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>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 backyard composting.</p>	<p>Consistent. Marborg and BFI offer curbside pick up of recyclables and or yard waste.</p>
<p>Policy RRC-GV-3: Recycling bins shall be provided at all construction sites to minimize construction-generated waste which goes to the landfill.</p>	<p>Consistent. Project conditions require inclusion/use of recycling bins for future construction on the project site.</p>
<p>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.</p>	<p>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.</p>

6.3 Zoning Ordinance

6.3.1 Compliance with Article III requirements

R-1/E-1 (Single Family Residential) zone. The R-1 and 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.

The project is consistent with the one-acre gross minimum parcel size. There would be 12 residential lots of approximately 1 acre (gross) and 1 open space lot of approximately 2.2 acres in size. Each of the project lots would be consistent with the minimum lot width of 120 feet.

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 one acre in size, 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.

Environmentally Sensitive Habitat Area (ESH) Overlay Zone

Although the site includes an ESH designation in the northwest corner, the plants in this area do not support any sort of significant habitat. Native grassland habitat on-site is considered significant and the proposal to offset removal of some of the grassland with an offsetting contiguous restoration area, on the open space lot and the rear portions of lots 8-12 mitigate this impact.

Design Compatibility Standards for Urban and Existing Developed Rural Neighborhoods. In an area designated as Urban on the Land Use Element maps, and in designated rural neighborhoods, new structures shall conform with the scale and character of the existing community. ...

See discussion immediately below, Design Review.

6.4 Design Review

The project proposes no development at this time. Future development would be subject to BAR review. Noticing for BAR review would be limited to 300 feet from the edge of the property (from the edge of the whole development boundaries for tract improvements, from the edge of individual lots for residential lot development). The property would be subject to the Eastern Goleta Design Guidelines.

The County's Land Use and Development Code includes the follow standard for all development in urban areas: *In an area designated as Urban on the Land Use Element maps, and in designated rural neighborhoods, new structures shall conform with the scale and character of the existing community.* The recently adopted Eastern Goleta Design Guidelines include similar direction throughout that document with regard to neighborhood compatibility, as indicated in a few excerpts below:

There are many factors which contribute to a new or remodeled house being compatible in its neighborhood, but generally it is when volume and bulk are at an appropriate scale.

When a change is made in an existing neighborhood, it is important to balance new development, whether in a remodeled dwelling or a new home, in an existing neighborhood. But for all neighborhoods, from the oldest to the newest, neighborhood compatibility respects the unique features and characteristics of established neighborhoods. In this way, new development will help to maintain or even enhance the harmony and balance of each neighborhood and ensure continued enjoyment of the community's quality of life.

In the design phase of either building a new house or changing an existing one is to understand the project's relationship to the neighborhood and the houses within it. A house location generally has two components: (1) the immediate context, or how a house relates to adjacent houses and natural features, and (2) the neighborhood context, or how a house relates to the visual character and scale of other houses, landscaping, and natural features in the vicinity

The landscape and vistas of the Eastern Goleta Valley contribute significantly to the community's quality of life, enhancing the desirability and livability of its neighborhoods. The Goleta Community Plan and County policies recognize the importance of these scenic and visual resources through various policies and standards. Responsible control of design elements such as height, bulk, materials, color, landscaping, and project siting will help a project complement its surroundings and protect important public visual resources.

Setbacks, landscaping, and structural treatments should be emphasized along major roadways, open space, and coastal areas to help preserve public viewsheds.

The applicant has incorporated a number of components and graphics from the Eastern Goleta Design Guidelines into their project description to facilitate design of new homes on the residential lots which will be consistent with these Guidelines. With incorporation of project conditions of approval that address aesthetics and neighborhood compatibility (e.g., maximum structural square footage, planting height zones and maximum heights for structures to establish view corridors to protect existing scenic views, etc.), future development can be compatible

with the surrounding neighborhood and be consistent with the recently adopted Eastern Goleta Design Guidelines.

6.5 Subdivision/Development Review Committee

The project has been reviewed by the members of the SDRC. All departmental condition letters are included in the Conditions of Approval, Attachment C.

6.6 Mapping Tool Determination

Project conditions require a building envelope for residential structural development on Lot 2 in order to ensure a continued public view corridor of the coast from the public roadway. Other development on this lot, including driveway, walkways, landscape features not exceeding four feet in height, and the project's consolidated mail facility would still be allowed outside of this building envelope.

Project conditions also require development envelopes for Lots 6-8 consistent with the extent of grading identified on the grading and drainage plan and the intent of the project description. The development envelopes would ensure that no grading or development would occur on the sloping rear yards of these lots which could otherwise create flooding and/or drainage problems for the adjacent properties which back up to this slope.

The grassland restoration program is proposed on lot 13 and the rear portions of lots 8-12. An easement, stating the purpose and use of the easement area will be recorded at the time of map recordation and project conditions require permanent fencing to be installed and maintained to permanently identify this extent of the restoration area. The rear portions of these lots, which are within the grassland restoration area are considered exclusion areas for all residential development. However, the restoration area, which would be maintained by the Homeowners Association in conjunction with the rest of the adjacent open space lot (lot 13) would still be accessible to residents for passive recreational uses not detrimental to the purpose of the restoration area.

6.10 Development Impact Mitigation Fees

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment of 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 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 Goleta Development Impact Mitigation Fees			
Fee Program	Base Fee (per unit or 1,000 sf)	Estimated Fee	Fee due at
Recreation (Parks) Quimby Develop. Mitigation	\$9,298 \$9,070	\$9,298 per new residence \$8,738 per new residence	LUP Final Inspection
Fire Countywide (\$0.20/sf) Goleta Area	\$0.20/sf \$689	TBD based on sf of future development on each new residential parcel. \$689 per new residence	Final Inspection Final Inspection
Library	\$374	\$374	Final Inspection
Public Administration	\$1,596	\$1,596 per new residence	Final Inspection
Sheriff	\$427	\$427 per new residence	Final Inspection

7.0 APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within 10 calendar days of said action. The appeal fee to the Board of Supervisors is \$443.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval for 06TRM-00000-00001 with 3/1/07 Suzanne Elledge Letter and Departmental letters
- C. Proposed Final Tiered ND with Comments received on the Draft ND
- D. Tentative Tract Map
- E. Grading and Drainage Plan

ATTACHMENT A: FINDINGS

1.1 CEQA FINDINGS

A Tiered Mitigated Negative Declaration was prepared pursuant to Public Resources Code Sections 21083.3 and 21094 to address the issues which are not addressed at a project level of detail in 91-EIR-13, the Goleta Community Plan Program Environmental Impact Report (GCPEIR). Where a Program EIR has been certified and the proposed project is consistent with the zoning and land use designation in the Community Plan, further environmental review is limited to effects upon the environment which are peculiar to the parcel or the project and which were not addressed as significant effects in the Program EIR. The Program EIR, 91-EIR-13, for the Goleta Community Plan adequately addressed impacts associated with this project in the following issue areas: *Class I impacts under buildout from loss of foraging habitat for raptors and fire hazard impacts from development in the Goleta foothills.*

1.1.1 Summary of Class I Impacts from the Program EIR:

Biology: The EIR identified potentially significant impacts to environmentally sensitive habitats, nesting areas, foraging areas, reduction in the diversity of plant life and animal species, and stream degradation from urbanization of the Goleta area. Mitigation measures including those addressing protection of ESH areas were incorporated or partially incorporated into the Goleta Community Plan.

Fire Hazards: The EIR identified potentially significant fire hazard impacts associated with buildout in the Goleta foothills, a designated high fire hazard area. Mitigation measures including requirement for two access roads for new development were incorporated as policy language into the Goleta Community Plan, partially mitigating this impact.

(Please see Findings for the Goleta Community Plan, available for review at P&D offices, for a complete discussion of Class I and Class II impacts). A Statement of Overriding Considerations was adopted in conjunction with the Program EIR to address these Class I impacts.

1.2 ADDITIONAL TIERED DOCUMENT FINDINGS - IMPACTS PECULIAR TO THE PROJECT

1.2.1 The Planning Commission has considered the Negative Declaration prepared to address impacts peculiar to the project, together with the comments received and considered during the public review process. The negative declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal.

- 1.2.2. The Planning Commission finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated.
- 1.2.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Santa Barbara County Planning Commission, Ms. Dianne Black, in Planning and Development, located at 123 E. Anapamu St., Santa Barbara, CA 93101.
- 1.2.4. Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.2 SUBDIVISION MAP ACT FINDINGS:

Pursuant to the Subdivision Map Act, the following Findings apply to the project:

- 2.2.1 *State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.*

Due to the fairly level nature of the site identified for residential development, passive heating and cooling systems could be provided on the site. Given the orientation of lots, future use of solar array panels as part of the development of each lot may be feasible. Limiting the structural size of future development would provide adequate area within each lot to provide for future passive or natural heating or cooling opportunities, even if accessory structures are developed on the lots in addition to a primary residence.

- 2.2.2 *State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.*

As discussed in the policy consistency section of this staff report (section 6.2, incorporated herein by reference), the map is consistent with the County's Comprehensive Plan with the incorporation of conditions of approval identified in this staff report dated April 6, 2007.

- 2.2.3 *State Government Code §66474. The following findings shall be cause for disapproval of a Tentative Parcel Map/Tract Map:*

- 2.2.3.1 *The proposed map is not consistent with applicable general and specific plans as specified in §66451.*

As discussed in the policy consistency and ordinance consistency sections of this staff report (sections 6.2, 6.3, incorporated herein by reference), the map is consistent with the County's Comprehensive Plan and with the site's 1 acre minimum parcel size residential land use designation and zone district, with the incorporation of conditions of approval identified in

this staff report dated April 6, 2007.

2.2.3.2 *The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.*

As discussed in the policy consistency section of this staff report (section 6.2 incorporated herein by reference), the map is consistent with the County's Comprehensive Plan with the incorporation of conditions of approval identified in this staff report dated April 6, 2007

2.2.3.3 *The site is not physically suitable for the type of development proposed.*

The site is physically suited for the proposed residential development. The site is surrounded by existing residential development. The main site constraints for development include the presence of native bunchgrass (which will be addressed by the grassland restoration program required by project conditions), the bedrock mortar (which will be protected in place by restrictions on activities within 10' of this feature), the potential for substantial quantities of cobbles and boulders to be encountered during grading activities (which will be addressed by project conditions on grading, stock-piling and import and export of soil/rock material during grading activities), and the open space views provided of and through this last large undeveloped property in the San Antonio Road mesa area (which will be addressed by project conditions which guide the design and maximum square footage of development for each lot). The project site in a predominantly developed, semi-rural neighborhood is physically suitable for the type of development (12, one-acre residential lots and 1 open space lot) that could be developed on-site pursuant to project conditions of approval. The project conditions of approval would ensure that the type of development would be suitable for this particular site.

2.2.3.4 *The site is not physically suited for the proposed density of development.*

The 14.36-acre project site's zoning of 1-E-1 would potentially allow for up to 14 single-family residential lots. However, this subdivision would include twelve, 1-acre residential parcels and one, 2.2- acre open space parcel. The open space parcel includes critical project components including the on-site storm water retardation basin, the second access road, native bunchgrass restoration, and a remnant foraging area for birds of prey. The site would not be physically suited for the maximum density allowed by the site's zoning (14 single-family homes) due to site constraints. However, the site is suitable for the proposed density of development (12 single-family homes), with incorporation of the necessary features provided by the designated open space lot and subject to the project conditions of approval.

2.2.3.5 *The design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

As discussed in 06ND-00000-00028 incorporated herein by reference, the project would result in significant cumulative impacts to wildlife habitat. Significant and unavoidable impacts resulting from loss of foraging habitat for raptors, including, but not limited to white-tailed kites, has been identified. The project open space lot will be used for retardation basin and this same area plus additional rear yard areas (fenced from the rest of the residential lots) will be used as a contiguous native grassland restoration area providing permanent dedicated open space, mitigating the native grassland impact to less than significant levels and partially mitigating the impact to raptors, which mitigates these impacts to the maximum extent feasible. To the extent that the impact to raptors remains significant, the Board of Supervisors in adopting the Goleta Community Plan, acknowledged

this impact resulting from buildout in the Community Plan and the Board adopted a Statement of Overriding Considerations. The Board of Supervisors made the same findings with regard to significant fire hazard impacts from development in the foothills, including the project site. All other project related impacts are reduced to less than significant levels with the incorporation of the identified mitigation measures as conditions of approval.

2.2.3.6 *The design of the subdivision or type of improvements is likely to cause serious public health problems.*

The project design has been reviewed by County Environmental Health Services (EHS) and the County Fire Department. No public health problems are expected to result from the project, subject to compliance with the departmental condition letters (included in the project conditions of approval). The condition letters, include, but are not limited to, requirements to provide public water and sewer service to each residential lot and compliance with access and construction design standards and fire suppression requirements, given the site's location in a high fire hazard area.

2.2.3.7 *The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

The project is not in conflict with any identified public easement or use.

2.3.4 *State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.*

Wastewater will be collected and treated by the Goleta Sanitary District (GSD) subject to annexation of the site to the GSD. The district has adequate excess treatment capacity to accommodate project wastewater. The discharge of waste from the proposed subdivision would not be in violation of existing requirements prescribed by the California RWQCB.

2.4 ROAD NAMING FINDINGS

Pursuant to Section 35.76.050(E) (2), in order to approve a road name, the name shall meet the following standards:

2.4.1. *Road names shall not be duplicated within the area served by the same United States Post Office or police or fire department. No name should duplicate another road name used elsewhere in the County. Similar sounding names are considered duplicates regardless of spelling.*

The proposed private road names (Cozy Drive and Cozy Lane) have been reviewed and approved by the Fire Department and the County Surveyor's office, which ensures that the road name is not duplicated within the area. The Departments' process for evaluating the road name is comprehensive enough to ensure that the name is not duplicated by the U.S. Postal Service as well. Therefore, this finding can be made.

2.4.2. *Roads shall not be named after surnames of living persons.*

The proposed road names, Cozy Drive and Cozy Lane, do not contain a surname of a person. Therefore, this finding can be made.

2.4.3. *Roads may be named after family surnames prominent in Santa Barbara County history, even if family members still reside in the area.*

The proposed road names, Cozy Drive and Cozy Lane, do not contain a surname of a person. Therefore, this finding can be made.

2.4.4. *Road names shall have less than 24 letters, including punctuation, spacing, and road classification (e.g., lane, way, street).*

The proposed road names, Cozy Drive and Cozy Lane, have less than 24 letters. Therefore, this finding can be made.

5. *Road names shall be easy to pronounce and spell.*

The proposed road names, Cozy Drive and Cozy Lane, are easy to pronounce and spell. Therefore, this finding can be made.

6. *Road names shall be grammatically correct whether in English or a foreign language.*

The road names are grammatically correct. Therefore, this finding can be made.

7. *Road names shall include an appropriate road classification (e.g., street, lane, way, etc.).*

The proposed road names, Cozy Drive and Cozy Lane, have an appropriate road classification. The road classification of Drive or Street indicates that the road is a through street (or, in the case of Cozy Drive, effectively a looped road), while Way or Lane can apply to roads that dead end, as can be considered the case for proposed Cozy Lane. Therefore, this finding can be made.

ATTACHMENT B: TRACT MAP CONDITIONS OF APPROVAL

This Tentative Tract Map is based upon and limited to compliance with the project description, the hearing exhibits marked Planning Commission exhibit 1, dated April 25, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

1. The project description is as follows:

Joan Zeluck and D.H.L. Realty LP, owners and applicants, request approval of a Tract Map under Chapter 21 of the County Code (Subdivision Regulations). Susan McLaughlin of Suzanne Elledge Planning and Permitting Services is the agent representing the project. The Tract Map would divide the property into 12 single family residential lots of approximately 1 acre each and 1 open space lot of approximately 2.2 acres. The open space lot is proposed to accommodate storm water retardation in a new graded basin, a portion of a new access road (0.18 acres), and the majority of the 2.72 acre easement for native grassland restoration. The grassland restoration easement would also include portions of the rear yards of lots 8-12.

The applicant has not determined whether they would develop the subdivision themselves, sell the entire property to a developer, or whether the lots would be sold and developed individually. Consistent with tract map requirements, the current tentative tract map request does not include any specific development plans for the proposed 12 single-family residential parcels. To ensure compatibility of future buildout with the neighborhood, the applicant has proposed Architectural Standards for future development. In some instances, these standards mimic existing County Land Use and Development Code requirements as well as recommendations identified in the newly adopted Eastern Goleta Architectural Guidelines. The applicants have included excerpts from the Eastern Goleta Design Guidelines as part of their proposed Architectural Standards pursuant to their letter dated March 1, 2007. The full letter is included in the project conditions (Attachment B) and is incorporated herein as part of the project description. This letter incorporates measures to address building heights, grading, drainage, and privacy. Some specific criteria (from the March 1, 2007 letter) are included below:

Building Heights:

Lot 1: 20 ft	Lot 7: 18 ft
Lot 2: 22 ft	Lot 8: 22 ft
Lot 3: 18 ft	Lot 9: 22 ft
Lot 4: 18 ft	Lot 10: 22 ft

Lot 5: 22 ft

Lot 11: 22 ft

Lot 6: 22 ft

Lot 12: 22 ft

Grading:

- Minimize fill;
- Avoid raising building pads above existing grade;
- Limit grading area;
- Naturalize contours; and
- Step down hillside/slopes.

Drainage:

- Minimize runoff from the site; and
- Maximize water permeability including by maximizing permeable paving materials and conveying roof runoff to permeable/planted areas.

Privacy:

- Locate structures and additions to increase the visual distance between buildings;
- Orient second story windows to protect neighbor's privacy;
- Orient balconies and decks away from overlooking neighboring backyards;
- Use translucent or high windows to allow illumination while protecting privacy; and
- Use landscaping to screen living areas.

The property is located in the San Antonio Creek area of Goleta and has frontage on the following existing roads: Via Los Santos, San Antonio Creek Road and Pennell Road, a private road (see Attachment 1, Location Map).

Site access would be provided by two, new, private, internal roadways, Cozy Drive and Cozy Lane, which would be constructed as part of the initial tract improvements. Cozy Drive would provide access from San Antonio Creek Road, between proposed lots 1 and 12. Cozy Lane would provide access from Via Los Santos at the southwest corner of proposed lot 13 and would continue into the project site between lots 9 and 10, before intersecting with Cozy Drive. The new internal roads would, in effect, provide a looped road that would serve lots 1-13. Cozy Drive would have a 32-foot paved width, with parking on both-sides. Cozy Lane would have a paved width of 24 feet and would not include parking on either side of the road.

No signs are proposed as part of the current subdivision and road naming requests.

The two new internal roadways, proposed Cozy Drive and Cozy Lane, would be constructed as part of the initial tract improvements. Additional tract improvements include bio-swales, a proposed retardation basin, rough grading for building pads for proposed lots 6-8, trenching and

installation of utilities to each lot, and implementation of the native grassland restoration plan following completion of the retardation basin. The newly created lots could be developed together or separately regardless of when individual lots are sold.

Total grading for the project, including earthwork estimates for individual lot development, is preliminarily estimated at 17,450 cubic yards of cut and 17,450 cubic yards of fill. These grading figures are based on information included on the tentative tract map, including the specific pad elevations and grading for lots 6-8, the grading required to install utilities to each lot, grading for the new internal roadways and the retention basin, the drainage swales, and the presumed pad elevations for the remaining lots. Because the applicant has amended this project description to include a requirement that earthwork be minimized to only that which is necessary to ensure proper drainage, it is also possible that depending on the design, location, and layout of future structures and other impervious surfaces on each residential lot (including patios, walkways, etc..) that grading could be less than identified on the tentative tract map.

Grading could also be substantially greater than the estimate identified in the table below. This is due to several factors: 1) the known presence of boulders in this area, 2) limited soil testing which has been performed to date on-site, and 3) the final development designs for each of the 12 residential lots, including the location and extent of impervious surfaces beyond the actual building footprint (as all impervious surfaces must drain to the basin in the southern portion of the property).

In particular, the grading calculations do not specifically presume that boulder/cobble material will be encountered during earthwork activities. Therefore, given the likelihood of encountering this material during earthwork activities⁵, significant quantities of such material would likely be exported (trucked) from the site⁶ and, consequently, clean fill soil would also need to be imported (trucked) to the site. Therefore, although preliminary figures for grading quantities are provided below, *precise* figures for future tract improvements and lot by lot grading (cut, fill, export, and import quantities) cannot be determined at this time.

⁵ Boulders are visible on the surface of the site, preliminary soils tests indicate potential for cobble/boulder material below the surface, and nearby grading projects have encountered large quantities of boulders.

⁶ Some excess cobble/boulder material from grading activities could be used on-site for walls or other landscaping features. However, if earthwork activities on-site generate substantial quantities of this material, it is likely that much of this material would be transported off-site.

Lot Sizes and Preliminary Estimates for Grading Quantities

Lot #	Presumed Pad Elevations	Gross Square Feet (sf)	Net Square Feet (sf)	Gross Acres (ac)/Net Acres	Grading Cubic Yards (cy)	
					Cut	Fill
1	373.3	43,913 sf	39,841 sf	1.01 ac/ 0.91 ac	262	324
2	358.7	43,787 sf	43,182 sf	1.01 ac/ 0.99 ac	470	887
3	352.5	48,192 sf		1.11 ac	709	482
4	347.2	43,706 sf		1.00 ac	334	1835
5	342.1	43,560 sf		1.00 ac	502	391
6	340	43,560 sf		1.00 ac	8	1740
7	340	43,560 sf		1.00 ac		1660
8	341	43,560 sf		1.00 ac		440
9	341	43,581 sf		1.00 ac		1355
10	340	43,597 sf		1.00 ac	32	1041
11	343	43,658 sf		1.00 ac	583	1537
12	342.5	44,854 sf		1.03 ac	1405	186
13		95,836 sf	93,187 sf	2.2 ac/ 2.14 ac	3240	3240
Roads: Cozy Dr Cozy Lane					6,253 cy 1,581	260 cy
Utilities					2,068 cy	2,068 cy
TOTAL				14.36 ac/ 14.18 ac	17,447 cy	17,446 cy

Water would be supplied by the Goleta Water District. Following annexation, the Goleta Sanitary District would provide sewer service to each of the residential lots.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. *Design Standards Goals and Objectives:*

- To protect and enhance the scenic character and natural integrity of the site.
- To maintain public view corridors through the site, specifically of the Santa Ynez Mountains and the Santa Barbara Channel (e.g., these features should be at least partially visible through the site as viewed from the adjacent public roads);

- To encourage grading and development that will be appropriate to the site and will not significantly alter the topography;
- To design grading and site design/layout that minimizes necessary earthwork and the need to export soil/rock material from the site and the need to import fill soil to the site;
- To encourage architecture that blends with the site and the surrounding natural environment and is compatible in terms of size, massing and scale with the surrounding neighborhood. While allowing for reasonable development of each of the 12 residential parcels, consideration of the size, massing and scale of the individual lot developments should be considered in the context of the visual character of the broader neighborhood, given that the subdivision would result in the development of 12 new homes and accessory structures and uses on the last large remaining open space, in this neighborhood.
- To encourage a variety of housing styles, while maintaining a consistency of neighborhood compatibility and a high standard of architectural quality.
- To avoid lighting which would either spill-over from the lot development or which would be highly noticeable from off-site;

Plan Requirements and Timing: Project plans (e.g., grading, architectural, landscaping) shall be submitted to P&D and BAR prior to zoning clearance along with a copy of the above Design Standards Goals and Objectives.

Monitoring : BAR shall review the above goals and standards as part of their consideration of future development on the project site.

- 3.a. Grading for all of the proposed residential lots shall be limited to the minimum increase in elevation necessary to accommodate adequate drainage as proposed in the drainage plan for the site. Additional increases in pad elevations beyond that minimally necessary to accommodate drainage (e.g., to increase view potential for each lot) shall not be allowed. **Plan Requirement:** These requirements shall be included on site plans, elevations and grading plans submitted for zoning clearance. Plans shall include height elevations and shall indicate height calculations performed based on the vertical distance between the existing grade and the uppermost point of the structure directly above that grade. **Timing:** Plans shall be submitted to P&D and BAR, as required, prior to approval of Zoning Clearance.
- 3.b. Future structures on lots 1, 3, 4, 5, 9, 10, 11 and 12 shall be setback a minimum of 25 feet from the property lines. Future structures on lots 6-8 shall also attempt to maximize separation between structures on these adjacent properties. **Plan requirement:** This requirement shall be included on site plans, elevations and grading plans submitted for zoning clearance. Plans shall show this setback graphically on the site plan. **Timing:** Plans shall be submitted to P&D and BAR, as required, prior to approval of Zoning Clearance.

- 3.c. Future structures on lot 2 shall be setback a minimum of 50 feet from the property line along San Antonio Creek Road and 25 feet from the other property lines. The building pad shown on the grading and drainage plan for Lot 2 shall be modified to reflect this change and this "pad" area including the extent of grading shall be revised and referred to as a building envelope, wherein all residential structural development shall be located. (This restriction shall not apply to landscape features not exceeding 4 feet in height, the consolidated mail feature, driveways, or walkways). **Plan Requirements and Timing:** This building envelope and the related restrictions and exceptions shall be included on a separate exhibit to be submitted to P&D for approval prior to recordation. This exhibit shall be recorded on a separate sheet with the final map.

Monitoring for 3a-c: The building envelope shall be included on an exhibit attached to the final map and approved by P&D prior to recordation. Height of building(s) and setbacks from property lines shall be checked by Building and Safety during frame/inspection approval. Grading plans shall be reviewed for conformance with limitations on fill for building pads prior to zoning clearance and in the field. P&D shall ensure submittal and review of materials by BAR and final approval by BAR prior to zoning clearance.

4. The pads shown for lots 6-8, including the maximum extent of grading, on the grading and drainage plan shall be revised and referred to as development envelopes, wherein all structural development, grading, and impervious surfaces shall be located.

Monitoring: The development envelopes shall be included on an exhibit attached to the final map and approved by P&D prior to recordation. P&D shall ensure concurrence with this measure prior to BAR review of plans and prior to zoning clearance.

5. The applicant shall submit tract improvements (roadways, entrance treatments onto public roads, tract landscaping and lighting) and individual lot architectural and landscape drawings (and related lighting) for BAR review and shall receive "final" BAR approval prior to the zoning clearance for initial tract improvements and shall receive final BAR approval of individual lot architectural and landscape plans prior to approval of zoning clearance for individual lot development. **Plan Requirements and Timing:** The applicant shall submit applicable grading, architectural, and landscaping plans as well as photos of existing views from public roadways and story poles, as determined necessary by BAR, showing how the proposal would affect existing public views through the site to the Santa Ynez Mountains and/or the Santa Barbara Channel.

Monitoring: P&D shall ensure submittal and review of materials by BAR and final approval by BAR prior to zoning clearance.

6. The design, scale and character of future residences, accessory structures, and landscaping shall be compatible with the surrounding neighborhood. **Plan Requirements and Timing:** The BAR shall specifically review the project for consistency prior to zoning clearance.

Monitoring: P&D shall ensure submittal and review of materials by BAR and final approval by BAR prior to zoning clearance.

7. Natural building materials, which are consistent with high quality standards and which are not subject to glare or rapid deterioration and colors compatible with surrounding terrain (medium to dark earth tones preferred and non reflective paints), shall be used on exterior surfaces of all structures. This shall include any water tanks and fences. Other accent colors may be appropriate, especially for trim etc., if acceptable to BAR and P&D. **Plan Requirements:** Materials and colors shall be noted on building plans and samples shall be provided to BAR. **Timing:** Structures shall be painted prior to occupancy clearance. Plans showing this information shall be submitted to P&D prior to Board of Architectural Review to ensure that P&D can determine that the grading plans are appropriate prior to consideration of the plans.

Monitoring: Permit Compliance shall check in the field and shall confirm colors and materials are consistent with the approved plans.

8. Any exterior night lighting installed on future residential units shall be of low intensity, low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels and to minimize visibility from adjacent parcels. Dimmers and timers shall be considered for outdoor lighting where applicable **Plan Requirements and Timing:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on a Lighting Plan to be reviewed and approved by BAR.

Monitoring: BAR shall approve and P&D shall review the Lighting Plan for compliance with this measure prior to approval of a zoning clearance for tract improvements (as applicable) and for structures on individual lots. Permit Compliance shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

9. The two new private access roads shall be developed without the use of streetlights unless such lighting is determined to be essential for safety purposes. Any proposed or future street lighting, (limited to lighting meeting the exception for safety purposes) must be the minimum necessary (illumination, height, duration, and visibility from off-site) to achieve the safety goal. Landscaping and/or walls along the new roads and along the property perimeter shall minimize loss of existing view corridors through the site (to the mountains and/or ocean beyond), and any tract landscaping (perimeter, streetscape for Cozy Drive, etc.) shall be installed as part of initial tract improvements. **Plan Requirement:** All proposed tract lighting and landscaping shall be shown on tract improvement plans, which shall receive final BAR approval prior to zoning clearance for tract improvements. **Timing:** Plans showing the tract lighting and landscaping shall be submitted and approved by BAR prior to approval zoning clearance for tract improvements.

Monitoring: BAR shall approve and P&D shall review the plans for compliance with this measure prior to approval of a zoning clearance for tract improvements (as applicable). Permit Compliance shall inspect upon completion of tract improvements to ensure that lighting and landscaping have been installed consistent with their depiction on project plans.

10. Structural Floor Area: The total maximum floor area of structural development for each lot shall be limited to no more than 5,500 net⁷ square feet . This limitation shall include garages and accessory structures, but shall not include non-structural development, including patios, pools, game courts (if court fencing does not block views), or fenced corrals (but enclosed barn structures would be included). **Plan Requirements and Timing:** Plans for new development shall be submitted to P&D prior to required BAR review and approval. The plans shall identify the gross and net square footage of development proposed (and what is assumed for inclusion in these calculations) as well as the total cumulative amount of square footage on-site subject to this measure.

Monitoring: P&D shall review plans for conformance with this measure prior to BAR review of plans. Building & Safety and Permit Compliance shall confirm construction is consistent with project plans for square footage of structures during construction and prior to occupancy clearance.

11. View Corridors: Development and landscaping layouts and heights shall maintain at least some of the existing view corridors through the lot as viewed from public roadways, specifically to the Santa Ynez Mountains and the Santa Barbara Channel. Landscaping along the public road frontages shall be low growing (no more than 4 feet at maturity) between the public road and the front yard setback areas (including the structural setback area from San Antonio Creek Road identified for Lot 2) in a manner which facilitates view corridors through the site. Except as identified for landscaping near San Antonio Creek Road and Via Los Santos, landscaping shall not exceed 8-10 feet at maturity if located within the 25-foot structural development setback areas from all other property lines. **Plan Requirements and Timing:** The applicant shall submit applicable grading, architectural, and landscaping plans to P&D for BAR review. The applicant shall submit photos of existing views from public roadways and story poles, as required by the BAR, showing how the proposal would affect existing public views through the site to the Santa Ynez Mountains and/or the Santa Barbara Channel. Prior to recordation, the applicant shall also provide a separate sheet to be recorded with the final map showing planting height zones as well as a sample plant palette for each zone. These sheet and associated plant palettes shall also be included in with the project CC&Rs. The palettes need not include all possible plant species meeting the height limitations, however by providing examples of attractive, appropriate species to all residents, future compliance with this measure can be facilitated. This can also facilitate a more cohesive appearance to the overall tract landscaping, while still allowing for individual

⁷ Based on the definition of net square footage in the zoning ordinance.

flexibility in choice and design of plant species for each parcel.

Monitoring: P&D shall ensure submittal and review of materials by BAR, final approval by BAR prior to zoning clearance, and inclusion of plant height zone sheet and plant palettes .

12. Each lot shall include landscaping as appropriate to soften and blend with the constructed buildings and the natural environment at the site. Drought-tolerant native or Mediterranean species are encouraged. The landscaping shall enhance the developed lot aesthetics, be compatible with the native grassland restoration program (avoid invasive species) and shall be consistent with other landscaping requirements that address maintenance of view corridors through the site. **Plan Requirements and Timing:** The applicant shall submit landscaping plans, along with their building plans, to P&D for BAR review as well as photos of existing views from public roadways and story poles or other methods determined appropriate by the BAR showing how larger vegetation (e.g., trees, hedges) would affect existing public views through the site to the Santa Ynez Mountains and/or the Santa Barbara Channel.

Monitoring: P&D shall ensure submittal and review of materials by BAR and final approval by BAR prior to zoning clearance.

13. Solar Design: It is encouraged but not mandatory that solar energy design principles be used in the design of residences on the property, such as south-facing glass, thermal storage, shading, insulation devices, and other elements of design that can result in an attractive building that also provides heating and cooling. **Plan Requirements and Timing:** If solar equipment is voluntarily incorporated into the project, project plans shall indicate the equipment location (along with any other mechanical equipment proposed on the exterior of the structure).

Monitoring: If solar design is shown on approved project plans, Permit Compliance shall confirm construction pursuant to approved plans.

14. Fencing: An open type fence such as split rail should be used, when fencing is desired, in all front yards. Rear/side yard fencing should be similar and may include wire mesh, however chain-link fence is prohibited. The exception to this shall be a requirement for wire mesh fencing (e.g., "horse" or "hog" wire fencing) along the rear yards of proposed lots 8-12, where the yards abut the grassland restoration/preservation area easement, which would not be used as private yard area. All front and rear-yard fencing shall be consistent throughout the Tract (except that the rear yard fencing for lots 8-12 will include the common wire fencing to exclude residents and pets from the grassland restoration easement area). In lieu of placing 2 rows of fencing on lots 8-12, (to delineate the grassland restoration area and property lines) the outer boundary which delineates the actual parcel lines may be indicated with methods other than fencing, such as permanent markers or monuments on posts, etc. The grassland restoration area in the rear portions of these properties will be maintained and monitored by the Homeowner's Association, in conjunction with the adjacent grassland

restoration area on the abutting open space, lot 13. **Plan Requirements and Timing:** Perimeter fencing along public roadways and fencing delineating and protecting the grassland restoration area shall be approved prior to zoning clearance. Applicant shall submit plans showing fencing to P&D prior to BAR review. Backyard fencing abutting the grassland restoration area for lots 8-12 shall be installed as part of tract improvements and prior to zoning clearance for individual lot development.

Monitoring: Permit Compliance shall determine that the fencing along the perimeter of the grassland restoration area is installed (including specific fencing requirements above) prior to signing off on tract improvements and, in no case, prior to zoning clearance for any individual lot development.

15. Architectural styles which predominate in the neighborhood, including ranch style and Mediterranean, with appropriate earth-tone colors shall be encouraged. **Plan Requirements and Timing:** This measure shall be included in the architectural standards, which shall be attached to the project CC&Rs and submitted to P&D for review and approval prior to recordation.

Monitoring: P&D shall confirm recordation of the CC&Rs with this language prior to recordation of the final map.

16. The letter from Suzanne Elledge dated March 1, 2007 (attachment B1) which addresses building heights, and specific components of the Eastern Goleta Design Guidelines shall be incorporated into the project conditions of approval as well as into the project CC&Rs. **Plan Requirements and Timing:** This measure shall be included in the architectural standards, which shall be attached to the project CC&Rs and submitted to P&D for review and approval prior to recordation. These standards shall also be submitted to the BAR along with the project plans for tract improvements and individual lot developments.

Monitoring: P&D shall confirm recordation of the CC&Rs with this language prior to recordation of the final map and shall confirm submittal to BAR of standards with project plans for BAR review.

17. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site, by following the dust control measures listed below.

- a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.

- c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- d. The contractor shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance.
- e. If the construction site is graded and left undeveloped for over four weeks, the applicant shall employ the following methods immediately to inhibit dust generation:
 - (i) seeding and watering to revegetate graded areas; and/or
 - (ii) spreading of soil binders; and/or
 - (iii) any other methods deemed appropriate by the Air Pollution Control District and/or Planning and Development.

Plan Requirements: All requirements shall be shown on grading and building plans. If grading activities are discontinued for over six weeks, applicant shall contact both Permit Compliance staff and the Grading Inspector to site inspect revegetation/soil binding.

Timing: The final grading plan shall be submitted for review prior to zoning clearance for tract improvements and for individual lot development. This condition shall be adhered to throughout all grading and construction periods.

Monitoring: Permit Compliance staff and Grading Inspector shall perform periodic site inspections. P&D shall ensure measures are on plans. Grading and Building shall ensure compliance on site. APCD inspectors shall respond to nuisance complaints.

17. Landscape planting plans for future residential development shall prohibit installing non-native invasive plant species. **Plan Requirements and Timing:** This restriction and a requirement to provide a list of inappropriate plant species to each new owner (e.g., the California Invasive Plant Council list of invasive species, available online at <http://www.cal-ipc.org>) shall be included in the project CC&Rs. Inclusion of this language in the CC&Rs shall be confirmed by P&D prior to recordation of the final map. *All proposed plants shall be identified to genus and species and shall be noted on landscape plans submitted as part of BAR review and zoning clearance.* This requirement shall also be highlighted on the project landscape plans.

Monitoring: P&D shall review CC&R language prior to recordation, shall check plans to ensure landscaping does not include invasive species, and shall monitor installation in the field. P&D shall respond to complaints.

18. The applicant shall fund and implement the proposed Native Grassland Mitigation Plan dated

May 2006, which reflects the current project proposal for a 2.73 acre area for long-term, on-site restoration. The applicant shall also refine a maintenance plan (including proposed bond amounts for installation and maintenance) for the easement area. Revegetation and re-seeding with *Nassella pulchra* seeds collected on the project site shall occur within the designated easement area set aside for this purpose (portions of lots 8-12 and nearly all of lot 13. The plans shall identify the party(s) responsible for installing restoration components as part of the tract improvements, including backyard fencing where the yards of lots 8-12 abut the restoration area (prior to completion of tract improvements) and maintaining the easement areas, including maintenance of fences and restoration areas, and steps to be taken to prevent degradation and encroachment of non-native plants in this area. **Plan Requirements and Timing:** A final revised Mitigation and Maintenance plan shall be prepared by a P&D-qualified biologist and shall be subject to review and approval by P&D prior to issuance of final map clearance. Performance bonding shall be provided prior to approval of zoning clearance for installing tract improvements. The plan shall include on-site compensatory mitigation at a minimum 2:1 ratio for the 1.36 acres of native grasslands affected by the development. In the event that proposed final map measurements show the proposed mitigation area to be less than the 2.73 acres of planting area identified in the May 2006 restoration plan and the tentative tract map, additional contiguous area shall be incorporated from the backyard area(s) of one or more of lots 8-12 to ensure compliance with the intent of this mitigation program requirement. The restoration plan shall be implemented as part of the overall tract improvements and shall be completed prior to sign-off on tract improvements (and therefore, prior to zoning clearance for individual lot development).

Monitoring: P&D shall verify compliance with the maintenance and monitoring plan.

19. An open space easement reviewed and approved by P&D and County Counsel for the grassland restoration area (and conjunctively used for the retardation basin) shall be dedicated to the County of Santa Barbara or a qualified non-profit entity, such as the Land Trust of Santa Barbara County. The easement shall include buffer areas. A minimum three-foot high fence suitable to preclude encroachment of motorized vehicles and non-motorized vehicles (e.g., bicycles) into the preserve areas shall be constructed. However, a minimum six foot high split rail fence (with chain link or other steel fencing between the "rails") shall be installed and maintained along the northern edge of the buffer area for the bunchgrass preserve where it runs along the backyard portions of proposed lots 8-12 to provide a clear barrier and delineation between private yard space and use and the designated grassland restoration easement. The same six foot minimum fence style shall be used on proposed lots 1-2 where these lots abut (APN 059-290-040, which is not a part of this project, but contains the remainder of Stand 2 native grasslands. Appropriate signage shall be designed and installed to avoid encroachment into the bunch grass preserve. The easement shall be recorded prior to or concurrent with the final map. Temporary protective fencing shall be in place prior to the commencement of tract grading and improvements. The permanent fencing approved by the Board of Architectural Review for the restoration area (and consistent with this measure) shall be installed prior to completion of tract improvements and prior to approval of zoning clearance for the development of structures. *Additional* fencing may be

installed on the interior side of the residential lots, if future homeowners prefer a different fencing style visible from their private yard areas. However, the afore-mentioned fencing with wire mesh must be maintained along the perimeter of the grassland preserve area. **Plan Requirement and Timing:** The open space easement shall be submitted for review and approval by P&D and County Counsel prior to final map recordation. The easement shall be recorded with the final map. The permanent fencing around the easement areas shall be approved by the Board of Architectural review prior to map recordation and installed prior to completion of tract improvements and prior to zoning clearance for any individual lot development and shall be maintained for the life of the project and open space easement. The open space easement, provisions of the easement and encroachment prevention plans shall be monitored annually through site inspections and photo documentation, which shall be submitted to Permit Compliance on an annual basis.

Monitoring: Upon recordation of the open space easement, provisions of the easement and encroachment prevention plans shall be monitored annually through verification of photo documentation by P&D staff as well as site inspections as determined necessary by P&D.

20. **Tree Protection and Preservation Plan:** On-site project development and related activities shall not result in damage to or loss of the four mature oak trees along the southern property line. Three of these trees are on the Park Hill Estates side of the common fence line. However, this condition also requires that no activities occurring on the Park Hill Estates property shall adversely impact the off-site oak tree located in close proximity and nearly adjacent to one of the oak trees on the Park Hill side of the common property line fence. Therefore, a tree protection and replacement program, prepared by a P&D-approved arborist/biologist shall be implemented. The program shall include, but not be limited to, the following components:

A. Program elements to be graphically depicted on final grading and building plans:

- a) The location and extent of dripline for the 4 mature oak trees along the southern property line (one on either side of the common property line fence) and the type and location of any fencing. The driplines of these trees shall be determined by an arborist and indicated on all future grading or building plans, which would involve development within 50 feet of these trees.
- b) Construction and grading activities, staging areas, and equipment storage shall be located outside of oak tree drip lines.
- c) Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding. These plans shall be subject to review and approval by P&D or a P&D qualified biologist/arborist.
- d) All utilities shall be placed in a manner to minimize impacts to trees.

B. Program elements to be printed as conditions on final grading and building plans:

- a) All grading (any earthwork activities) or development shall be avoided within the drip lines of the oak trees.
- b) All protected trees within 25 feet of proposed ground disturbances shall be temporarily fenced with chain-link or other material satisfactory to P&D throughout all grading and construction activities. The fencing shall be installed five feet beyond the dripline of each protected tree. Where fencing cannot be accommodated outside of the drip line plus five feet, alternate maximum protection shall be provided pursuant to arborist recommendation.
- c) No fill soil, rocks, or construction materials, equipment, or vehicles shall be stored or placed within the dripline of the oak trees.
- d) No artificial surface, pervious or impervious, shall be placed within the dripline of the on-site oak trees.
- e) No permanent on-site irrigation shall occur within the dripline of the oak trees,
- f) Any trees which are unintentionally or accidentally removed and/or damaged (more than 25% of root zone disturbed) during construction activities shall be replaced at a 10:1 ratio (1-5 gallon saplings). and maintained for the life of the project. Posting of a performance security (installation and maintenance for 3-5 years) may also be required as well as hiring of an outside consultant biologist to assess the damage and recommend mitigation. The required mitigation shall be done immediately under the direction of P&D prior to any further work occurring on site.

Plan Requirements: Prior to zoning clearance for tract improvements or future grading on lot 13, the applicant shall submit a copy of the tree protection plan to P&D for review and approval. All aspects of the plan shall be implemented as approved. Prior to zoning clearance for grading or construction activities on lot 13. **Timing:** Timing on each measure shall be stated where applicable; where not otherwise stated, all measures must be in place throughout all grading and construction activities.

MONITORING: Permit Compliance shall conduct site inspections throughout to ensure compliance with tree protection measures. Satisfaction of the protection plan measures, including any necessary replacement due to damage, shall be completed prior to Permit Compliance staff sign-off on the project improvements.

21. Due to the discovery of the isolated bedrock mortar hole, fencing and monitoring of this area shall be required for the duration of any future grading activities on proposed lot 4 and all other grading within 25 feet of the boulder containing the mortar (including grading within 10 feet of the boulder on Lot 3). The fencing shall be installed 10 feet beyond the edge of the boulder containing the bedrock mortar. The fencing shall be chain link with supportive steel pipes or other material acceptable to P&D, which can provide protection to this cultural resource during grading activities. All earth disturbances including, but not limited to, scarification and placement of fill in the south west portion of proposed lot 4 and all other grading activities within 25 feet of the boulder containing the bedrock mortar (including on Lot 3 and for any tract improvements such as grading for Cozy Drive or the bio-swale) shall be monitored by a P&D-

qualified archaeologist and a Native American Consultant pursuant to County Archaeological Guidelines to ensure that any cultural resources discovered during site earthwork activities are appropriately dealt with. In addition, the bedrock mortar and the boulder on which it is located shall remain permanently undisturbed and protected. **Plan Requirements and Timing:** Prior to issuance of the Zoning Clearance, a contract or Letter of Commitment between the applicant and the archaeologist, consisting of a project description (including specific observation boundaries) and scope of work shall be prepared. The contract must be submitted to P&D for review and approval prior to zoning clearance.

Monitoring: P&D planners shall confirm monitoring by archaeologist and P&D grading inspectors shall spot check fieldwork.

22. In the event potential archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a P&D-qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with the County Archaeological Guidelines and funded by the applicant. This shall also include archaeologist recommended mitigation to avoid significant cultural impacts. **Plan Requirements and Timing:** This condition shall be printed on all building and grading plans.

Monitoring: Permit Compliance shall ensure compliance with Phase 2 recommendations through site visit and/or photographic documentation.

23. The applicant shall install four fire hydrants per County Fire Department specifications. **Plan Requirements:** The applicant shall meet with the County Fire Department to approve location and review size, and type of hydrant, valves, main lines, and lateral lines. The system shall be tested by the Fire Department to ensure compliance with recognized standards. **Timing:** Plans shall be reviewed and approved by P&D and the Fire Department prior to final map clearance. Hydrants shall be installed prior to final grading inspection of the grading for the pads, utilities, and access ways.

Monitoring: P&D shall check plans and inspect prior to and during construction.

24. Flows from new hydrants shall measure no less than 750 gpm at 20psi residual pressure. If flows from new hydrants measure less than 750 gpm, 20 psi residual pressure, approval and issuance of zoning clearance for future residential development shall be suspended until such time as fire flows in the hydrants improve to required levels. **Plan Requirements and Timing:** Prior to approval of zoning clearance, applicant shall submit verification of flows from both hydrants on site to P&D and to the Fire Department. Plans submitted for approval shall reflect consistency with Fire Department requirements for water flows and residual pressure.

Monitoring: P&D shall ensure receipt of flow rates, shall check plans and shall inspect prior to and during construction.

25. To prevent arcing, utilities provided to future development shall be installed underground.

Plan Requirements and Timing: Plans shall be reviewed and approved by P&D and the Fire Department prior to recordation for utility trenching associated with parcel improvements and prior to approval of zoning clearance for utility connection to future development on each parcel.

Monitoring: P&D shall check plans and inspect prior to and during construction.

26. Access (both roadways and driveways) shall be constructed to Fire Department standards, including adequate width (taking into account the number of units served by the roadway and whether on-street parking would be allowed on either side of the new access roads), compaction, surfacing, any necessary turnouts, and appropriate grade. **Plan Requirements and Timing:** Plans shall be reviewed and approved by P&D and the Fire Department prior to recordation.

Monitoring: P&D and County Fire Department shall check plans and inspect prior to and during construction.

27. Future construction shall conform to the requirements of development in a high fire hazard area, including but not limited to, the following:

- a. building materials for all structures including residences, fences, and accessory buildings shall be constructed of fire resistant materials;
- b. Fire Department Class A or B roofing (i.e., non-combustible tile or asphalt composite shakes) shall be required for all future onsite structures;
- c. spark arrestors shall be required for wood burning fireplaces;
- d. decks and structural overhangs proposed for all new structures shall be constructed with fire retardant materials or heavy timbers;
- e. landscaping shall be primarily drought tolerant and fire resistant.

Plan Requirements and Timing: Measures shall be graphically depicted on building/landscape plans which shall be reviewed and approved by P&D prior to approval of zoning clearance for structures.

Monitoring: P&D and County Fire Department shall check plans and inspect prior to and during construction.

28. Roads and driveways to each lot shall conform to Santa Barbara County Private Road and Driveway Standard #1 with the following requirements:

- a) Dead end access roads shall terminate with a Fire Department-approved turnaround.

- b) Access ways shall extend to within 150 feet of all portions of the exterior walls of the first story of each building.
- c) A minimum of 13 feet 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
- d) The project access roads shall be 32-36 feet wide, curb face to curb face, if parking is proposed on both sides of the road, with narrower width allowed if parking is prohibited (by required red curbs and/or "no parking" signage on one or both sides of the affected road.
- e) Any future driveway serving Lot 1 shall be a minimum of 12 feet wide.

Plan Requirements and Timing: Plans shall be reviewed and approved by P&D and the Fire Department prior to map recordation.

Monitoring: P&D shall site inspect during construction for conformance to approved plans.

29. Short-term and long-term erosion control measures, including erosion control structures shall be installed. These shall include, but not be limited to: the proposed bio-swale along the roadway, the vegetated swale around the retardation basin, the retention basin itself and the gravel beds along the rear sides of lots 6, 7, and 8, **Plan Requirements and Timing:** Prior to approval of final map clearance, the applicant shall submit to P&D for review and approval, detailed plans and a report prepared by a licensed geologist or engineer for any proposed permanent erosion control structures. Erosion control plans for tract improvements (which shall also include the same (or different) measures to be implemented during later residential lot grading) shall be approved by P&D (Development Review and Building & Safety), the Project Clean Water, and Flood Control prior to approval of final map clearance. Prior to approval of Zoning Clearance and grading permits for post-tract-improvement grading, the applicant shall submit to P&D for review and approval a detailed erosion control plan for proposed grading. Erosion control plans for individual lots shall receive all necessary approvals and sign-offs prior to approval of any permits for grading/structural development.

Monitoring: P&D shall ensure installation of erosion control measures and erosion control structures wherever possible⁸, prior to beginning of tract grading and shall approve of individual lot erosion control plans and features prior to zoning clearance. All measures required at the start of grading shall be confirmed as implemented on-site prior to initiation of grading.

30. All runoff water from impervious areas shall be conveyed by impervious conduits, unless conveyance of runoff water via pervious surfaces has been determined to be appropriate and has specifically been approved by Flood Control and Building & Safety (e.g., conveyance of

⁸ For example, because installation of the retardation basin would require grading, the retardation basin could not be installed prior to beginning grading.

runoff to the pervious bio-swales). Ultimately, the runoff water within the site shall be conveyed to the onsite retardation basin. This requirement is not limited to permitted structures and paved roads, but shall also include impervious surfaces on individual residential lots, including landscape features, such as sports courts or impervious patio areas and including impervious surfaces in backyard areas. **Plan Requirements and Timing:** A drainage plan which incorporates the above requirements and restrictions and which includes a maintenance and inspection program, to ensure proper functioning, shall be submitted prior to approval of map recordation by the applicant to P&D, Project Clean Water, and the Flood Control District for review and approval. Individual lot grading and drainage plans shall be submitted for the same review and approval prior to zoning clearance for individual lot development.

Monitoring: P&D shall site inspect during grading.

31. Grading and erosion control plans for site improvements and for future development of each proposed parcel shall be designed to minimize grading and erosion and shall include the following:
- a) The applicant shall limit excavation and grading to the dry season of the year (i.e., April 15 to November 1) unless a Planning & Development approved erosion control plan is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion.
 - b) Methods such as retention basins, drainage diversion structures and spot grading shall be used to reduce siltation into adjacent streams during grading and construction activities.
 - c) Graded areas shall be revegetated within four weeks of grading activities (except for surfaces graded for placement of structures) with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Plantings shall be coordinated with the long-term grassland restoration program (sign-off on species to be used by biologist proposing the restoration plan), to ensure that the revegetation would not conflict with the goals of the restoration program⁹. Geo-textile or organic binding fabrics shall be used if necessary to hold slope soils until vegetation can be established. Surfaces intended for structural development shall be reseeded by the owner prior to initiation of the rainy season if construction of structures is not imminent. During the non-rainy season, if there is significant dust generated from graded, undeveloped pads, the owner shall either water or seed the pad area to mitigate wind erosion of soils.
 - d) A detailed geological and/or soils engineering study addressing overall site grading, shall be prepared. This study shall cover the access roads, grading to implement the drainage plan for the site, structure sites and structural design criteria, as recommended by the Planning and Development Building & Safety Division, . This study shall also include an estimate of the

⁹ If the affected area is within the grassland restoration easement area, appropriate species, consistent with the approved restoration program shall be utilized. In addition, areas outside of the designated restoration area shall not include invasive species which could reduce the success of the restoration program in the designated easement area.

quantity of cobble/boulder material which would be encountered during site earthwork activities (based on soil tests and grading projects in the area). The study shall address how much of this rock material would be re-used/kept on-site and how much rock would need to be exported from the site. Consequently, because large cobbles and boulders from cut material could not be used as fill (to assist in balancing cut and fill activities on-site), an estimate of how much clean fill material would need to be imported to the site shall also be provided. The study shall be submitted for review and approval by P&D and Flood Control District. The study shall also address general recommendations for subsequent individual lot grading. See transportation section for requirement to include a traffic control plan and temporary stock-pile permit from B&S (if large quantities of boulders are encountered during site grading activities).

- e) Temporary storage of construction equipment shall be limited to construction envelope(s) that shall be designated on the project grading and building plans prior to zoning clearance.

Plan Requirements: The grading and erosion control plans shall be submitted for review and approval by P&D, Project Clean Water, and Flood Control District prior to approvals of Final Map Clearance and Zoning Clearance, as appropriate (e.g., when proposed development would include grading activities). The applicant shall notify Permit Compliance prior to commencement of grading. **Timing:** Components of the grading and erosion control plan shall be implemented throughout all grading activities as specified on the plan.

Monitoring: Permit Compliance will verify revegetation and ensure compliance with erosion control and grading plan. Grading inspectors shall monitor technical aspects of the grading activities.

- 32. Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (i.e., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout all grading and construction activities, including for both tract improvements and for individual lot development. Violations may result in suspension of permits.

Monitoring: Building inspectors and Permit Compliance shall spot check and respond to any complaints.

- 33. Stationary construction equipment that generates noise which exceeds 65 d(B)A at the project boundaries shall be shielded to P&D's satisfaction. **Plan Requirements:** The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. **Timing:** Equipment and shielding shall remain in the designated location throughout construction activities.

Monitoring: Permit Compliance shall perform site inspections to ensure compliance.

34. Prior to zoning clearance, the applicant shall submit a construction traffic plan to P&D and Public Works for review and approval. **Plan Requirements:** The plan shall address construction worker vehicles, trucks bringing construction supplies to the site, heavy equipment transport, dumpsters, porta-potties, and especially vehicles transporting soil and rock material to and from the site. If substantial quantities of boulder/cobble material are encountered during grading, the applicant shall secure a temporary stock-pile permit from Building & Safety and shall update the traffic plan as necessary in response to this. The traffic plan shall include a contact person, including a cell phone number to contact in the event of complaints or questions regarding construction related traffic. The traffic plan shall also identify routes, expected volumes of traffic and the location for parking and/or storing vehicles and construction equipment. **Timing:** A plan shall be submitted and approved prior to zoning clearance for tract improvements and individual lot development.

Monitoring: Building and Safety and Permit Compliance shall monitor the construction phase for compliance with the traffic plan.

35. The project landscape plan, including the proposed walking path, shall be submitted to P&D and Public Works Transportation Division for approval prior to zoning clearance for initial tract improvements to ensure appropriate surface and path design and to ensure that proposed landscaping (at maturity) will not obscure line of sight for vehicles entering the site from Via Los Santos and San Antonio Creek Road or for vehicles leaving the site onto these same public roadways. Once planted, the landscaping shall be maintained in a manner which ensures adequate sight distance. The perimeter landscaping must also be approved by the BAR prior to zoning clearance. Project CC&Rs shall also include this restriction with regard to plantings along the property perimeter, where the property abuts San Antonio Creek Road and Via Los Santos. **Plan Requirements and Timing:** The landscape plan shall be approved prior to zoning clearance for initial tract improvement or individual lot developments, as applicable. The landscape contractor shall confirm in writing that any landscaping along the property frontage with Via Los Santos and San Antonio Creek Road has been installed consistent with the approved landscape plan.

Monitoring: Permit Compliance shall check for confirmation from the landscape contractor that landscape installation is consistent with the approved landscape plan and that the new landscaping does not obscure sight visibility near the project entrances.

36. Pennell Drive shall not be used for alternative driveway access to project lots, unless and until grading and drainage plans for such alternative access have been considered by the Planning Commission and project neighbors at a public hearing.
37. Mail to the 12 residential lots shall be provided by a clustered mail delivery area to be located within the project site, somewhere in the vicinity of the entrance. The specific location and design shall be acceptable to the Delivery Supervisor at the United States Postal Service at 130 S. Patterson Avenue and to County Public Works. If individual home delivery

becomes available for the project residences, this would also be acceptable. **Plan Requirements and Timing:** Applicant shall submit confirmation that USPS Delivery Supervisor and Public Works have approved the location and design for the consolidated mail delivery and the location shall be identified on the final map prior to recordation, along with any necessary easements. The specific design of the consolidated mail delivery facility shall be included on the tract improvement plans and shall be completed as part of the tract improvements.

Monitoring: Permit Compliance shall confirm that tract improvements include this consolidated mail facility and that it is completed prior to final sign-off of tract improvements.

38. During construction, washing of concrete, paint and all equipment shall occur only in areas where polluted materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for the washing shall be identified. **Plan Requirements:** Designated wash-off areas, per P&D consultation, will be designated on construction plans. **Timing:** The wash-off area will be designated on all plans prior to approval of Zoning Clearance. The wash-off area shall be in place throughout the development of site infrastructure. Wash-off areas will be required for the construction of individual homes and shall be identified in the CC&Rs for this tract map.

Monitoring: P&D shall review plan prior to approval of Zoning Clearance and Permit Compliance shall site inspect throughout the construction period to ensure proper use of the wash-off areas.

39. Grease traps/oil-water separators and/or silt basins shall be installed in all drop inlets to prevent oil, silt and other debris from entering the creek. Grease traps/oil-water separators and silt basins shall be maintained as needed and cleaned every spring and fall. **Plan Requirements:** A maintenance program shall be submitted for review by County of Santa Barbara and Planning and Development review prior to approval of zoning clearance. **Timing:** Traps and basins shall be installed at the time of grading.

Monitoring: Permit Compliance shall inspect the site prior to occupancy clearance, and once a year, to monitor maintenance.

40. A final grading/drainage plan and drainage study for the overall site development, including tract improvements, shall be submitted to and receive approval sign-off by the Flood Control District, Project Clean Water and Building & Safety. Subsequent individual lot developments shall also be required to submit final grading and drainage plans to P&D for Flood Control, Project Clean Water and BAR review and approval. The plans and study shall include but not be limited to the following:

- a) An on-site retardation basin(s) per District standards on lot 13. The basin shall include a spillway designed to convey the 100-year discharge (with outlet plugged) to an acceptable watercourse or drainage facility in a non-erosive manner, and shall be

directed to the southeast as shown on the project plans . The post-development runoff from the basin(s) shall not exceed the pre-development runoff for the 5 – 100-year storm events.

- b) Said plans shall incorporate the measures included in the Project Clean Water letter dated January 25, 2006. .
- c) Off-site drainage improvements, if determined necessary by the District. Offsite drainage may require off-site easements and/or a Road Encroachment Permit.
- d) Proposed bio-swales as shown on the tract map.
- e) Pervious paving materials shall be encouraged for both tract improvements (sidewalks, roadways) and for individual lot developments (driveways, patios, game courts, etc.).
- f) Flood Control and Project Clean Water shall approve any changes to grading/drainage plans prior to construction of such changes and shall sign-off on grading/drainage plans and facilities prior to final sign-off of tract improvements and prior to occupancy clearance for individual residences.
- g) Design standards required by Project Clean Water letter dated January 25, 2006 shall be incorporated into the grading/drainage plan for the tract improvements. Individual lot grading and drainage plans shall be consistent/compatible with these features implemented as part of the tract improvements.
- h) The grading and drainage plan shall also be reviewed and approved by Cachuma Operations and Maintenance Board (COMB) to ensure that the proposed earthwork would be compatible with the underlying South Coast Conduit.

Plan Requirements: The plan shall include all necessary components as determined necessary by the Flood Control District, Project Clean Water and Building & Safety. The requirements shall be included in a final grading/drainage plan and drainage study. **Timing:** The preliminary plans/study shall be approved prior to map approval. Offsite easements for any off site drainage improvements shall be obtained prior to map approval. The final drainage and grading plan for tract improvements shall be approved by the Goleta Water District, Flood Control, Project Clean Water, COMB and P&D prior to final map clearance. Final drainage and grading plans for individual lot developments shall be approved by Flood Control, Project Clean Water, and P&D (and by COMB for lots 8-12) prior to zoning clearance for individual lot development.

Monitoring: The District shall verify compliance with the grading and drainage requirements.

- 41. No zoning clearance for tract improvements or individual lot development on the property shall be issued until all necessary erosion control and drainage improvements are completed/implemented. **Plan Requirements:** This requirement shall be noted on the final map. **Timing:** The Flood Control District and Project Clean Water shall verify completion of the retardation basin and related drainage infrastructure (e.g., bio-swales) prior to issuance of Zoning Clearance for any residences.

Monitoring: P&D and Flood Control shall verify completion of the sediment retention prior to issuance of building permits.

42. The retardation basin and all other site drainage structures/features/facilities shall be perpetually maintained. **Plan Requirements:** The applicant shall enter into a maintenance agreement with the Flood Control District that describes the methods, timing and responsible party(s) for maintaining the drainage structures. **Timing:** The maintenance agreement shall be executed prior to map recordation.

Monitoring: Building Inspectors (and Flood Control staff, as determined necessary by County Flood Control District) shall verify compliance with the maintenance program.

43. All drainage improvements shall be constructed in accordance with the approved plans and certified by a Registered Civil Engineer. **Plan Requirements:** This requirement shall be noted on the final map. **Timing:** The drainage improvements shall be constructed and certified prior to final sign-off for tract improvements and prior to Occupancy Clearance for individual residential lot development.

Monitoring: Flood Control and Project Clean Water shall monitor compliance in the field and through plan review.

44. Prior to recordation, the applicant shall submit a can and will serve letter from the Goleta Water District. In order to receive a can and will serve letter from the District, the applicant must comply with all Goleta Water District requirements, including, but not limited to, details and specifications of the access easement and the retardation basin, (e.g., overland escape, storm drain components, etc.). **Plan Requirements and Timing:** Applicant shall submit can and will serve letter and receive sign-off confirmation from GWD on project grading plans prior to zoning clearance.

45. The applicant shall install a roof runoff collection and disposal system. Runoff shall be directed to either a subsurface infiltration trench, French drains, landscaped areas or be connected to the site's irrigation system. **Plan Requirements and Timing:** The roof runoff collection system shall be shown on grading, building and landscape plans. The plans shall be submitted to P&D for review prior to approval Land Use Permits/Coastal Development Permits. The system shall be installed prior to occupancy clearance.

Monitoring: P&D shall site inspect for installation of the system.

Project Specific Conditions

46. The applicant shall pay in-lieu fees for affordable housing pursuant to Housing Element Policy 1.3. **Plan Requirements and Timing:** The applicant shall pay the fee to CHCD prior to final map clearance. The amount of the in-lieu fee shall be based upon the fee in effect at

the time of final map clearance for a 12 unit project in the South Coast Housing Market Area.

Monitoring: P&D shall confirm with CHCD that the in-lieu fee has been made.

47. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Construction waste shall be picked up weekly or more frequently as directed by Permit Compliance staff. **Plan Requirements and Timing:** Prior to approval of zoning clearances, applicant shall designate and provide to Planning and Development the name and phone number of a contact person(s) to monitor trash/waste and organize a clean-up crew. Additional covered receptacles shall be provided as determined necessary by Permit Compliance staff. This requirement shall be noted on all plans. Trash control shall occur throughout all grading and construction activities.

Monitoring: Permit Compliance staff shall inspect periodically throughout grading and construction activities.

48. The applicant or his designee shall clear the project site of all excess construction debris on a regular weekly basis or more frequently as directed by Permit Compliance staff throughout construction. **Plan Requirement:** Prior to approval of zoning clearances, applicant shall designate and provide to P&D the name and phone number of a contact person(s) to monitor trash/waste and organize a clean-up crew. This requirement shall be noted on final building plans. **Timing:** Final debris clearance shall occur prior to occupancy clearance.

Monitoring: P&D shall site inspect throughout construction and immediately prior to occupancy clearance.

49. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements:** This requirement shall be printed on the grading and construction plan. Permittee shall provide P&D with receipts for recycled materials or for separate bins. **Timing:** Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.

Monitoring: P&D shall review receipts prior to occupancy clearance.

STANDARD TRACT MAP CONDITIONS

50. Prior to recordation of the tentative map and subject to P&D approval as to form and content, the applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet to be recorded with the Final Map. All applicable conditions and mitigation measures of the

project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible. If Land Use Permits are obtained prior to recordation, Tentative Map conditions will not apply retroactively to the previously issued Land Use Permit. For any subsequent development on any parcels created by the project, each set of plans accompanying a Land Use Development Permit shall contain these conditions.

51. If the proposed map is revised from the approved tentative map, or if changes to conditions are sought, approval shall be in the same manner as for the originally approved tentative map.
52. Seven copies of the map to finalize the Tentative map and required review fees in effect at the time shall be submitted to Planning and Development (P&D) for compliance review of P&D conditions before P&D will issue Final map clearance to the County Surveyor. The map shall show statistics for net lot area (gross area less any public road right of way) and any open space.
53. Title to the common open space, including existing APN 059-030-033 along Pennell Road, shall be held by a non-profit association of homeowners or by any other non-profit group on such reasonable terms and conditions as the Board of Supervisors may prescribe. If the common open space is conveyed to a group other than the homeowners association, the rights to develop such property with anything except open space or noncommercial recreation shall be conveyed to the County of Santa Barbara.
54. Prior to recordation, the applicant shall record CC&R's which provide for shared maintenance responsibilities by all parcels for the retarding basin and appurtenant landscaping, grassland restoration area, fencing and access, the walking path and landscaping along San Antonio Creek Road, and maintenance if necessary to ensure that plantings do not exceed maximum heights in the planting height zones established in the project conditions of approval for protection of view corridors. The CC&R's are subject to approvals from Flood Control, Project Clean Water, P&D and County Counsel; the County may be made a party to the CC&R's as they relate to the maintenance of the retention basin. The CC&R's shall also include by reference responsibilities for all parcels to maintain property in compliance with all conditions of approval for the project.
55. If, prior to the Board action on the map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the County or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the County Surveyor an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted, or letters from the County Health Department and P&D Building & Safety stating that the lots in the subdivision will be served by an approved potable source of water and an approved private

sewage disposal system.

56. Prior to recordation, the applicant shall enter into an agreement acceptable to County Counsel and P&D to reserve easements across lots 8-12 for the grassland restoration program use and maintenance, access across Lot 2 for Lot 1 for access purposes at the time of conveyance of either parcel. This agreement is to be recorded with the final map..
57. **Utilities:** Prior to recordation, public utility easements shall be provided at the locations and of widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the final map, accompanied by a letter from each utility and water and sewer district serving the property stating that the easements shown thereon are acceptable and that the project details (new roads, retardation basin, 12 new residences, etc.,) will not conflict with the use or terms of their easement. (Chapter 21, Sec. 21- 30; Ord. No. 2199, Sec. 13).
58. Electrical utilities shall be installed underground.
59. The Tentative Map shall expire three years after approval or conditional approval by the final decision-maker unless otherwise provided in the Subdivision Map Act, Government Code §66452.6.
60. Prior to recordation, the property shall be annexed to the Goleta Sanitary District.

COUNTY RULES & REGULATIONS/LEGAL REQUIREMENTS

61. **Additional Permits Required:** Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use and Building Permit from Planning and Development. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Planning Commission. Before any Permit will be issued by Planning and Development, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
62. **Landscape Requirements:** Two performance securities shall be provided by the applicant prior to approval of Land Use Permits, one equal to the value of installation of all items listed in section (a) below (labor and materials) and one equal to the value of maintenance and/or replacement of the items listed in section (a) for 5 years of maintenance of the items. The amounts shall be agreed to by P&D. Changes to approved landscape plans may require a substantial conformity determination or an approved change to the plan. The installation security shall be released upon satisfactory installation of all items in section (a). If plants and irrigation (and/or any items listed in section (a) below) have been established and maintained (as specified in the approved landscape, grassland restoration and tree protection

plans), P&D may release the maintenance security 5 years after installation. If such maintenance has not occurred, the plants or improvements shall be replaced and the security held for another year. If the applicant fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property. The installation security shall guarantee compliance with the provision below:

- a) Installation of approved screening vegetation and common fencing along the project perimeter along Via Los Santos, San Antonio Creek Road and Pennell Road (including any necessary irrigation).
- b) Installation of a pedestrian path along San Antonio Creek Road (as approved by Public Works and P&D).
- c) Fencing for the retention basin and the native grassland restoration area.
- d) Tree protection fencing and related tree protection measures.
- e) Any approved tract lighting¹⁰
- f) Items a-e shall be installed prior to Permit Compliance and Building & Safety sign-offs for the initial tract improvements.

Monitoring: P&D shall inspect landscaping and improvements for compliance with approved plans prior to authorizing release of both installation and maintenance securities.

63. **Landscape Requirements:** Landscaping shall be maintained, consistent with approved landscape plans and project conditions for the life of the project.

64. **NTPO Condition:** A recorded Notice to Property Owner document is necessary to ensure that proposed lots 7-12 are aware that a portion of their rear yard area is included in the contiguous grassland restoration easement area for the project. These areas shall be limited to passive use compatible with a restoration area for native grassland species. Further this area shall not be used for private backyard purposes and shall not be separately fenced. The property owner shall sign and record the document prior to approval of Land Use Permits.

65. **Compliance with Departmental and Agency letters required as follows:**

- a. Air Pollution Control District dated April 20, 2004
- b. Cachuma Operations and Maintenance Board dated March 28, 2006
- c. Environmental Health Services dated March 29, 2007
- f. Project Clean Water dated January 25, 2006
- a. Fire Department dated March 29, 2007
- b. Flood Control dated March 30, 2006
- g. Road Division (Public Works) dated March 29, 2007

¹⁰ Tract lighting is not required, but if proposed, must be approved by BAR and P&D.

Applicant shall comply with requirements of and receive sign-offs (as necessary) pursuant to the timing identified in the above letters.

66. Print & illustrate conditions on plans: All applicable final conditions of approval shall be printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

67. Mitigation Monitoring required: The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this the applicant agrees to:

- Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
- Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, compliance staff, other agency personnel and with key construction personnel.
- Pay fees prior to approval of Land Use Permits as authorized under ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.

68. Fees Required: Prior to issuance of Land Use Development Permit, the applicant shall pay all applicable P&D permit processing fees in full.

69. Indemnity and Separation Clauses: Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of the subdivision. In the event that the County fails promptly to notify the applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

70. Legal Challenge: In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration

of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the County and substitute conditions may be imposed.

71. Pursuant to the provisions of ordinances and resolutions adopted by the county, the applicant will be required to pay applicable development impact mitigation fees (e.g., libraries, public administration, County Sheriff, etc.,).

Fees shall be based on the fee schedules in effect when paid. The fees are subject to yearly adjustments. Fees are payable to the County of Santa Barbara.

ATTACHMENT:

B1. Suzanne Elledge letter dated March 1 2007

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