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STATE OF CALIFORNIA -- THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: APPEAL SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: County of Santa Barbara
LOCAL DECISION: Approval with Conditions
APPEAL NO.: A-4-STB-05-037
APPLICANT: Jack Maxwell
APPELLANT: Valerie Olson
PROJECT LOCATION: 4865 Vieja Drive, Goleta Community Plan area, Santa Barbara County.

PROJECT DESCRIPTION: Lot line adjustment between two parcels, consisting of a parcel (Parcel 1) currently developed with horse related structures and a parcel (Parcel 2) with an existing single-family residence and horse related structures. Parcel 1 (APN 065-240-019) will be increased in size from 1.16 acres to 2.38 acres and Parcel 2 (APN 065-240-020) will be decreased in size from 2.33 acres to 1.11 acres. Reconfigured Parcel 1 would then be subdivided into four single-family lots and one common area to remain as open space (.96 acre). No development is proposed on Parcel 2 under this application. The project also includes the construction of two, one-story single-family residences, with a maximum average mean height of 16 feet, and two, two-story single-family residences, with a maximum average mean height of 21 feet, landscaping, access road, entry gate, drainage swales, and 2,770 cu. yds. of grading (1,550 cu. yds. cut, 1,220 cu. yds. fill)

SUMMARY OF STAFF RECOMMENDATION SUBSTANTIAL ISSUE DOES NOT EXIST

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal has been filed. The **motion** and **resolution** for no substantial issue are found on **pages 4-5**.

The appeal contends that the approved project is not consistent with policies and provisions of the certified Local Coastal Program with regard to public views and the physical scale and character of the existing community.

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EXHIBITS

- Exhibit 1.**Final Local Action Notice (County Approval With Conditions)
 - Exhibit 2.**Olson Appeal w/Visual Simulations Submitted by Appellant
 - Exhibit 3.**Vicinity Map
 - Exhibit 4.**Lot Line Adjustment
 - Exhibit 5.**Vesting Tentative Tract Map
 - Exhibit 6.**Development Plan
 - Exhibit 7.**Elevation and Floor Plans
 - Exhibit 8.**More Mesa Property Line Setbacks in the Vicinity
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SUBSTANTIVE FILE DOCUMENTS: County of Santa Barbara Local Coastal Program; Santa Barbara County Tentative Tract Map 14,595 (Board of Supervisor Approval dated 2/15/05); Wetland Survey and Delineation Report, 4865 Vieja Drive, Santa Barbara (Watershed Environmental, April 2002); Wetland Restoration Plan, 4864 Vieja Drive, Santa Barbara (Watershed Environmental, February 10, 2004);

I. APPEAL PROCEDURES

A. APPEAL JURISDICTION

Under Section 30603 of the Coastal Act, development approved by a local government may be appealed to the Commission if they are located within the appealable areas, such as those located between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high-tide line of the sea where there is no beach, whichever is greater, on state tidelands, or along or within 100 feet of any wetland, estuary, or stream. Further, any development approved by a local County government that is not designated as the principal permitted use within a zoning district may also be appealed to the Commission, irrespective of its geographic location within the coastal zone. Finally, development that constitutes major public works or major energy facilities may also be appealed to the Commission.

The project is located adjacent to the area known as More Mesa, in the Goleta Community within unincorporated Santa Barbara County. The Post Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction map certified for the County of Santa Barbara indicates that the appeal jurisdiction for this area extends between the first public road and the sea, in this case between the coastal zone boundary and the sea. As such, the subject sites are located within the appeal jurisdiction of the Commission and any projects approved for these sites are therefore appealable to the Commission.

B. APPEAL PROCEDURES

The Coastal Act provides that after certification of Local Coastal Programs, a local government's actions on Coastal Development Permits in certain areas and for certain types of development may be appealed to the Coastal Commission. Local governments must provide notice to the Commission of its coastal permit actions. During a period of 10 working days following Commission receipt of a notice of local permit action for an appealable development, an appeal of the action may be filed with the Commission.

1. Grounds for Appeal

The grounds for appeal of development approved by the local government and subject to appeal to the Commission shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in Division 20 of the Public Resources Code (Section 30603[a][4] of the Coastal Act).

2. Substantial Issue Determination

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which the appeal was filed. When Commission staff recommends that a substantial issue exists with respect to the grounds of the appeal, substantial issue is deemed to exist unless three or more Commissioners wish to hear arguments and vote on

substantial issue. If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue stage of the appeal process are the applicant, persons who opposed the application before the local government (or its representatives), and the local government. Testimony from other persons must be submitted in writing. It takes a majority of Commissioners present to find that substantial issue is raised by the appeal.

3. De Novo Review Hearing

If a substantial issue is found to exist, the Commission will consider the County's action de novo. The de novo permit may be considered by the Commission at the same time as the substantial issue hearing or at a later time. The applicable test for the Commission to consider in a de novo review of the project is whether the proposed development is in conformity with the certified Local Coastal Program and the public access and public recreation policies of the Coastal Act. If a de novo hearing is held, testimony may be taken from all interested persons.

C. LOCAL GOVERNMENT ACTION AND FILING OF APPEAL

Commission staff received a Notice of Final Action for a Coastal Development Permit (Case Nos. 02LLA-00000-00002; 02TRM-00000-00002; 02DVP-00000-00002; and 04CDP-00000-00087) issued by the County for the Lot Line Adjustment, Tract Map, Development Plan, and Coastal Development Permit for the Hacienda Vieja Project on March 7, 2004. Following receipt of the corrected Notice of Final Action, a 10 working day appeal period was set and notice provided beginning March 8, 2005 and extending through March 21, 2005.

An appeal of the County's action was filed by Valerie Olson, during the appeal period, on March 9, 2005. Commission staff notified the County, the applicant, and all interested parties that were listed on the appeals.

II. STAFF RECOMMENDATION OF NO SUBSTANTIAL ISSUE

MOTION: *I move that the Commission determine that Appeal No. A-4-STB-05-037 raises NO substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act.*

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

RESOLUTION TO FIND SUBSTANTIAL ISSUE:

The Commission hereby finds that Appeal No. A-4-STB-05-037 raises **no substantial issue** with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified LCP and/or the public access and recreation policies of the Coastal Act.

III. FINDINGS AND DECLARATIONS FOR SUBSTANTIAL ISSUE

The Commission hereby finds and declares:

A. BACKGROUND

Both lots are zoned Design Residential (DR-2) in the certified Local Coastal Program (LCP) for Santa Barbara County. Parcel 1 (APN 065-240-019) is currently developed with corrals and sheds. Parcel 2 (APN 065-240-020) is currently developed with a single-family residence of approximately 2,600 sq. ft., several horse corrals, sheds, and a horse stable. Adjacent land use to the west and north is single-family residential. South of the property is an undeveloped area designated as Environmentally Sensitive Habitat (ESH) under the LCP, known as More Mesa. The area to the east is currently being developed with eight new single-family homes known as the Las Brisas project.

Vegetation on the property includes a variety of non-native landscape vegetation, including lawn around the perimeter of the existing residence. A row of eucalyptus trees are along the eastern property boundary. There is also a row of eucalyptus and coast live oak trees clustered along the southern edge of the existing drainage swale and wetland area along the southern property boundary. From the north portion of the property, the parcels slope gently downward to the south. A degraded freshwater marsh/arroyo willow riparian wetland habitat is located in the southwest portion of the existing Parcel 2. This wetland is partially on Parcel 2 and partially on the neighboring undeveloped parcel to the south. The wetland delineation (Watershed Environmental, April 2002) used the Commission's criteria for wetland delineation and mapped 0.26-acres of wetland on the subject property. As a condition of approval of the project, the Board of Supervisor's required that the applicant's Wetland Restoration Plan (Watershed Environmental, February 2004) be implemented. This includes restoration of a .71-acre area containing the severely disturbed wetland habitat and buffer on the subject properties. New wetlands (.06 acre) would be created as a part of the proposed project. The wetland would be located on the lot proposed to be owned in common by the homeowners and would be permanently dedicated open space. The wetland and buffer would be managed in accordance with the restoration plan, and access shall be restricted in the restoration area. All proposed new structures will maintain a buffer setback of 100 feet from the outer edge of the wetland.

The sites are located adjacent to an approximately 300-acre undeveloped area known as More Mesa. More Mesa is zoned Planned Residential Development (PRD-70; 70

units). In addition, approximately 246 of the 300 More Mesa acres are designated as ESH.

Additionally, as a condition of approval of the Hacienda Vieja project, a 15-foot wide public access easement would be permanently dedicated to the County along the western boundary of the project area.

B. PROJECT DESCRIPTION

On February 15, 2005, the Santa Barbara County Board of Supervisors undertook final discretionary action to approve the Hacienda Vieja Residences Project. The County's action approved a lot line adjustment between two parcels, a parcel (Parcel 1) developed with horse related structures and a parcel (Parcel 2) with an existing single-family residence and horse related structures. Parcel 1 (APN 065-240-019) will be increased in size from 1.16 acres to 2.38 acres and Parcel 2 (APN 065-240-020) will be decreased in size from 2.33 acres to 1.11 acres. (Exhibit 4)

The County's action also approved a tentative tract map (Tentative TM 14,595) for the division of reconfigured Parcel 1 (2.38 acres) into four single-family lots and one common area to remain as open space (0.96 acre) (Exhibits 5-6). No development is proposed on Parcel 2 under this application

The project also includes the construction of two, one-story single-family residences, with a maximum average mean height of 16 feet, and two, two-story single-family residences, with a maximum average mean height of 21 feet, landscaping, access road, entry gate, drainage swales, and 2,770 cu. yds. of grading (1,550 cu. yds. cut, 1,220 cu. yds. fill). Detailed project parameters are described in the table below.

| | Proposed Lot Size | Use | Proposed SFR Size (sq. ft.) | Levels | Avg. Mean Height |
|-----------------|-------------------------|----------------------------------|-----------------------------------|-----------|------------------|
| Parcel 1 | 2.38 acres | Subdivision | See below | See below | See below |
| Lot 1 | 18,894 sq. ft. (.43 ac) | SFR | 3200 sq. ft. + 400 sq. ft. garage | One-story | 15 ft. |
| Lot 2 | 13,781 sq. ft. (.32 ac) | SFR | 3386 sq. ft. + 480 sq. ft. garage | Two-story | 20.85 ft. |
| Lot 3 | 14,059 sq. ft. (.32 ac) | SFR | 3200 sq. ft. + 400 sq. ft. garage | One-story | 16 ft. |
| Lot 4 | 15,703 sq. ft. (.36 ac) | SFR | 3190 sq. ft. + 470 sq. ft. garage | Two-story | 21 ft. |
| Lot 5 | 41,625 sq. ft. (.96 ac) | Open Space / Wetland Restoration | N/A | N/A | N/A |
| Parcel 2 | 1.11 acres | Existing SFR | Approx. 2600 sq. ft. | One-story | Unknown |

The existing Land Use Plan / Zoning designation for the subject parcel is Design Residential (DR-2) which allow a maximum density of four units. The proposed development is consistent with the LCP designation.

C. LOCAL PERMIT HISTORY

The applicant, Jack Maxwell, requested the County's approval of four items: a Lot Line Adjustment, a Tentative Tract Map (TRM), a Development Plan (DP), and a Coastal Development Permit (CDP). Each of these discretionary actions taken by the County are appealable to the Commission under the County's LCP.

The LCP requires that Development Plans under the jurisdiction of the Planning Commission be considered at a noticed public hearing and that the Planning Commission approve, conditionally approve, approve with modifications of development standards, or deny the plan. On October 6, 2004, the County of Santa Barbara Planning Commission approved the Hacienda Vieja project, a proposal for four new single-family dwellings on 2.39 acres. The proposal as approved consisted of the Lot Line Adjustment, Tentative Vesting Tract Map, Development Plan, and Coastal Development Permit (02LLA-00000-00002; 02TRM-00000-00002; 02DVP-00000-00002; and 04CDP-00000-00087) as well as Planning Commission approval of a proposed final Negative Declaration (04NGD-00000-00011).

The County of Santa Barbara Planning Commission's decision was appealed to the County of Santa Barbara Board of Supervisors by Valerie Olson on behalf of the More Mesa Preservation Coalition. On February 15, 2005, the County of Santa Barbara Board of Supervisors approved a Tentative Tract Map (Tentative TM 14,541) to divide the 2.38-acre Parcel 1 into five lots subject to conditions and a Final Development Plan (02DVP-00000-00002) to develop four new residential units, also subject to conditions. The County's conditions of approval are attached as Exhibit 1).

Commission staff received a Notice of Final Action for the Board of Supervisors' approval of the Lot Line Adjustment, Tentative Vesting Tract Map, Development Plan, and Coastal Development Permit (02LLA-00000-00002; 02TRM-00000-00002; 02DVP-00000-00002; and 04CDP-00000-00087) on March 7, 2005. A 10 working day appeal period was set and extended to March 21, 2005. An appeal was received by Valerie Olson on March 9, 2005.

D. APPELLANT'S CONTENTIONS

The appeal filed by Valerie Olson on behalf of the More Mesa Preservation Coalition is attached as Exhibit 2. The appeal states that the More Mesa Preservation Coalition is a group of concern citizens committed to preserving More Mesa in perpetuity. The organization has been in existence since 2000.

The appeal contends that the project is not compatible with the scale and character of the existing community, and therefore the project is inconsistent with LCP Policy 4-4. The appellant maintains that the proposed residences are not similar in either size or design to nearby semi rural ranch style homes; specifically, the Hacienda Vieja Project is not in conformance with the scale and character of the immediate existing community of Vieja Drive; and similarly, the bulk, scale, and height are not compatible with the neighborhood that can be defined by those structures that are on the edge of the

greater More Mesa area. The appellant has stated that all of the homes on Vieja Drive are on approximately one-acre lots, whereas the Hacienda Vieja Project is equivalent to four houses on 1.3 acres.

The appeal also contends that the two-story structures as proposed would significantly obstruct public views from the heavily used More Mesa coastal recreation and resource area, and therefore the project is inconsistent with Coastal Act Policy 30251, as incorporated by reference into the certified LCP. The appellant has submitted visual simulations of the project and project area (Exhibit 2). From these simulations, the appellant argues that "Lots 2, 3, and 4 are obtrusive and clearly visible from the heavily used east-west trail, even with current vegetation in place. Construction of these houses will significantly mar the north viewshed, when vegetation is removed; a practice commonly followed."

Though an LCP policy was not cited, the appellant has stated that a major concern with the future potential buildout of the periphery of More Mesa and the cumulative effects of allowing two-story residences. The appeal states that there are currently 32 homes adjacent to More Mesa and 12 more are under construction. Considering those under construction, vacant land, and underdeveloped land, a total of 44 additional new structures can be built. Additionally, the appellant has identified 16 existing houses along the periphery of More Mesa with the potential for major redesign that would impact the viewshed.

To address the above issues, the appellant requests that the Commission direct the project developer to redesign the project as all one-story units. Designed to blend into the natural environment and the surrounding community.

E. ANALYSIS OF SUBSTANTIAL ISSUE

Pursuant to Sections 30603 and 30625 of the Coastal Act, the appropriate standard of review for the subject appeal is whether a substantial issue exists with respect to the grounds raised by the appellant relative to the project's conformity to the policies contained in the certified LCP or the public access policies of the Coastal Act. Based on the findings presented below. The Commission finds that a substantial issue does not exist with respect to the grounds on which the appeal has been filed. The approved project is consistent with the policies of the County of Santa Barbara LCP for the specific reasons discussed below.

The appellant contends that the project, as approved by the County does not conform to the policies of the LCP with regard to public views and the design and scale of the project inconsistent with existing community character. The appellant cited the policies summarized below from the County LCP.

LCP Policy 4-4 states:

In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character

of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.

Coastal Act Section 30251 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

1. Public Views

Coastal Act Section 30251, incorporated into the certified LCP, requires protection of visual qualities of coastal areas. The LCP policies as described above require that the proposed development be sited and designed to protect views to and along the ocean and scenic coastal areas and be visually compatible with the character of surrounding areas. The subject parcels are located on adjacent lots between the first public road and the sea and are adjacent to the More Mesa open space to the south, including numerous trails used by the public.

The appeal contends that the two-story structures as proposed would significantly obstruct public views from the heavily used More Mesa coastal recreation and resource area. The appellant has submitted visual simulations of the project and project area (Exhibit 2). From these simulations, the appellant argues that "Lots 2, 3, and 4 are obtrusive and clearly visible from the heavily used east-west trail, even with current vegetation in place." The appellant has identified other developments in the area as a basis for the impact to public views. The County staff did consider this information during the local appeal process, but determined that the other developments identified by the appellant have very different specifications and greater public visibility than the Hacienda Vieja proposal. According to the information provided in the administrative record, the other structures in question are as close as 30 feet from More Mesa, whereas the closest proposed residence in the Hacienda Vieja project is greater than 200 feet from the Mesa and screened by vegetation (Exhibit 8). Existing trails used by the public are setback even farther since they do not abut the property boundary.

The County staff analyzed the potential view impacts within the negative declaration and subsequent staff reports to the Planning Commission and the Board of Supervisors. In the staff report dated February 1, 2005, the County concluded the following with regard to obstruction of views:

The proposed four new dwellings would be too low and too distant to obstruct public views of the mountains from More Mesa, as analyzed and discussed in the proposed final Negative Declaration. In addition, the proposed final Negative Declaration was revised to include discussion of potential impacts on private views (see Attachment C of this letter: PC memo dated July 22, 2004). As mitigated by project conditions of

approval, impacts on private views would be less than significant. Overall visibility of the project from public areas would be minimal and less than significant due to:

Distance of the proposed structures from the perimeter of More Mesa. The closest point of proposed structural development on Hacienda Vieja is approximately 220 feet away from the edge of More Mesa. By comparison, other projects in the vicinity that the appellant has expressed concerns about (Las Brisas and Gallego/ Mockingbird) are within 30-90 feet from the edge of More Mesa.

Design Residential (DR) Site Design: The subject 2.39 acre parcel is Design Residential (DR) zoned, and the purpose and intent of DR zoning (Article II Sec. 35-74.1) is to provide areas for residential development in a wide range of densities, housing types, and design, and to create open space within new residential developments. DR zoning requires that at least 40% of the net area of a property shall be devoted to common open space. The approximately one-acre area of the project site to be left in perpetuity as open space is the portion of the site that borders More Mesa. The proposed four new single-family residences are clustered in the northern portion of the 2.39 acre parcel on four residential lots, and project conditions require that the approximately one-acre common area next to More Mesa shall be dedicated to the County of Santa Barbara and/ or an applicable non-profit entity and shall remain as open space.

Topographic elevation of the proposed structures. Due to the rolling terrain of the project neighborhood, the two-story elements of the Hacienda Vieja homes will sit lower on the horizon as seen from the More Mesa viewshed than one-story dwellings on the adjacent Las Brisas, Diamond Crest and Gallego/Mockingbird developments. Finished grade for the Hacienda Vieja homes would be at 76-foot elevations, compared to an approximate 100-foot elevation for Las Brisas, 92-foot elevation for Diamond Crest, and 115 feet for Gallego/ Mockingbird.

Existing and proposed landscaping would offer substantial screening of the project from all public areas. There is significant existing screening of the project site, consisting of a variety of trees and other vegetation on the common open space lot that lies between More Mesa and the proposed homes, as well as a proposed landscape plan as approved by the Planning Commission that will include specimen-size trees and other screening vegetation on all four residential lots. Any future tree removal would be subject to P&D review and approval.

The second-story floor areas are less than half the areas of the first floors, and significantly stepped back from every vantage point. The maximum 21-foot heights of the homes on Lots 2 and 4 would not appear as long, unbroken massing from any vantage point.

Required colors would substantially mitigate visual impacts. Project conditions would require all exterior materials on the four homes to be dark, natural-tone, non-reflective colors designed to blend with the colors or the surrounding terrain, and to be given final review and approval by the Board of Architectural Review. It is easily demonstrated by viewing existing development from More Mesa that dark, natural, blend-in colors make a very significant difference as to which structures are more prominent in the public viewshed.

Regarding cumulative visual impacts, the proposed project is consistent with the land use and zone designations considered in the Goleta Community Plan EIR (91-EIR-13) for future cumulative impacts to aesthetics and visual resources due to buildout of

the More Mesa area. As discussed in the proposed final ND, with the incorporation of mitigation measures as identified in the GCP EIR, cumulative aesthetic impacts would be less than significant.

The proposed residences will be visible from More Mesa. However, much of More Mesa is surrounded by residences to the east, west, and north. Additionally, landscape screening of the proposed development is required in the open space lot between the public area and the residences, pursuant to the approved landscape plan. According to the terms of the permit, trees that screen the development cannot be removed in the future. The project also complies with the required height restrictions and setbacks that reduce any negative visual impact to the public. Further, the County's approval requires the use of natural building materials and colors compatible with surrounding terrain on exterior surfaces of all structures. As a result of these factors, the Commission finds that there are no significant impacts to views.

Additionally, there seems to be some controversy over the height of the house in regard to the visual simulations. County staff has confirmed that the story poles that were erected to depict the project height represent the very highest point of the roof pitch, not merely the second floor plate level. The heights were calculated pursuant to County requirements to determine the average mean height. The heights of the proposed structures are below the maximum 35-foot height restriction in the Design Residential zone district.

The appellant has also suggested that the impact of public views can be mitigated by reducing the two-story residences to one-story heights. As proposed, two of the four residences would be two-stories with a maximum average mean height of 21 feet. The average mean height of the one-story residences is 15 and 16 feet. The Commission finds that a reduction in height of approximately 6 feet would not represent a substantial modification of the structure and its corresponding impacts to public views.

For the reasons above, the Commission finds that the County did analyze public visual impacts of the proposed development and that no substantial issue, with respect to conformance with the certified LCP, is raised by this argument made by the appellant.

2. Community Character

LCP Policy 4-4 requires new structures to conform to the existing scale and character of the surrounding community. Policy 4-4 also encourages diverse housing types. The appellant has argued that the proposed development is not compatible with the scale and character of the existing community, and therefore the project is inconsistent with LCP Policy 4-4. The appellant maintains that the proposed residences are not similar in either size or design to nearby semi rural ranch style homes. Specifically, the appellant contends that the Hacienda Vieja Project is not in conformance with the scale and character of the immediate existing community of Vieja Drive and that the bulk, scale, and height are not compatible with the neighborhood that can be defined by those structures that are on the edge of the greater More Mesa area. The appellant has stated that all of the homes on Vieja Drive are on approximately one-acre lots, whereas the Hacienda Vieja Project is equivalent to four houses on 1.3 acres.

The County staff addressed the compatibility of the proposed project with the Vieja Drive neighborhood character in its analysis. In the staff report dated February 1, 2005, the County concluded the following with regard to community character:

The question of neighborhood compatibility and size and scale received considerable attention throughout P&D review and the public hearing process.

The project as originally proposed consisted of four two-story dwellings of approximately 4,000-4,100 square feet (including garages). Existing development in the neighborhood consists of both one-story and two-story homes built in a variety of styles and ranging in size from approximately 2,100 square feet to 4,100 square feet. As originally proposed (even prior to revisions that downsized the project), the project was consistent with DR-2 zone height and density requirements and was recommended by P&D for approval.

In response to concerns expressed by the public (including the appellant) and by members of the Planning Commission during the hearing process, the applicant scaled back his project to its current configuration. The project as now proposed—two one-story homes and two two-story homes ranging from approximately 3,600 to 3,800 square feet (including garages)—is completely within the midrange of existing neighborhood development (for specific comparative statistics, please see page 4 of Attachment C of this letter). [see Table reproduced below]

More than a third of the dwellings within a quarter mile of the proposed project have two stories. Many of the existing two-story homes that can be seen from More Mesa and in the immediate neighborhood were approved in the 1980s and 1990s, and a variety of architectural styles (such as Modern and Mediterranean) are represented in the neighborhood mix. None of the designated zone districts of parcels bordering More Mesa (including DR, R-1 and EX-1 zoned properties) contain specific prohibitions on two-story structures.

As stated above, the Hacienda Vieja project is located on the perimeter of More Mesa. The County reviewed the size of projects in the area and presented the following information comparing the proposed project with other residences in the immediate neighborhood adjacent to and near More Mesa:

| Project or Address (no. of houses) | Size (square feet incl. garage) | Two Stories? |
|---|--|-------------------------------|
| Hacienda Vieja (4 houses) | 3,600 - 3,866 | 1 (2 units) and 2 (2 units) |
| Rainbolt (2) | 4,294 | Yes |
| 4876 Vieja Dr. | 4,100 | Yes |
| 4864 Vieja Dr. | 3,649 | Yes |
| 4870 Vieja Dr. | 3,900 | Yes |
| Diamond Crest (25) | 3,100 – 3,400 | 1 (14 units) and 2 (10 units) |
| 1095 Mockingbird (2) | 4,183 and 3,771 | Yes |
| Sandpiper | 2,900 – 3,600 | Yes |
| Vista LaCumbre (25) | 2,860 – 3,000 | 1 (17 units) and 2 (8 units) |
| Las Brisas (8) | 3,610 | No |

The above information indicates that the proposed project is comparable to existing residential development in the project vicinity and that the surrounding area is

developed with similar single-family residences. With regard to density, the County determined that all of Vieja Drive bordering More Mesa is either zoned DR-2 (two residences per acre) or DR-3.5 (3.5 residences per acre). The Hacienda Vieja Project is zoned DR-2, and would result in 4 residences on 2.39 acres. In this case, the development is clustered, which County staff notes is typical of DR site design, to allow for one acre of the project site closest to More Mesa to remain as open space, to locate structures outside of the 100-foot wetland buffer, and to allow the wetland restoration project to be implemented. In any event, the County's analysis determined that Hacienda Vieja is not proposed at a scale that would be of a higher density than the adjacent Las Brisas or Diamond Crest developments. As a result, the Commission finds that the County did adequately address this issue raised in the appeal and there is no substantial issue raised with respect to LCP consistency, as the subject site's development is consistent with the scale and density of other sites in the area.

Additionally, as noted above, the County determined that the proposed Hacienda Vieja structure closest to the perimeter of More Mesa would be approximately 220 feet away from More Mesa. By comparison, Lot 4 of the Las Brisas project to the east is 40 feet from the More Mesa perimeter and Las Brisas Lot 8 is 90 feet away (see Exhibit 8). The recently approved Gallego/Mockingbird new residence is 40 feet from More Mesa. Because of its greater distance from public viewing areas, lower elevations, existing and proposed landscape screening and the requirement for dark, natural exterior colors, the proposed project would be visually subordinate to other residential development as seen from the public trails of More Mesa.

In addition, the County staff analyzed the proposed development in order to determine that it conforms with the requirements set forth under Section 35-74 of the Zoning Ordinance of the LCP, listing specific standards for the Design Residential zone district in consideration of the surrounding. The subject site is zoned as DR-2, Design Residential, which allows for a range of densities, housing types, and design. The DR zone district allows for a maximum of coverage of the property for dwellings and allows a maximum 35-foot height limit. Additionally, the DR zone district requires that not less than 40% of the net area of the property be devoted to common and/or public open space. Lot 5 of the subdivision would be dedicated to permanent open space and help buffer the new residences from the More Mesa perimeter. The County found that the proposed development conforms to those standards.

Because the community along the perimeter of More Mesa is residential in character, and the project is setback and required to have landscape screening and blend in with the surrounding terrain, the Commission finds that the proposed project is consistent with the character of the surrounding community. Further, the County's analysis shows that the scale meets the requirements of the zone district as well as demonstrating the comparability of the scale to the existing development. Therefore, the Commission finds that the appeal raises no substantial issue with regard to the consistency of the approved project with the community character provisions of the County's LCP.

F. CONCLUSION

For the reasons discussed above, no substantial issue is raised with respect to the consistency of the approved development with the policies of the County's certified LCP regarding public views and the physical scale of development in relation to the surrounding community. Therefore, the Commission finds that the appeal filed by Valerie Olson, does not raise a substantial issue as to the County's application of the policies of the LCP in approving the proposed development.

4-STB-05-040

Appeal period start March 8, 2005



County of Santa Barbara Planning and Development

Valentin Alexeeff, Director

Dianne Meester, Assistant Director

NOTICE OF FINAL ACTION

RECEIVED

MAR 07 2005

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

March 1, 2005

TO: California Coastal Commission
Shana Gray
89 South California Street, Suite 200
Ventura, California 93001

On February 15, 2005, Santa Barbara County took final action on the appealable development described below:

- Appealable Coastal Development Permit
- Appealable Coastal Development Permit Case No. 04CDP-00000-00087 following discretionary case nos. 02LLA-00000-00002, 02TRM-00000-00002 and 02DVP-00000-00002
- Discretionary action on a case

Project Applicant:
Jack Maxwell
1253 Coast Village Road
Santa Barbara, CA 93108
(805) 969-0178

Property Owner:
Same as applicant.

Project Description: Hearing on the request of owner, Jack Maxwell, to consider the following [application filed on January 18, 2002]:

- a) **02LLA-00000-00002** for approval of a Lot Line Adjustment under the provisions of County Code Chapter 21, to adjust lines between two parcels of 1.16 acres (Parcel 1) and 2.33 (Parcel 2) to reconfigure into two parcels of 2.38 acres (Proposed Parcel 1) and 1.11 acres (Proposed Parcel 2) in the DR-2 Zone District under Article II;
- b) **02TRM-00000-00002** for approval under County Code Chapter 21 to divide 2.38 acres (Proposed Parcel 1) into 5 parcels (four lots for single family residences ranging from 13,781 square feet to 18,894 square feet and one common area of 1.01 acres to be left as open space) in the DR-2 Zone District under Article II;
- c) **02DVP-00000-00002** for approval of a Final Development Plan and modification of zone district requirements to setbacks for building and structures and parking area setbacks design and landscape under the provisions of Article II of the DR-2 Zone District, to develop two, two-story detached single family dwellings and two one-story single family dwellings;
- d) **04CDP-00000-00087** for approval of an appealable Coastal Development Permit under Section 35-169.5 of Article II to allow the subdivision of land pursuant to 02TRM-00000-00002 and TM 14,595 in the Coastal Zone.

and to approve the Negative Declaration, 04NGD-00000-00011, 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/Visual Resources, Biological Resources, Fire Protection, Water Resources/Flooding, Air Quality (short-term), Geologic Processes (short-term) and Noise (short-term).

123 East Anapamu Street · Santa Barbara, CA 93101-2058
Phone: (805) 568-2000 Fax: (805) 568-2030

| |
|----------------------------|
| EXHIBIT 1 |
| A-4-STB-05-037 |
| Local Action Notice |

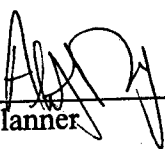
Ex. 1

1 of 48

Location: The application involves AP Nos. 065-240-019, -020, located at 4865 Vieja Drive in More Mesa in the Goleta Community Plan area, Second Supervisorial District.

The receipt of this letter and the attached materials start the 10 working day appeal period during which the County's decision may be appealed to the Coastal Commission. Appeals must be in writing to the appropriate Coastal Commission district office.

Please contact Alice Daly, the case planner at (805) 568-2059 if you have any questions regarding the County's action or this notice.



Alice Daly, Project Planner

3/2/05

Date

Attachment: Final Action Letter dated February 28, 2005

cc: Case File: 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087
Appellant: Valerie F. Olsen, 960 Vista de la Mesa Drive, Santa Barbara, CA 93110
Cintia Mendoza, Hearing Support

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2848



County of Santa Barbara Planning and Development

Valentin Alexeeff, Director

Dianne Meester, Assistant Director

RECEIVED

MAR 07 2005

February 28, 2005

Valerie F. Olsen
960 Vista del la Mesa Drive
Santa Barbara, CA 93110

CALIFORNIA
COASTAL COMMISSION
SOUTH-CENTRAL COAST DISTRICT
BOARD OF SUPERVISORS
HEARING OF FEBRUARY 15, 2005

RE: *Olsen Appeal of the Hacienda Vieja Lot Line Adjustment, Tentative Vesting Tract Map, Development Plan and Coastal Development Permit, 04APL-00000-00030*

Hearing to consider the Olsen Appeal of the Planning Commission Approval on October 6, 2004 of the Hacienda Vieja Lot Line Adjustment, Tentative Vesting Tract Map, Development Plan and Coastal Development Permit under case numbers 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, [Appeal Case No. 04APL-00000-00030] located at 4865 Vieja Drive, Goleta Community Plan area, Second Supervisorial District.

Dear Ms. Olsen:

At the Board of Supervisors' hearing of February 15, 2005, the Board took the following action:

Supervisor Rose moved, seconded by Supervisor Carbajal and failed by a vote of 2-3 (Firestone, Gray, Centeno no) to:

1. Direct the applicant/developer to review the possibility of modifying the two story homes into single story homes, and to meet with Second District staff and a representative of the coalition and return to the Board in two to three weeks with a compromise alternative.

Supervisor Centeno moved, seconded by Supervisor Gray and carried by a vote of 4-1 (Rose no) to:

1. Adopt the required findings for the project specified as Attachment A of the Planning Commission action letter dated October 6, 2004;
2. Deny the appeal, 04APL-00000-00030, upholding the decision of the Planning Commission's October 6, 2005 approval; and
3. Approve the project, 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, subject to the conditions included as Attachments C, D, E, and F of the action letter dated October 6, 2004, as revised at the hearing of February 15, 2005.

The time within which judicial review of this decision must be sought is governed by Section 65009 (c) of the California Government Code and Section 1094.6 of the California Code of Civil Procedure. You are advised to consult an attorney immediately if you intend to seek judicial review of this decision.

REVISIONS TO THE CONDITIONS OF APPROVAL, 02LLA-00000-00002

Condition 2, Departmental Compliance Letters, EHS letter is added:

g. Environmental Health Services dated July 6, 2005.

REVISIONS TO THE CONDITIONS OF APPROVAL, 02TRM-00000-00002

Condition No. 2, language is added:

2. Natural building materials and colors compatible with surrounding terrain (darker earthtones and non-reflective paints), subject to BAR review and approval, shall be used on exterior surfaces of all structures. The BAR shall review treatment of the concrete swales (if concrete is needed) allowing them to look as natural as possible. The landscape plan shall include a minimum of two to three large size screen trees (24 to 48-inch box) on each lot. The intent being to adequately screen the homes from More Mesa. **Plan Requirement:** Materials shall be denoted on plans receiving BAR "final approval" and on building plans. **Timing:** Structures shall be painted prior to occupancy clearance.

Condition 32, Departmental Compliance Letters, EHS letter is added:

g. Environmental Health Services dated July 6, 2005.

REVISIONS TO THE CONDITIONS OF APPROVAL, 02DVP-00000-00002

Condition 1, Project Description, first paragraph, first sentence is amended:

The proposed project is the construction of ~~four~~ two two-story detached single-family dwellings with smooth stucco exteriors and red tile roofs, after final recordation of Lot Line Adjustment 02LLA-00000-00002 and Vesting Tentative Tract Map 02TRM-00000-00002.

Condition No. 2, language is added:

2. Natural building materials and colors compatible with surrounding terrain (darker earthtones and non-reflective paints), subject to BAR review and approval, shall be used on exterior surfaces of all structures. The BAR shall review treatment of the concrete swales (if concrete is needed) allowing them to look as natural as possible. The landscape plan shall include a minimum of two to three large size screen trees (24 to 48-inch box) on each lot. The intent being to adequately screen the homes from More Mesa. **Plan Requirement:** Materials shall be denoted on plans receiving BAR "final approval" and on building plans. **Timing:** Structures shall be painted prior to occupancy clearance.

Condition 32, Departmental Compliance Letters, EHS letter is added:

g. Environmental Health Services dated July 6, 2005.

REVISIONS TO THE CONDITIONS OF APPROVAL, 04CDP-00000-00087

Condition No. 2, language is added:

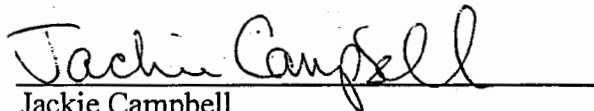
2. Natural building materials and colors compatible with surrounding terrain (darker earthtones and non-reflective paints), subject to BAR review and approval, shall be used on exterior surfaces of all structures. The BAR shall review treatment of the concrete swales (if concrete is needed) allowing them to look as natural as possible. The landscape plan shall include a minimum of two to three large size screen trees (24 to 48-inch box) on each lot. The intent being to adequately screen the homes from More Mesa. **Plan Requirement:** Materials shall be denoted on plans receiving BAR "final approval" and on building plans. **Timing:** Structures shall be painted prior to occupancy clearance.

Condition 32, Departmental Compliance Letters, EHS letter is added:

g. Environmental Health Services dated July 6, 2005.

The attached findings and conditions reflect the Board of Supervisors' action of February 15, 2005.

Sincerely,



Jackie Campbell
Deputy Director, Development Review
FOR VAL ALEXEEFF, DIRECTOR

cc: Case File: 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087,
04APL-00000-00030
Planning Commission File
Records Management
Shana Gray, California Coastal Commission, 89 S. California St., Suite 200, Ventura, CA 93001 ✓
Owner: Jack Maxwell, 1253 Coast Village Road, Santa Barbara, CA 93108
Architect: Pacific Architect, 1117 Coast Village Road, Montecito, CA 93108
Engineer: DTR Engineering, Inc. 868 E. Santa Clara Street, Ventura, CA 93001
Address File: 4865 Vieja Drive, Santa Barbara, CA 93110
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Park Department
Public Works
Environmental Health Services
APCD
David Allen, Deputy County Counsel
Alice Daly, Planner

Board of Supervisors Hearing of February 15, 2005
Olsen Appeal of the Hacienda Vieja Lot Line Adjustment,
Tentative Vesting Tract Map, Development Plan and Coastal Development Permit, 04APL-00000-00030
Page 4

- Attachments:**
- Board of Supervisors' Minute Order dated February 15, 2005**
 - Attachment A - Findings**
 - Attachment C - Conditions of Approval, 02LLA-00000-00002**
 - Attachment D - Conditions of Approval, 02TRM-00000-00002**
 - Attachment E - Conditions of Approval, 02DVP-00000-00002**
 - Attachment F - Conditions of Approval, 04CDP-00000-00087**

JC:cnm

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**County of Santa Barbara
BOARD OF SUPERVISORS**

Minute Order

February 15, 2005

Present: Supervisor Carbajal, Supervisor Rose, Supervisor Firestone, Supervisor
Gray and Supervisor Centeno

PLANNING AND DEVELOPMENT

File Reference No. 05-00011

RE: HEARING - Consider recommendations regarding the Olsen Appeal of the Planning Commission Approval of the Hacienda Vieja Lot Line Adjustment, Tentative Vesting Tract Map, Development Plan and Coastal Development Permit under case numbers 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, [Appeal Case No. 04APL-00000-00030] located at 4865 Vieja Drive, Goleta Community Plan area, Second District, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Adopt the required findings for the project specified in the Planning Commission Action Letter dated October 22, 2004;

b) Deny the appeal, upholding the decision of the Planning Commission to approve 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, subject to the conditions set forth in the Action Letter dated October 22, 2004.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on as follows:

February 15, 2005

Present: Supervisor Carbajal, Supervisor Rose, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Received and filed staff report and conducted public hearing.

A motion was made by Supervisor Rose, seconded by Supervisor Carbajal as follows:

Directed the Applicant/Developer to review the possibility of modifying the two story homes into single story homes, and to meet with Second District staff and a representative of the coalition and return to the Board in two to three weeks with a compromise alternative.

The motion failed by the following vote:

Ayes: Supervisor Rose, Supervisor Carbajal
Noes: Supervisor Firestone, Supervisor Gray, and Supervisor Centeno

A motion was made by Supervisor Centeno, seconded by Supervisor Gray as follows:

a) Adopted the required findings.

b) Denied the appeal, upholding the decision of the Planning Commission and approved 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, subject to the conditions set forth in the Action Letter dated October 22, 2004 and added additional language to condition #2 of the map (02TRM-00000-00002), Development Plan (02DVP-00000-00002) and CDP (04CDP-00000-00087) as follows: "The Landscape Plan shall include a minimum of two to three large size screen trees (24 to 48-inch box) on each lot. The intent being to adequately screen the homes from More Mesa."

The motion carried by the following vote:

Ayes: Supervisor Carbajal, Supervisor Firestone, Supervisor Gray and Supervisor Centeno
Noes: Supervisor Rose

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

- 1.1 The Board of Supervisors has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the Board of Supervisors and has been completed in compliance with CEQA, and is adequate for this proposal.
- 1.2 The Board of Supervisors finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated. The Board of Supervisors also finds that the project is subject to the provisions of PRC 21083.3, as impacts have previously been addressed in the Goleta Community Plan EIR (91-EIR-13) and can be substantially mitigated. Although there is no evidence of silvery legless lizards or pallid bats on the project site, recommended mitigation measures addressing possible impacts to these species of concern have been incorporated into the project conditions of approval.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board at 123 E. Anapamu Street, Santa Barbara, CA 93101.
- 1.4 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.

2.0 ADMINISTRATIVE FINDINGS

2.1 Lot Line Adjustment Findings

Pursuant to Article IV, Section 35-465, and Chapter 21, Section 21-93, a Lot Line Adjustment shall only be approved provided the following findings are made:

2.1.1 The Lot Line Adjustment is in conformity with the Coastal Land Use Plan and purposes and policies of Chapter 35 of this code, the Zoning Ordinance of the County of Santa Barbara.

The lot line adjustment is in conformity with the Coastal Land Use Plan, including the Goleta Community Plan, and as conditioned with the purposes and all applicable policies of the Article II Zoning Ordinance. Therefore, this finding can be made.

2.1.2 No parcel involved in the Lot Line Adjustment that conforms to the minimum parcel size of the zone district in which it is located shall become nonconforming as to parcel size as a result of the Lot Line Adjustment.

Approval of the proposed Lot Line Adjustment would not result in any parcel that would be nonconforming as to parcel size as required by the DR-2 zone district, therefore, this finding can be made.

2.1.3 *The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.*

There are no existing zoning violations on the subject property and the proposed lot line adjustment would not result in any new violations. Therefore, this finding can be made.

2.1.4 *The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid.*

The proposed Lot Line Adjustment has been conditioned to require compliance with all laws, rules, and regulations pertaining to zoning uses, setbacks, and other applicable provisions of Article II. There are no existing zoning violations on the subject property and the proposed lot line adjustment would not result in any new violations. Therefore, this finding can be made.

2.1.5 *Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.*

No relocation of existing easements will be necessary for this lot line adjustment. Conditions have been imposed upon the project that will facilitate the potential future development of a public trail on the project site by the granting of a public trail easement to County Parks, and to facilitate the completion of the annexation process of the Goleta Sanitary District sewer line that has already been installed in the sewer easement in the project site. Therefore, this finding can be made.

B. *A Lot Line Adjustment proposed on agricultural zoned parcels which are under Agricultural Preserve Contract pursuant to the County Agricultural Preserve Program Uniform Rules shall only be approved provided the following findings are made.*

The property is not located on agriculturally zoned land and therefore this finding does not apply.

2.2 Tentative Tract Map Findings

Pursuant to the Subdivision Map Act and Chapter 21 of the County Code, a Tentative Tract Map is required for all proposed subdivisions of five or more lots in any zone district. The following Subdivision Map Act Findings support approval of 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.*

There is ample southern and western exposure as well as ample area for planting to allow for passive heating or cooling systems to be provided on site for all future as well as existing residential development. Solar array panels or photo voltaic cells may be feasible subject to obtaining the necessary permits.

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.

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

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

As discussed in Section 6.3 of this Staff Report dated June 25, 2004 and incorporated herein by reference and as discussed in proposed Final Negative Declaration 04NGD-00000-00011 included as Attachment B of this Staff Report and incorporated herein by reference, the proposed tentative tract map is consistent with all applicable Coastal Land Use Plan and Goleta Community Plan policies including those related to services, water resources, earth movement, biological resources, aesthetic resources, noise, solid waste, air quality and cultural resources.

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

The design and improvements set forth in 02TRM-00000-00002 (TM 14,595), and as conditioned, are consistent with the Coastal Land Use Plan and Goleta Community Plan with respect to lot width, depth and size as well as provision of access and availability of services. The site design is consistent with the purpose and intent of the Design Residential (DR) zone district in that it allows for maximization of open space within new residential development.

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

The project site is physically suited to accommodate the proposed subdivision which would include four residential lots and one common open space lot supporting a shared landscaped recreational area. The proposed residential development can be accommodated on the project site while avoiding or mitigating all potentially significant environmental impacts and conforming to applicable zoning and policy requirements with only minor modifications. The proposed four new homes on 2.38 acres are in conformance with DR-2 maximum density requirements of 2 dwelling units per acre. While the parcel borders More Mesa, all structural development would be situated a minimum of 220 feet from the edge of More Mesa, and the proposed development would be lower on the landscape and less visually prominent than much residential development in the vicinity.

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

The project as proposed and as conditioned provides adequate protection of significant natural resources on the adjacent More Mesa property while at the same time allowing ample area for development and screening of new residences commensurate in size with existing residential development in the vicinity. The physical characteristic of the site allow for adequate and well-placed driveway access to each lot and an adequate drainage plan. As conditioned, surface runoff would be controlled to County standards, including those associated with the mandates of Project Clean Water. Thus, the site is physically suited for the proposed density of development.

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

The proposed Final Negative Declaration 04NGD-00000-00011 prepared in association with the project and included as Attachment B of this Staff Report determined that, through feasible conditions placed upon the project, all potentially significant impacts on the environment have been mitigated to a less than significant level. The wetland and buffer area on the project site is currently in a degraded state and is in use as a horse corral. Proposed restoration and revegetation of this area would greatly enhance its habitat value and eradicate the debris and invasive non-native vegetation that are the current habitat characteristics. Thus, the design of the tract map and its proposed improvements would neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

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

The proposed project, as conditioned, ensures that future residential development would be served by the GSD. Additionally, water for domestic purposes would be supplied by the Goleta Water District. Finally, as conditioned, storm water drainage facilities serving the lots would include best available control technologies to remove pollutants (such as brake fluid, oil, etc.) from site runoff thereby protecting water quality in both groundwater and the Pacific Ocean. Thus, the design of the subdivision including improvements will not cause serious public health problems.

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.

No current public access exists through the subject property. A 15-foot wide easement along the western border of the project site will be dedicated to the County Parks Department for possible future development as a trail access linking to existing trails within More Mesa. Therefore, there would be no conflict with access through or use by the public of the subject property.

2.2.4 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.

As conditioned, future development of the proposed project will be served by the GSD: receipt of can and will serve letters from the District would be a prerequisite of said service. Since District operation is consistent with the requirements of the Regional Water Quality Control Board, issuance of can and will serve letters by the District would substantiate that discharge of waste into the existing public sewer system would not result in the violation of existing requirements prescribed by the California Regional Water Quality Control Board.

3.0 Development Plan Findings

Pursuant to Section 35-174.7.1, a Development Plan shall only be approved if all of the following findings are made:

3.1 02DVP-00000-00002

3.1.1 *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.*

The 2.38 acre project site is adequate in size, shape, location and physical characteristics to accommodate the proposed four unit residential project. The site was determined to be an appropriate location for DR-2 zoning which allows for a density of two units per acre for a maximum total of four units on site. The proposed project does not represent full buildout under current zoning. Additionally, the design of the tract map provides for continuous common open space throughout the site with adequate access from both prospective units and protection of offsite sensitive biological resources.

3.1.2 *That adverse impacts are mitigated to the maximum extent feasible.*

With inclusion of all of the mitigation measures enumerated in proposed Final Negative Declaration 04NGD-00000-00011, including the recommended mitigation measures as conditions of approval for the proposed project, adverse impacts associated with the project have been mitigated to the maximum extent feasible. The Board of Supervisors adopted Statements of Overriding Consideration for significant impacts associated with buildout under the Goleta Community Plan which could not be reduced to less than significant levels through incorporation of mitigation measures identified in the Community Plan Program Environmental Impact Report.

3.1.3 *That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.*

The street system surrounding the project site is adequate to accommodate the additional average daily trips and peak hour trips that would be generated by the proposed development. As discussed in Section 4.15 of the Proposed Final Mitigated ND (04-NGD-00000-00011), the addition of project-generated traffic to area roadways would not trigger adopted thresholds for a significant traffic impact.

3.1.4 *That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.*

As discussed in Section 6.2 of the staff report dated June 25, 2004 and incorporated herein by reference, adequate public services exist to serve the proposed development. The property will be provided service through the Goleta Water District.

The project site lies within the service area boundary of the Goleta Sanitary District and sewer line infrastructure has already been constructed and installed at the project site. Following annexation of the project parcels to the Goleta Sanitary District as required by the project conditions of approval (TRM and DP Condition # 23), the proposed development would receive sewer service from the District.

The project site is located within the five-minute response zone for Santa Barbara Fire Protection District Station 13 and, as conditioned, the proposed new private access road would provide adequate emergency access to the site. Existing police protection services in the Goleta area would be adequate to serve the proposed project.

3.1.5 *That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.*

The proposed project would not be detrimental to the health, safety, comfort, convenience, and general welfare of the surrounding neighborhood. The project site was determined to be an appropriate location for residential development, specifically Design Residential development, during the Goleta Community Plan Update. All of the existing surrounding residential land uses and biological resources were present at the time this determination was made. The proposed project would allow a total of four residential units on the project site. Residential uses on the site would be compatible with surrounding residential land uses. Traffic generated by the proposed project would not significantly affect roadways used by residents of the surrounding area. The proposed residential development does not have the potential to generate factors such as smoke, odors or noise, which would be incompatible with the surrounding area or could affect the comfort and convenience of residents in the surrounding area.

3.1.6 *That the project is in conformance with the applicable provisions of Article II and the Coastal Land Use Plan.*

The proposed development plan conforms to all requirements of the site's Article II, Design Residential zoning as discussed in Section 6.3 of the staff report dated June 25, 2004, and incorporated herein by reference. The proposed development plan would also be consistent with all applicable requirements of the Coastal Land Use Plan and the Goleta Community Plan as discussed in Sections 6.2 and 6.3 (Policy and Ordinance Consistency) of the staff report and incorporated herein by reference.

3.1.7 *That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.*

The project site is not located in a rural area.

3.1.8 *That the project will not conflict with any easements required for public access through, or public use of a portion of the property.*

No current public access exists through the subject property. A 15-foot wide easement along the western border of the project site will be dedicated to the County Parks Department for possible future development as a trail access linking to existing trails within More Mesa. Therefore there would be no conflict with access through or use by the public of the subject property.

**ATTACHMENT C
CONDITIONS OF APPROVAL**

02LLA-00000-00002

PROJECT DESCRIPTION

1. This Lot Line Adjustment is based upon and limited to compliance with the project description, Planning Commission Hearing Exhibits A-H dated September 24, 2004, 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.

The project description is as follows:

The project site consists of two legal parcels. Parcel 1 is 1.16 acres (APN 065-240-019), and Parcel 2 is 2.33 acres (APN 065-240-020). The Lot Line Adjustment (02LLA-00000-00002) would adjust the boundaries between the two parcels so that Parcel 1 would increase in size to 2.38 acres and Parcel 2 would decrease in size to 1.11 acres. As described in Vesting Tentative Tract Map request 02TRM-00000-00002, Parcel 1 would then be subdivided into four residential lots and one open space lot. Parcel 2 would not be part of Vesting Tentative Tract Map 02TRM-00000-00002 or Development Plan 02DVP-00000-00002. The recordation of Lot Line Adjustment 02LLA-00000-00002 shall occur concurrent with or prior to the recordation of Vesting Tentative Tract Map 02TRM-00000-00002 and prior to issuance of permits for development, including grading, under 02DVP-00000-00002.

PROJECT SPECIFIC CONDITIONS

2. Compliance with Departmental letters required as follows:
 - a. Air Pollution Control District dated January 29, 2002.
 - b. County Fire Department dated June 23, 2004.
 - c. Flood Control dated June 10, 2004.
 - d. Road Division (Public Works) dated June 10, 2004.
 - e. County Parks Department dated June 9, 2004.
 - f. County Surveyor dated June 16, 2004.
 - g. Environmental Health Services dated July 6, 2004.
3. The applicant shall execute a legal covenant acceptable in form and content to County Counsel stating:
 - a. A prohibition on future division of Parcel 2 (APN 065-240-020).
 - b. A prohibition on second story elements (a single-story residence only).
 - c. A maximum square footage of 4,000, excluding the garage.

The approved covenant shall be recorded prior to/concurrent with the Lot Line Adjustment/Map.

4. Future structural or landscape development proposed on remainder Parcel 2 (APN 065-240-020) shall require noticed review and approval by the County Board of Architectural Review. Natural building materials and colors compatible with surrounding terrain

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(darker earthtones and non-reflective paint), subject to BAR review and approval, shall be used on exterior surfaces of all structures. Any new exterior night lighting installed on the project site shall be of low intensity, low height and low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spillover onto adjacent parcels. P&D and BAR shall review a Lighting Plan for compliance on this measure.

5. The following language shall be included on the deeds arising from the lot line adjustment:

This deed arises from the lot line adjustment 02LLA-00000-00002 and defines a single parcel within the meaning of California Civil Code Section 1093.

Any document used to record the lot line adjustment shall include a statement that the document arises from a lot line adjustment that is intended to identify 2 legal parcels.

6. The recordation of Lot Line Adjustment 02LLA-00000-00002 shall occur concurrent with or prior to the recordation of Vesting Tentative Tract Map 02TRM-00000-00002 and prior to issuance of permits for development, including grading, under 02DVP-00000-00002 unless the applicant obtains approval from the Board of Supervisors to grade prior to recordation.
7. A notice of the Lot Line Adjustment shall be recorded with the deed of each property to be adjusted. Said notice shall include the following:
1. Legal description for each adjusted parcel; and
 2. Statement of the findings and conditions approving the Lot Line Adjustment
8. Three copies of the map to finalize Lot Line Adjustment 02LLA-00000-00002 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 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.
9. Prior to filing of a Record of Survey or other document used to record the Lot Line Adjustment and subject to P&D approval as to form and content, the applicant shall include all of the project conditions associated with or required by this project approval on a separate informational sheet to be recorded with the deed for the newly configured lots.
10. The lot line adjustment, 02LLA-00000-00002, shall expire three years after approval or conditional approval by the final decisionmaker unless otherwise provided in the Subdivision Map Act, Government Code §66452.6.
11. Prior to Recordation, the applicant shall pay all applicable P&D permit processing fees in full.
12. 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 Lot Line Adjustment. 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.

13. 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.

**ATTACHMENT D
CONDITIONS OF APPROVAL**

**02TRM-00000-00002
(TM 14,595)**

PROJECT DESCRIPTION

1. This Tentative Tract Map is based upon and limited to compliance with the project description, Planning Commission Hearing Exhibits A-H dated September 24, 2004 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.

The project description is as follows:

The proposed Vesting Tentative Tract Map 02TRM-00000-00002 would subdivide Parcel 1, APN 065-240-019, as reconfigured by Lot Line Adjustment 02LLA-00000-00002 into five lots, including four residential lots intended for private ownership and one lot owned in common by all prospective property owners. The common lot would include two landscaped drainage swales leading to a wetland area and open space. The proposed residential lots would range in size from 13,781 square feet to 18,894 square feet. The common lot would measure 0.96 acres. All future development shall be consistent with approved Lot Line Adjustment 02LLA-00000-00002 and Development Plan 02DVP-00000-00002.

A 28-foot wide gated private access road off Vieja Drive would provide access to the project site, with access easements for this drive across all four new residential lots. The sewer line that has been installed beneath the proposed private access road for connection to the proposed residential development on the project site shall be annexed into the Goleta Sanitary District. Guest parking would be allowed along one side of the proposed private access road. Dedication to the County Parks Department of a 15-foot wide trail easement is proposed along the westerly property line.

MITIGATION MEASURES FROM 04NGD-00000-00011

2. Natural building materials and colors compatible with surrounding terrain (darker earthtones and non-reflective paints), subject to BAR review and approval, shall be used on exterior surfaces of all structures. The BAR shall review treatment of the concrete swales (if concrete is needed) allowing them to look as natural as possible. The landscape plan shall include a minimum of two to three large size screen trees (24 to 48-inch box) on each lot. The intent being to adequately screen the homes from More Mesa. **Plan Requirement:** Materials shall be denoted on plans receiving BAR "final approval" and on building plans. **Timing:** Structures shall be painted prior to occupancy clearance.

Monitoring: P&D shall inspect prior to occupancy clearance.

3. Any new exterior night lighting installed on the project site shall be of low intensity, low height and low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Applicant shall develop a Lighting Plan incorporating these requirements. **Plan Requirements & 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 P&D and the BAR prior to approval of a Coastal Development Permit for structures.

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Monitoring: P&D and BAR shall review a Lighting Plan for compliance with this measure. 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.

4. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Waste shall be picked up weekly or more frequently as directed by Permit Compliance staff. **Plan Requirements and Timing:** Prior to Coastal Development Permit approval, 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.

5. 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.

Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction periods.

Monitoring: P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on site. APCD inspectors shall respond to nuisance complaints.

6. 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:
 - a. seeding and watering to revegetate graded areas; and/or
 - b. spreading of soil binders; and/or

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- c. any other methods deemed appropriate by the Air Pollution Control District and/or Planning and Development.

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. **Plan Requirements:** These requirements shall be noted on all grading plans. **Timing:** The final grading plan shall be submitted for review prior to Coastal Development Permit approval.

Monitoring: Permit Compliance staff and Grading Inspector shall perform periodic site inspections.

- 7 Best available erosion and sediment control measures shall be implemented during grading and construction. Best available erosion and sediment control measures may include but are not limited to use of sediment basins, gravel bags, silt fences, geo-bags or gravel and geotextile fabric berms, erosion control blankets, fiber rolls, jute net, and straw bales. Storm drain inlets shall be protected from sediment-laden waters by use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps. Sediment control measures shall be maintained for the duration of the grading period and until graded areas have been stabilized by structures, long-term erosion control measures or landscaping. Construction entrances and exits shall be stabilized using gravel beds, rumble plates, or other measures to prevent sediment from being tracked onto adjacent roadways. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. **Plan Requirements:** An erosion and sediment control plan shall be submitted to and approved by P&D and Flood Control prior to approval of Coastal Development Permits. The plan shall be designed to address erosion and sediment control during all phases of development of the site. **Timing:** The plan shall be implemented prior to the commencement of grading/construction.

Monitoring: P&D staff shall perform site inspections throughout the construction phase.

8. An open space easement reviewed and approved by P&D and County Counsel for the Hacienda Vieja (four lot) site wetland and 100-foot buffer area shall be dedicated to Santa Barbara County and/or may also be dedicated to an applicable non-profit entity and shall remain in open space and be insured as such by conditions of approval. Split rail fencing, no greater than 4 feet in height, or other P&D-approved permanent marker shall be used to delineate the open space easement area. Appropriate signage (acceptable to the holder of easement, such as "Protected Open Space Easement") shall be required to help prevent development not in compliance with the approved wetlands restoration / revegetation plan. The CDP for physical development shall not be issued until the easement is recorded on the property title and fencing and signage is installed. **Plan Requirements and Timing:** Prior to recordation, an agreement to dedicate shall be submitted for review and approval by P&D and County Counsel. The easement shall be recorded concurrently with recordation of the tentative map. Fencing and signage shall be installed prior to the first occupancy clearance.

MONITORING: Upon approval, provisions of the easement shall be monitored every two years through site inspections and/or photo documentation by P&D staff.

9. A qualified biologist should thoroughly rake the sandy loam soils found in the northwestern corner of the subject parcel. This work should be conducted when silvery legless lizards, if present, are most likely to be active near the surface (December-March). The biologist should also be present when this portion of the subject parcel is graded during site preparation. Any silvery legless lizards found should be relocated to similarly-textured soils along the margin of the subject parcel.

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10. A qualified biologist should thoroughly inspect the abandoned outbuildings on the project site for bats prior to demolition. Any bats found should be displaced by hand and the buildings demolished as soon as possible after displacement.
11. During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs. **Plan Requirements:** The applicant shall designate a washout area, acceptable to P&D, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to approval of Coastal Development Permits. The washout area(s) shall be in place and maintained throughout construction.

Monitoring: P&D staff shall check plans prior to approval of Coastal Development Permits and compliance staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area(s).

12. The applicant shall implement a wetlands restoration/ revegetation plan. The plan shall include, but not be limited to the following measures:
 - a. Removal of the existing corral fencing, horse stable/ shed structure, and horse(s) from the wetlands and buffer area.
 - b. The 100-foot wetlands buffer area shall be fenced during construction with chain-link fence prior to beginning construction or grading. A permanent exclusionary split rail or equivalent permanent fencing shall be erected around the 100-foot wetlands buffer at the conclusion of construction. In order to not impede the movement of wildlife through the area, the minimum distance from ground level to any fence's first rung shall be 18 inches.
 - c. Non-native species, with the exception of the eucalyptus trees, shall be removed from the wetlands.
 - d. Removal of native species in the wetlands area shall be prohibited.
 - e. Landscaping shall be with native wetlands species. Species shall be from locally obtained plants and seed stock.

Plan Requirements/Timing: Prior to approval of Coastal Development Permits for landscaping and structures, the applicant shall submit four copies of a final wetlands restoration/ revegetation plan to P&D and to Flood Control for review and approval. The applicant shall show this condition and the permanent exclusionary fencing on all plans.

Monitoring: Following installation of landscaping, the landscape architect or arborist shall verify to P&D, in writing, the primary use of native seed stock for new plantings throughout the site.

13. Except for the above County-approved wetlands restoration/ revegetation plan which will include two lightly-contoured bioswales, there shall be no development and no tree removal, except for dead trees and non-native species as specifically approved by P&D that are verified by a P&D-approved biologist to not be currently supporting nesting raptors, within the 100-foot wetlands area buffer (see Attachment F: Site Plan). There shall be no removal of any live trees

that may serve to screen the proposed development from More Mesa. **Plan Requirements:** The applicant shall show this condition on all plans.

Monitoring: P&D staff shall perform site inspections upon completion of construction.

14. Between December 15 and September 15, the developer shall pay for a P&D approved biologist to inspect the project site and any areas within 500 feet of proposed construction activity for raptor nesting activity once a week during construction. The biologist shall also conduct a pre-construction raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If raptors are determined to be nesting on the project site or in any areas within 500 feet of proposed construction activity, no construction, grading or heavy equipment operation shall take place within 500 feet of the raptor nest, except for certain construction activities that may be allowed on a case-by-case basis as reviewed and approved by P&D. Other than those activities that are allowed by P&D, no construction activities shall take place within a 500-foot radius of any raptor nests until it can be verified that all fledglings have left the nest. **Plan Requirements/ Timing:** This condition shall be printed on all construction, grading, and building plans.

Monitoring: P&D staff shall perform site inspections throughout the construction phase and receive the weekly reports of the P&D approved biologist.

15. Except for proposed lawn areas (which shall be planted in drought tolerant species only), new plants installed on the project site shall primarily include native plant materials, in logical associations and shall specify native specimen plants and seed stock from locally obtained sources, i.e., from coastal slopes between Carpinteria Bluffs and Ellwood Mesa. An irrigation plan shall accompany the landscape plan. **Plan Requirements/Timing:** Prior to approval of Coastal Development Permits and Grading Permits for landscaping and structures, the applicant/owner shall enter into an agreement with the County to install required landscaping and water-conserving irrigation systems and maintain required landscaping for the life of the project. The applicant shall also submit four copies of a final landscape and water-conserving irrigation plan to P&D for review and approval. Prior to occupancy clearance, landscape and irrigation shall be installed.

Monitoring: Following installation of landscaping, the landscape architect or arborist shall verify to P&D, in writing, the primary use of native seed stock for new plantings throughout the site. Permit Compliance staff shall verify installation of landscaping prior to occupancy clearance.

16. Herbicides shall not be used during the site preparation phase of the wetland and wetland buffer restoration/ revegetation plan implementation. Spot application by hand-held spray bottle of a glyphosate herbicide designed for use in wetland areas may be used during the wetland restoration plan maintenance period to treat stubborn weeds. **Plan Requirements:** The applicant shall show this condition on all plans.

Monitoring: P&D Compliance Monitoring staff shall perform spot checks during the restoration plan maintenance period.

17. In the event 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 County Archaeological

Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans.

Monitoring: P&D shall check plans prior to approval of a Coastal Development Permit and shall spot check in the field.

18. Access shall be constructed to Fire Department standards and project conditions, including adequate width, compaction, surfacing, and appropriate grade. **Plan Requirements and Timing:** Plans shall be reviewed and approved by P&D and the Fire Department prior to map recordation and/ or approval of a Coastal Development Permit for the proposed residences, whichever occurs first.

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

19. 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 the Fire Department and P&D prior to approval of the Coastal Development Permit for structures.

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

20. 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 a Coastal Development Permit for utility connection to future development on each parcel.

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

21. The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety 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. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within four weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within four weeks of grading completion.

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Monitoring: P&D shall site inspect during grading to monitor dust generation and four weeks after grading to verify reseeding and to verify the construction has commenced in areas graded for placement of structures.

22. Positive drainage shall be provided away from all structures and away from all manufactured slopes, and the top 18-36 inches of soil be recompacted to a minimum of 90-95% relative compaction for foundation and roadway areas on the site. **Plan Requirements:** This requirement shall be noted on all grading and building plans.

Monitoring: P&D shall site inspect during grading to monitor drainage, slope formation and soil compaction practices.

23. The existing septic system serving 4865 Vieja Drive shall be abandoned under permitted inspection by Environmental Health Service concurrent with connection to the Goleta Sanitary District (GSD) of all residential development proposed in association with the Hacienda Vieja project and the completion of annexation of the project parcels into the GSD. **Plan Requirements and Timing:** Prior to issuance of a Coastal Development Permit, the applicant shall complete annexation to the GSD. Prior to issuance of any occupancy permits for residences on the Hacienda Vieja site, the applicant shall submit proof to EHS staff of connection of all development on site to the District mainline.

Monitoring: EHS shall receive written notification from the GSD that the existing single family dwelling and the four new residences have all been connected to the sanitary system and that it has been installed according to plans.

24. 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 (e.g. 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:** Two 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 grading and construction activities. Violations may result in suspension of permits.

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

25. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to P&D's satisfaction and shall be located as far as possible from occupied residences. **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. With the incorporation of the mitigation measure above, residual noise impacts would be less than significant.

26. A recorded Notice to Property Owner (NTPO) document is necessary to ensure that prospective property owners are aware that overflights by airplanes using the SBMA will continue for the foreseeable future. There shall also be a notification of aircraft overflights and associated noise levels included within the project CC&Rs (Codes, Covenants, and Restrictions) for the proposed development. **Plan Requirements & Timing:** The property owner shall sign, record and cross reference the document prior to approval of a Coastal Development Permit.

Monitoring: P&D shall confirm recordation of the NTPO, and the notification language in the project CC&Rs.

27. The applicant shall dedicate a 15-foot wide trail easement along the western border of the subject property to the County in perpetuity. No fencing or new landscaping other than ground cover shall encumber this 15-foot wide easement. Upon development of the future trail, the perimeter of the wetlands area east of the trail easement shall be permanently fenced so that pedestrian access is denied to the wetlands. **Plan Requirements:** The easement document and landscape plan shall be reviewed and approved by P&D, County Counsel, and the Park Department prior to recordation of the Tentative Tract Map and/ or prior to approval of the Coastal Development Permit for the proposed development, whichever occurs first.

28. A construction staging area shall be established on the project site outside of the wetland buffer area and graphically depicted on all project site plans. All construction equipment and construction employee vehicles shall be stored and parked in this area. **Plan Requirements and Timing:** Prior to approval of Coastal Development Permits, all project plans shall graphically indicate the location of the construction staging area.

Monitoring: P&D Compliance staff shall spot check in the field and shall respond to complaints.

29. Drainage shall be consistent with approved drainage plans and shall employ Best Available Control Technologies. **Plan Requirements:** Prior to approval of Coastal Development Permits, a final drainage plan shall be submitted to P&D, Flood Control and Project Clean Water staff for review and approval. **Timing:** The components of the drainage plan shall be implemented prior to occupancy clearance.

Monitoring: P&D shall site inspect during grading.

30. Storm drain inlets within the project site shall be covered/blocked when applying seal coat, tack coat, slurry seal, fog seal, etc. **Plan Requirements and Timing:** All grading and drainage and site plans shall include the language of this requirement.

Monitoring: P&D Compliance and Building Inspectors shall ensure that the construction contractor adheres to this requirement.

31. The applicant shall secure Can and Will Serve letters from the Goleta Water District. **Plan Requirements and Timing:** Prior to approval of a Coastal Development Permit, the applicant shall provide P&D with the Can And Will letters indicating adequate service for each parcel.

Monitoring: P&D shall ensure Can And Will Serve letters have been secured.

PROJECT SPECIFIC CONDITIONS

32. Compliance with Departmental letters required as follows:
- a. Air Pollution Control District dated January 29, 2002.
 - b. County Fire Department dated June 23, 2004.
 - c. Flood Control dated June 10, 2004
 - d. Road Division (Public Works) dated June 10, 2004
 - e. County Parks Department dated June 9, 2004.
 - f. County Surveyor dated June 16, 2004.
 - g. Environmental Health Services dated July 6, 2005.

33. Title to the common open space 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.
34. Prior to recordation, the applicant shall record CC&Rs which require shared responsibility of site improvements by all owners. The owners shall share maintenance responsibilities for the drainage facilities, landscaping, revegetation, fencing and access, subject to approvals from Flood Control, P&D and County Counsel. The CC&R's shall also include by reference responsibilities for all owners to maintain property in compliance with all conditions of approval for the project. Any amendments to the County required conditions shall be reviewed and approved by the County; this requirement shall also be included in the CC&Rs.
35. The recordation of TPM 14,595 shall occur prior to issuance of permits for development, including grading, under 02DVP-00000-00002 unless the applicant obtains approval from the Board of Supervisors to grade prior to recordation.

TENTATIVE TRACT MAP CONDITIONS

36. Prior to recordation of the 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 Coastal Development Permits are obtained prior to recordation, Tentative Tract Map conditions will not apply retroactively to the previously issued Coastal Development Permit. For any subsequent development on any parcels created by the project, each set of plans accompanying a Coastal Development Permit shall contain these conditions.
37. 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 map.
38. Three copies of the map to finalize the final 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.
39. 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 parcel map accompanied by a letter from each utility and water and sewer district serving the property stating that the easements shown thereon are acceptable.
40. The Tentative Tract Map shall expire three years after approval or conditional approval by the final decisionmaker unless otherwise provided in the Subdivision Map Act, Government Code §66452.6.
41. 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:

- a. 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.
 - b. 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.
 - c. Pay fees prior to approval of Coastal Development Permit 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.
42. Prior to Recordation, the applicant shall pay all applicable P&D permit processing fees in full.
 43. 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 Tentative Tract Map. 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.
 44. 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.
 45. A recorded Notice to Property Owner (NTPO) document shall be executed to ensure that prospective property owners have information about the biology of the wetland and buffer area on the project site and responsible management of household chemicals. This information shall also be included within the project CC&Rs (Codes, Covenants, and Restrictions) for the proposed development. **Plan Requirements & Timing:** The property owner shall sign, record and cross reference the NTPO document prior to approval of a Coastal Development Permit.

**ATTACHMENT E
DEVELOPMENT PLAN CONDITIONS OF APPROVAL**

02DVP-00000-00002

PROJECT DESCRIPTION

1. This Final Development Plan is based upon and limited to compliance with the project description, Planning Commission Hearing Exhibits A-H dated September 24, 2004, 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.

The project description is as follows:

The proposed project is the construction of two two-story and two one-story detached single-family dwellings with smooth stucco exteriors and red tile roofs, after final recordation of Lot Line Adjustment 02LLA-00000-00002 and Vesting Tentative Tract Map 02TRM-00000-00002.

The residences on Lots 1 and 3 of Parcel 1 (APN 065-240-019) would each total 3,200 square feet of habitable space, with an attached 400 square foot two-car garage and would each include three bedrooms, a den, four bathrooms, a kitchen with dining nook, a dining room, and a living room.

The residence on Lot 2 of Parcel 1 would total 3,386 square feet of habitable space, with an attached 480 square foot 2-car garage. Lot 2 would have four bedrooms, four and one-half baths, a kitchen, a dining room, a living room and a library. The residence on lot 4 would total 3,190 square feet of habitable space, with an attached 470 square foot garage, and would have three and one-half bathrooms, kitchen, living room, dining room and family room. (Approval of modifications to DR zone specifications for front setbacks and parking setbacks (as detailed in Section 6.3.2 of the staff report dated June 25, 2004) are required as part of the proposed Development Plan.)

The height of all of the proposed dwellings would be under 35 feet (approximately 15 feet average height for Lot 1, 16 feet for Lot 3, and 21 feet for Lots 2 and 4). Each new residence would have an automatic fire sprinkler system and provide two additional off-street parking spaces. Each lot would include private, fenced side and rear yards. Fencing would measure a maximum of six feet high and would be constructed of wood screen or ornamental iron. Black vinyl chain link or wood screen fencing would be placed along the project perimeter.

Approval of modifications to DR zone specifications for front setbacks and parking setbacks are required as part of the proposed Development Plan, as revised in P&D memo to the Planning Commission dated September 24, 2004.

Existing storage sheds, corrals, and a small horse stable on the parcel would be removed during project development. These corrals and structures are located in a degraded wetland and wetland buffer area that is proposed to be restored, enhanced and re-vegetated with native plant species as part of this project.

All proposed units would be offered for sale. The prospective owners of all of the units would participate in a single Homeowner's Association (HOA) and the entire development would be subject to a single set of Covenants, Conditions, and Restrictions (CC&Rs). A portion of the yard area of each private lot would be dedicated to the prospective HOA through a landscape

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easement that would allow for the common design and maintenance of the project's internal streetscape. As the proposed Development Plan is for less than 5 residential units, there are no required affordable housing units as per Comprehensive Plan Housing Policy 1.4.

Approximately 40% of the site would be developed as common open space. The majority of the proposed common open space would be located on the south side of the project site to create a vegetative buffer between More Mesa and site development. This buffer would include a restored wetland area and be planted with native plant species except within the existing eucalyptus tree grove. Project landscaping outside of the common open space area would include native and Mediterranean xeriscape plant materials.

Grading for the project site would include an estimated an estimated 651 cubic yards of cut and 2,912 cubic yards of fill with 2,266 cubic yards imported. The Goleta Water District would provide water service and the Goleta Sanitary District would provide sanitary service after the required annexation to the GSD of the sewer line on the project site as specified by Tract Map (02TRM-00000-00002) and Development Plan conditions.

The project description also incorporates the mitigation measures identified in Negative Declaration 04NGD-00000-00011.

MITIGATION MEASURES FROM 04NGD-00000-00011

2. Natural building materials and colors compatible with surrounding terrain (darker earthtones and non-reflective paints), subject to BAR review and approval, shall be used on exterior surfaces of all structures. The BAR shall review treatment of the concrete swales (if concrete is needed) allowing them to look as natural as possible. The landscape plan shall include a minimum of two to three large size screen trees (24 to 48-inch box) on each lot. The intent being to adequately screen the homes from More Mesa. **Plan Requirement:** Materials shall be denoted on plans receiving BAR "final approval" and on building plans. **Timing:** Structures shall be painted prior to occupancy clearance.

Monitoring: P&D shall inspect prior to occupancy clearance.

3. Any new exterior night lighting installed on the project site shall be of low intensity, low height and low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Applicant shall develop a Lighting Plan incorporating these requirements. **Plan Requirements & 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 P&D and the BAR prior to approval of a Coastal Development Permit for structures.

Monitoring: P&D and BAR shall review a Lighting Plan for compliance with this measure. 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.

4. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Waste shall be picked up weekly or more frequently as directed by Permit Compliance staff. **Plan Requirements and Timing:** Prior to Coastal Development Permit approval, 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.

5. 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.

Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction periods.

Monitoring: P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on site. APCD inspectors shall respond to nuisance complaints.

6. 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:
 - a. seeding and watering to revegetate graded areas; and/or
 - b. spreading of soil binders; and/or
 - c. any other methods deemed appropriate by the Air Pollution Control District and/or Planning and Development.

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. **Plan Requirements:** These requirements shall be noted on all grading plans. **Timing:** The final grading plan shall be submitted for review prior to Coastal Development Permit approval.

Monitoring: Permit Compliance staff and Grading Inspector shall perform periodic site inspections.

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7. Best available erosion and sediment control measures shall be implemented during grading and construction. Best available erosion and sediment control measures may include but are not limited to use of sediment basins, gravel bags, silt fences, geo-bags or gravel and geotextile fabric berms, erosion control blankets, fiber rolls, jute net, and straw bales. Storm drain inlets shall be protected from sediment-laden waters by use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps. Sediment control measures shall be maintained for the duration of the grading period and until graded areas have been stabilized by structures, long-term erosion control measures or landscaping. Construction entrances and exits shall be stabilized using gravel beds, rumble plates, or other measures to prevent sediment from being tracked onto adjacent roadways. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. **Plan Requirements:** An erosion and sediment control plan shall be submitted to and approved by P&D and Flood Control prior to approval of Coastal Development Permits. The plan shall be designed to address erosion and sediment control during all phases of development of the site. **Timing:** The plan shall be implemented prior to the commencement of grading/construction.

Monitoring: P&D staff shall perform site inspections throughout the construction phase.

8. An open space easement reviewed and approved by P&D and County Counsel for the Hacienda Vieja (four lot) site wetland and 100-foot buffer area shall be dedicated to Santa Barbara County and/or may also be dedicated to an applicable non-profit entity and shall remain in open space and be insured as such by conditions of approval. Split rail fencing, no greater than 4 feet in height, or other P&D-approved permanent marker shall be used to delineate the open space easement area. Appropriate signage (acceptable to the holder of easement, such as "Protected Open Space Easement") shall be required to help prevent development not in compliance with the approved wetlands restoration / revegetation plan. The CDP for physical development shall not be issued until the easement is recorded on the property title and fencing and signage is installed. **Plan Requirements and Timing:** Prior to recordation, an agreement to dedicate shall be submitted for review and approval by P&D and County Counsel. The easement shall be recorded concurrently with recordation of the tentative map. Fencing and signage shall be installed prior to the first occupancy clearance.

MONITORING: Upon approval, provisions of the easement shall be monitored every two years through site inspections and/or photo documentation by P&D staff.

9. A qualified biologist should thoroughly rake the sandy loam soils found in the northwestern corner of the subject parcel. This work should be conducted when silvery legless lizards, if present, are most likely to be active near the surface (December-March). The biologist should also be present when this portion of the subject parcel is graded during site preparation. Any silvery legless lizards found should be relocated to similarly-textured soils along the margin of the subject parcel.
10. A qualified biologist should thoroughly inspect the abandoned outbuildings on the project site for bats prior to demolition. Any bats found should be displaced by hand and the buildings demolished as soon as possible after displacement.
11. During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs. **Plan Requirements:** The applicant shall designate a washout area, acceptable to P&D, and this area shall be shown on the construction and/or grading and

building plans. **Timing:** The wash off area shall be designated on all plans prior to approval of Coastal Development Permits. The washout area(s) shall be in place and maintained throughout construction.

Monitoring: P&D staff shall check plans prior to approval of Coastal Development Permits and compliance staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area(s).

12. The applicant shall implement a wetlands restoration/ revegetation plan. The plan shall include, but not be limited to the following measures:
- a. Removal of the existing corral fencing, horse stable/ shed structure, and horse(s) from the wetlands and buffer area.
 - b. The 100-foot wetlands buffer area shall be fenced during construction with chain-link fence prior to beginning construction or grading. A permanent exclusionary split rail or equivalent permanent fencing shall be erected around the 100-foot wetlands buffer at the conclusion of construction. In order to not impede the movement of wildlife through the area, the minimum distance from ground level to any fence's first rung shall be 18 inches.
 - c. Non-native species, with the exception of the eucalyptus trees, shall be removed from the wetlands.
 - d. Removal of native species in the wetlands area shall be prohibited.
 - e. Landscaping shall be with native wetlands species. Species shall be from locally obtained plants and seed stock.

Plan Requirements/Timing: Prior to approval of Coastal Development Permits for landscaping and structures, the applicant shall submit four copies of a final wetlands restoration/ revegetation plan to P&D for review and approval.

Monitoring: Following installation of landscaping, the landscape architect or arborist shall verify to P&D, in writing, the primary use of native seed stock for new plantings throughout the site.

13. Except for the above County-approved wetlands restoration/ revegetation plan which will include two lightly-contoured bioswales, there shall be no development and no tree removal within the 100-foot wetlands area buffer except for dead trees and non-native species as specifically approved by P&D that are verified by a P&D-approved biologist to not be currently supporting nesting raptors, within the 100-foot wetlands area buffer (see Attachment F: Site Plan). There shall be no removal of any live trees that may serve to screen the proposed development from More Mesa. **Plan Requirements:** The applicant shall show this condition and the permanent exclusionary fencing on all plans.

Monitoring: P&D staff shall perform site inspections upon completion of construction.

14. Between December 15 and September 15, the developer shall pay for a P&D approved biologist to inspect the project site and any areas within 500 feet of proposed construction activity for raptor nesting activity once a week during construction. The biologist shall also conduct a pre-construction raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If raptors are determined to be nesting on the project site or in any

areas within 500 feet of proposed construction activity, no construction, grading or heavy equipment operation shall take place within 500 feet of the raptor nest, except for certain construction activities that may be allowed on a case-by-case basis as reviewed and approved by P&D. Other than those activities that are allowed by P&D, no construction activities shall take place within a 500-foot radius of any raptor nests until it can be verified that all fledglings have left the nest. **Plan Requirements/ Timing:** This condition shall be printed on all construction, grading, and building plans.

Monitoring: P&D staff shall perform site inspections throughout the construction phase and receive the weekly reports from the P&D approved biologist.

15. Except for proposed lawn areas (which shall be planted in drought tolerant species only), new plants installed on the project site shall primarily include native plant materials, in logical associations and shall specify native specimen plants and seed stock from locally obtained sources, i.e., from coastal slopes between Carpinteria Bluffs and Ellwood Mesa. An irrigation plan shall accompany the landscape plan. **Plan Requirements/Timing:** Prior to approval of Coastal Development Permits and Grading permits for landscaping and structures, the applicant/owner shall enter into an agreement with the County to install required landscaping and water-conserving irrigation systems and maintain required landscaping for the life of the project. The applicant shall also submit four copies of a final landscape and water-conserving irrigation plan to P&D for review and approval. Prior to occupancy clearance, landscape and irrigation shall be installed.

Monitoring: Following installation of landscaping, the landscape architect or arborist shall verify to P&D, in writing, the primary use of native seed stock for new plantings throughout the site. Permit Compliance staff shall verify installation of landscaping prior to occupancy clearance.

16. Herbicides shall not be used during the site preparation phase of the wetland and wetland buffer restoration/ revegetation plan implementation. Spot application by hand-held spray bottle of a glyphosate herbicide designed for use in wetland areas may be used during the wetland restoration plan maintenance period to treat stubborn weeds. **Plan Requirements:** The applicant shall show this condition on all plans.

Monitoring: P&D Compliance Monitoring staff shall perform spot checks during the restoration plan maintenance period.

17. In the event 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 County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans.

Monitoring: P&D shall check plans prior to approval of a Coastal Development Permit and shall spot check in the field.

18. Access shall be constructed to Fire Department standards and project conditions, including adequate width, compaction, surfacing, and appropriate grade. **Plan Requirements and Timing:** Plans shall be reviewed and approved by P&D and the Fire Department prior to map recordation and/ or approval of a Coastal Development Permit for the proposed residences, whichever occurs first.

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

19. 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 the Fire Department and P&D prior to approval of the Coastal Development Permit for structures.

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

20. 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 a Coastal Development Permit for utility connection to future development on each parcel.

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

21. The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety 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. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within four weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within four weeks of grading completion.

Monitoring: P&D shall site inspect during grading to monitor dust generation and four weeks after grading to verify reseeded and to verify the construction has commenced in areas graded for placement of structures.

22. Positive drainage shall be provided away from all structures and away from all manufactured slopes, and the top 18-36 inches of soil be recompacted to a minimum of 90-95% relative compaction for foundation and roadway areas on the site. **Plan Requirements:** This requirement shall be noted on all grading and building plans.

Monitoring: P&D shall site inspect during grading to monitor drainage, slope formation and soil compaction practices.

23. The existing septic system serving 4865 Vieja Drive shall be abandoned under permitted inspection by Environmental Health Service concurrent with connection to the Goleta Sanitary District (GSD) of all residential development proposed in association with the Hacienda Vieja project. **Plan Requirements and Timing:** Prior to approval of a Coastal Development Permit, the applicant shall complete annexation to the GSD. Prior to issuance of any occupancy permits for residences on the Hacienda Vieja site, the applicant shall submit proof to EHS staff of connection of all development on site to the District mainline.

Monitoring: EHS shall receive written notification from the GSD that the existing single family dwelling and the four new residences have all been connected to the sanitary system and that it has been installed according to plans.

24. 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 (e.g. 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:** Two 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 grading and construction activities. Violations may result in suspension of permits.

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

25. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to P&D's satisfaction and shall be located as far as possible from occupied residences. **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. With the incorporation of the mitigation measure above, residual noise impacts would be less than significant.

26. A recorded Notice to Property Owner (NTPO) document is necessary to ensure that prospective property owners are aware that overflights by airplanes using the SBMA will continue for the foreseeable future. There shall also be a notification of aircraft overflights and associated noise levels included within the project CC&Rs (Codes, Covenants, and Restrictions) for the proposed development. **Plan Requirements & Timing:** The property owner shall sign, record and cross reference the document prior to approval of the Coastal Development Permit.

Monitoring: P&D shall confirm recordation of the NTPO.

27. The applicant shall dedicate a 15-foot wide trail easement along the western border of the subject property to the County in perpetuity. No fencing or new landscaping other than ground cover shall encumber this 15-foot wide easement. Upon development of the future trail, the perimeter of the wetlands area east of the trail easement shall be permanently fenced so that pedestrian access is denied to the wetlands. **Plan Requirements:** The easement document and landscape plan shall be reviewed and approved by P&D, County Counsel, and the Park Department prior to approval of the Coastal Development Permit for the proposed development.

28. A construction staging area shall be established on the project site outside of the wetland buffer area and graphically depicted on all project site plans. All construction equipment and

construction employee vehicles shall be stored and parked in this area. **Plan Requirements and Timing:** Prior to approval of Coastal Development Permits, all project plans shall graphically indicate the location of the construction staging area.

Monitoring: P&D Compliance staff shall spot check in the field and shall respond to complaints.

29. Drainage shall be consistent with approved drainage plans and shall employ Best Available Control Technologies. **Plan Requirements:** Prior to approval of Coastal Development Permits, a final drainage plan shall be submitted to P&D, Flood Control and Project Clean Water staff for review and approval. **Timing:** The components of the drainage plan shall be implemented prior to occupancy clearance.

Monitoring: P&D shall site inspect during grading.

30. Storm drain inlets within the project site shall be covered/ blocked when applying seal coat, tack coat, slurry seal, fog seal, etc. **Plan Requirements and Timing:** All grading and drainage and site plans shall include the language of this requirement.

Monitoring: P&D Compliance and Building Inspectors shall ensure that the construction contractor adheres to this requirement.

31. The applicant shall secure Can and Will Serve letters from the Goleta Water District. **Plan Requirements and Timing:** Prior to approval of a Coastal Development Permit the applicant shall provide P&D with the Can And Will letters indicating adequate service for each parcel.

Monitoring: P&D shall ensure Can And Will Serve letters have been secured.

PROJECT SPECIFIC CONDITIONS

32. Compliance with Departmental letters required as follows:

- a. Air Pollution Control District dated January 29, 2002.
- b. County Fire Department dated June 23, 2004.
- c. Flood Control dated June 10, 2004
- d. Road Division (Public Works) dated June 10, 2004
- e. County Parks Department dated June 9, 2004.
- f. County Surveyor dated June 16, 2004.
- g. Environmental Health Services letter dated July 6, 2004.

33. The applicant shall obtain final approval from the Board of Architectural Review (BAR) prior to approval of a Coastal Development Permit.

34. Two performance securities shall be provided by the applicant prior to approval of Coastal Development 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 three 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, P&D may release the maintenance security two 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 landscaping and irrigation, in accordance with the approved landscape plan prior to occupancy clearance.

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

- 35. Landscaping shall be maintained for the life of the project.
- 36. Approval of the Final Development Plan shall expire five (5) years after approval by the Planning Commission unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decisionmaker with jurisdiction over the project may, upon good cause shown, grant a time extension for one year.
- 37. No permits for development, including grading, shall be issued except in conformance with the approved Final Development Plan and Map. The size, shape, arrangement, use, and location of buildings, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Planning Commission Attachments A-G, dated July 7, 2004. Substantial conformity shall be determined by the Director of P&D.
- 38. On the date a subsequent Preliminary or Final Development Plan is approved for this site, any previously approved but unbuilt plans shall become null and void.
- 39. If the applicant requests a time extension for this permit/project, the permit/project may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of approval of a CDP.
- 40. No permits for development, including grading, shall be issued prior to recordation of 02TRM-00000-00002 (TM 14,595).
- 41. Prior to approval of Coastal Development Permits, the applicant shall pay all applicable P&D processing fees in full.
- 42. 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
 - a. 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.
 - b. 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.

- c. Pay fees prior to approval of Coastal Development 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.
43. 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 Final Development Plan. 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.
44. 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.
45. A recorded Notice to Property Owner (NTPO) document shall be executed to ensure that prospective property owners have information about the biology of the wetland and buffer area on the project site and responsible management of household chemicals. This information shall also be included within the project CC&Rs (Codes, Covenants, and Restrictions) for the proposed development. **Plan Requirements & Timing:** The property owner shall sign, record and cross reference the NTPO document prior to approval of a Coastal Development Permit.

**ATTACHMENT F
PROJECT SPECIFIC CONDITIONS**

Case #: 04CDP-00000-00087

1. This Appealable Coastal Development Permit (CDP) is based upon and limited to compliance with the project description 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.

The project description is as follows:

The proposed Vesting Tentative Tract Map 02TRM-00000-00002 would subdivide Parcel 1, APN 065-240-019, as reconfigured by Lot Line Adjustment 02LLA-00000-00002 into five lots, including four residential lots intended for private ownership and one lot owned in common by all prospective property owners. The common lot would include two landscaped drainage swales leading to a wetland area and open space. The proposed residential lots would range in size from 13,781 square feet to 18,894 square feet. The common lot would measure 0.96 acres.

A 28-foot wide gated private access road off Vieja Drive would provide access to the project site, with access easements for this drive across all four new residential lots. The sewer line that has been installed beneath the proposed private access road for connection to the proposed residential development on the project site shall be annexed into the Goleta Sanitary District. Guest parking would be allowed along one side of the proposed private access road. Dedication to the County Parks Department of a 15-foot wide trail easement is proposed along the westerly property line.

MITIGATION MEASURES FROM 04NGD-00000-00011

2. Natural building materials and colors compatible with surrounding terrain (darker earthtones and non-reflective paints), subject to BAR review and approval, shall be used on exterior surfaces of all structures. The BAR shall review treatment of the concrete swales (if concrete is needed) allowing them to look as natural as possible. The landscape plan shall include a minimum of two to three large size screen trees (24 to 48-inch box) on each lot. The intent being to adequately screen the homes from More Mesa. **Plan Requirement:** Materials shall be denoted on plans receiving BAR "final approval" and on building plans. **Timing:** Structures shall be painted prior to occupancy clearance.

Monitoring: P&D shall inspect prior to occupancy clearance.

3. Any new exterior night lighting installed on the project site shall be of low intensity, low height and low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Applicant shall develop a Lighting Plan incorporating these requirements. **Plan Requirements & 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 P&D and the BAR prior to approval of a Coastal Development Permit for structures.

Monitoring: P&D and BAR shall review a Lighting Plan for compliance with this measure. 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.

4. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Waste shall be picked up weekly or more frequently as directed by Permit Compliance staff. **Plan Requirements and Timing:** Prior to Coastal Development Permit approval, 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.

5. 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.

Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction periods.

Monitoring: P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on site. APCD inspectors shall respond to nuisance complaints.

6. 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:
- a. seeding and watering to revegetate graded areas; and/or
 - b. spreading of soil binders; and/or
 - c. any other methods deemed appropriate by the Air Pollution Control District and/or Planning and Development.

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. **Plan Requirements:** These requirements shall be noted on all grading plans. **Timing:** The final grading plan shall be submitted for review prior to Coastal Development Permit approval.

Monitoring: Permit Compliance staff and Grading Inspector shall perform periodic site inspections.

7. Best available erosion and sediment control measures shall be implemented during grading and construction. Best available erosion and sediment control measures may include but are not limited to use of sediment basins, gravel bags, silt fences, geo-bags or gravel and geotextile fabric berms, erosion control blankets, fiber rolls, jute net, and straw bales. Storm drain inlets shall be protected from sediment-laden waters by use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps. Sediment control measures shall be maintained for the duration of the grading period and until graded areas have been stabilized by structures, long-term erosion control measures or landscaping. Construction entrances and exits shall be stabilized using gravel beds, rumble plates, or other measures to prevent sediment from being tracked onto adjacent roadways. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. **Plan Requirements:** An erosion and sediment control plan shall be submitted to and approved by P&D and Flood Control prior to approval of Coastal Development Permits. The plan shall be designed to address erosion and sediment control during all phases of development of the site. **Timing:** The plan shall be implemented prior to the commencement of grading/construction.

Monitoring: P&D staff shall perform site inspections throughout the construction phase.

8. An open space easement reviewed and approved by P&D and County Counsel for the Hacienda Vieja (four lot) site wetland and 100-foot buffer area shall be dedicated to Santa Barbara County and/or may also be dedicated to an applicable non-profit entity and shall remain in open space and be insured as such by conditions of approval. Split rail fencing, no greater than 4 feet in height, or other P&D-approved permanent marker shall be used to delineate the open space easement area. Appropriate signage (acceptable to the holder of easement, such as "Protected Open Space Easement") shall be required to help prevent development not in compliance with the approved wetlands restoration / revegetation plan. The CDP for physical development shall not be issued until the easement is recorded on the property title and fencing and signage is installed. **Plan Requirements and Timing:** Prior to recordation, an agreement to dedicate shall be submitted for review and approval by P&D and County Counsel. The easement shall be recorded concurrently with recordation of the tentative map. Fencing and signage shall be installed prior to the first occupancy clearance.

MONITORING: Upon approval, provisions of the easement shall be monitored every two years through site inspections and/or photo documentation by P&D staff.

9. A qualified biologist should thoroughly rake the sandy loam soils found in the northwestern corner of the subject parcel. This work should be conducted when silvery legless lizards, if present, are most likely to be active near the surface (December-March). The biologist should also be present when this portion of the subject parcel is graded during site preparation. Any silvery legless lizards found should be relocated to similarly-textured soils along the margin of the subject parcel.

10. A qualified biologist should thoroughly inspect the abandoned outbuildings on the project site for bats prior to demolition. Any bats found should be displaced by hand and the buildings demolished as soon as possible after displacement.
11. During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs. **Plan Requirements:** The applicant shall designate a washout area, acceptable to P&D, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to approval of Coastal Development Permits. The washout area(s) shall be in place and maintained throughout construction.

Monitoring: P&D staff shall check plans prior to approval of Coastal Development Permits and compliance staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area(s).

12. The applicant shall implement a wetlands restoration/ revegetation plan. The plan shall include, but not be limited to the following measures:
 - a. Removal of the existing corral fencing, horse stable/ shed structure, and horse(s) from the wetlands and buffer area.
 - b. The 100-foot wetlands buffer area shall be fenced during construction with chain-link fence prior to beginning construction or grading. A permanent exclusionary split rail or equivalent permanent fencing shall be erected around the 100-foot wetlands buffer at the conclusion of construction. In order to not impede the movement of wildlife through the area, the minimum distance from ground level to any fence's first rung shall be 18 inches.
 - c. Non-native species, with the exception of the eucalyptus trees, shall be removed from the wetlands.
 - d. Removal of native species in the wetlands area shall be prohibited.
 - e. Landscaping shall be with native wetlands species. Species shall be from locally obtained plants and seed stock.

Plan Requirements/Timing: Prior to approval of Coastal Development Permits for landscaping and structures, the applicant shall submit four copies of a final wetlands restoration/ revegetation plan to P&D and to Flood Control for review and approval. The applicant shall show this condition and the permanent exclusionary fencing on all plans.

Monitoring: Following installation of landscaping, the landscape architect or arborist shall verify to P&D, in writing, the primary use of native seed stock for new plantings throughout the site.

13. Except for the above County-approved wetlands restoration/ revegetation plan which will include two lightly-contoured bioswales, there shall be no development and no tree removal, except for dead trees and non-native species as specifically approved by P&D that are verified by a P&D-approved biologist to not be currently supporting nesting raptors, within the 100-foot wetlands area buffer (see Attachment F: Site Plan). There shall be no removal of any live trees

that may serve to screen the proposed development from More Mesa. **Plan Requirements:** The applicant shall show this condition on all plans.

Monitoring: P&D staff shall perform site inspections upon completion of construction.

14. Between December 15 and September 15, the developer shall pay for a P&D approved biologist to inspect the project site for raptor nesting activity once a week during construction. The biologist shall also conduct a pre-construction raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If raptors are determined to be nesting on the project site or in any areas within 500 feet of proposed construction activity, no construction, grading or heavy equipment operation shall take place within 500 feet of the raptor nest, except for certain construction activities that may be allowed on a case-by-case basis as reviewed and approved by P&D. Other than those activities that are allowed by P&D, no construction activities shall take place within a 500-foot radius of any raptor nests on the project site until it can be verified that all fledglings have left the nest. **Plan Requirements/Timing:** This condition shall be printed on all construction, grading, and building plans.

Monitoring: P&D staff shall perform site inspections throughout the construction phase and receive the weekly reports of the P&D approved biologist.

15. Except for proposed lawn areas (which shall be planted in drought tolerant species only), new plants installed on the project site shall primarily include native plant materials, in logical associations and shall specify native specimen plants and seed stock from locally obtained sources, i.e., from coastal slopes between Carpinteria Bluffs and Ellwood Mesa. An irrigation plan shall accompany the landscape plan. **Plan Requirements/Timing:** Prior to approval of Coastal Development Permits and Grading Permits for landscaping and structures, the applicant/owner shall enter into an agreement with the County to install required landscaping and water-conserving irrigation systems and maintain required landscaping for the life of the project. The applicant shall also submit four copies of a final landscape and water-conserving irrigation plan to P&D for review and approval. Prior to occupancy clearance, landscape and irrigation shall be installed.

Monitoring: Following installation of landscaping, the landscape architect or arborist shall verify to P&D, in writing, the primary use of native seed stock for new plantings throughout the site. Permit Compliance staff shall verify installation of landscaping prior to occupancy clearance.

16. Herbicides shall not be used during the site preparation phase of the wetland and wetland buffer restoration/ revegetation plan implementation. Spot application by hand-held spray bottle of a glyphosate herbicide designed for use in wetland areas may be used during the wetland restoration plan maintenance period to treat stubborn weeds. **Plan Requirements:** The applicant shall show this condition on all plans.

Monitoring: P&D Compliance Monitoring staff shall perform spot checks during the restoration plan maintenance period.

17. In the event 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 County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans.

Monitoring: P&D shall check plans prior to approval of a Coastal Development Permit and shall spot check in the field.

18. Access shall be constructed to Fire Department standards and project conditions, including adequate width, compaction, surfacing, and appropriate grade. **Plan Requirements and Timing:** Plans shall be reviewed and approved by P&D and the Fire Department prior to map recordation and/ or approval of a Coastal Development Permit for the proposed residences, whichever occurs first.

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

19. 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 the Fire Department and P&D prior to approval of the Coastal Development Permit for structures.

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

20. 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 a Coastal Development Permit for utility connection to future development on each parcel.

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

21. The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety 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. **Plan Requirements:** This requirement shall be noted on all

grading and building plans. **Timing:** Graded surfaces shall be reseeded within four weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within four weeks of grading completion.

Monitoring: P&D shall site inspect during grading to monitor dust generation and four weeks after grading to verify reseeded and to verify the construction has commenced in areas graded for placement of structures.

22. Positive drainage shall be provided away from all structures and away from all manufactured slopes, and the top 18-36 inches of soil be recompact to a minimum of 90-95% relative compaction for foundation and roadway areas on the site. **Plan Requirements:** This requirement shall be noted on all grading and building plans.

Monitoring: P&D shall site inspect during grading to monitor drainage, slope formation and soil compaction practices.

23. The existing septic system serving 4865 Vieja Drive shall be abandoned under permitted inspection by Environmental Health Service concurrent with connection to the Goleta Sanitary District (GSD) of all residential development proposed in association with the Hacienda Vieja project and the completion of annexation of the project parcels into the GSD. **Plan Requirements and Timing:** Prior to issuance of a Coastal Development Permit, the applicant shall complete annexation to the GSD. Prior to issuance of any occupancy permits for residences on the Hacienda Vieja site, the applicant shall submit proof to EHS staff of connection of all development on site to the District mainline.

Monitoring: EHS shall receive written notification from the GSD that the existing single family dwelling and the four new residences have all been connected to the sanitary system and that it has been installed according to plans.

24. 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 (e.g. 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:** Two 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 grading and construction activities. Violations may result in suspension of permits.

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

25. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to P&D's satisfaction and shall be located as far as possible from occupied residences. **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. With the incorporation of the mitigation measure above, residual noise impacts would be less than significant.

26. A recorded Notice to Property Owner (NTPO) document is necessary to ensure that prospective property owners are aware that overflights by airplanes using the SBMA will continue for the foreseeable future. There shall also be a notification of aircraft overflights and associated noise levels included within the project CC&Rs (Codes, Covenants, and Restrictions) for the proposed development. **Plan Requirements & Timing:** The property owner shall sign, record and cross reference the document prior to approval of a Coastal Development Permit.

Monitoring: P&D shall confirm recordation of the NTPO, and the notification language in the project CC&Rs.

27. The applicant shall dedicate a 15-foot wide trail easement along the western border of the subject property to the County in perpetuity. No fencing or new landscaping other than ground cover shall encumber this 15-foot wide easement. Upon development of the future trail, the perimeter of the wetlands area east of the trail easement shall be permanently fenced so that pedestrian access is denied to the wetlands. **Plan Requirements:** The easement document and landscape plan shall be reviewed and approved by P&D, County Counsel, and the Park Department prior to recordation of the Tentative Tract Map and/ or prior to approval of the Coastal Development Permit for the proposed development, whichever occurs first.

28. A construction staging area shall be established on the project site outside of the wetland buffer area and graphically depicted on all project site plans. All construction equipment and construction employee vehicles shall be stored and parked in this area. **Plan Requirements and Timing:** Prior to approval of Coastal Development Permits, all project plans shall graphically indicate the location of the construction staging area.

Monitoring: P&D Compliance staff shall spot check in the field and shall respond to complaints.

29. Drainage shall be consistent with approved drainage plans and shall employ Best Available Control Technologies. **Plan Requirements:** Prior to approval of Coastal Development Permits, a final drainage plan shall be submitted to P&D, Flood Control and Project Clean Water staff for review and approval. **Timing:** The components of the drainage plan shall be implemented prior to occupancy clearance.

Monitoring: P&D shall site inspect during grading.

30. Storm drain inlets within the project site shall be covered/blocked when applying seal coat, tack coat, slurry seal, fog seal, etc. **Plan Requirements and Timing:** All grading and drainage and site plans shall include the language of this requirement.

Monitoring: P&D Compliance and Building Inspectors shall ensure that the construction contractor adheres to this requirement.

31. The applicant shall secure Can and Will Serve letters from the Goleta Water District. **Plan Requirements and Timing:** Prior to approval of a Coastal Development Permit, the applicant shall provide P&D with the Can And Will letters indicating adequate service for each parcel.

Monitoring: P&D shall ensure Can And Will Serve letters have been secured.

PROJECT SPECIFIC CONDITIONS

32. Compliance with Departmental letters required as follows:
- a. Air Pollution Control District dated January 29, 2002.

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- b. County Fire Department dated June 23, 2004.
 - c. Flood Control dated June 10, 2004
 - d. Road Division (Public Works) dated June 10, 2004
 - e. County Parks Department dated June 9, 2004.
 - f. County Surveyor dated June 16, 2004.
 - g. Environmental Health Services letter dated July 6, 2004.
33. Title to the common open space 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.
34. Prior to recordation, the applicant shall record CC&Rs which require shared responsibility of site improvements by all owners. The owners shall share maintenance responsibilities for the drainage facilities, landscaping, revegetation, fencing and access, subject to approvals from Flood Control, P&D and County Counsel. The CC&R's shall also include by reference responsibilities for all owners to maintain property in compliance with all conditions of approval for the project. Any amendments to the County required conditions shall be reviewed and approved by the County; this requirement shall also be included in the CC&Rs.
35. The recordation of TPM 14,595 shall occur prior to issuance of permits for development, including grading, under 02DVP-00000-00002 unless the applicant obtains approval from the Board of Supervisors to grade prior to recordation.

TENTATIVE TRACT MAP CONDITIONS

36. Prior to recordation of the 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 Coastal Development Permits are obtained prior to recordation, Tentative Tract Map conditions will not apply retroactively to the previously issued Coastal Development Permit. For any subsequent development on any parcels created by the project, each set of plans accompanying a Coastal Development Permit shall contain these conditions.
37. 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 map.
38. Three copies of the map to finalize the final 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.
39. 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 parcel map accompanied by a letter from each utility and water and sewer district serving the property stating that the easements shown thereon are acceptable.
40. The Tentative Tract Map shall expire three years after approval or conditional approval by the final decisionmaker unless otherwise provided in the Subdivision Map Act, Government Code §66452.6.

41. 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:
 - a. 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.
 - b. 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.
 - c. Pay fees prior to approval of Coastal Development Permit 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.
42. Prior to Recordation, the applicant shall pay all applicable P&D permit processing fees in full.
43. 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 Tentative Tract Map. 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.
44. 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.
45. A recorded Notice to Property Owner (NTPO) document shall be executed to ensure that prospective property owners have information about the biology of the wetland and buffer area on the project site and responsible management of household chemicals. This information shall also be included within the project CC&Rs (Codes, Covenants, and Restrictions) for the proposed development. **Plan Requirements & Timing:** The property owner shall sign, record and cross reference the NTPO document prior to approval of a Coastal Development Permit.

A-4-STB-05-037

RECEIVED

CALIFORNIA COASTAL COMMISSION

MAR 09 2005

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-4508
VOICE (805) 585-1800 FAX (805) 641-1732

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Valerie F. Olson (for the More Mesa Preservation Coalition)
Mailing Address: 960 Vista de la Mesa Dr.
City: Santa Barbara Zip Code: 93110 Phone: (805) 964-4815

SECTION II. Decision Being Appealed

1. Name of local/port government: Santa Barbara County

2. Brief description of development being appealed:

The site, consisting of two parcels (1.16 acres and 2.33 acres) would be adjusted to two parcels (2.38 acres and 1.11 acres). The larger parcel is planned to be subdivided into an open space area (wetland of 1.01 acres) and four residential lots (total area of 1.37 acres.) Four residential units are planned for this 1.37 acre area; two two-story homes and two one-story homes. They range in size from 3600 sq feet to 3856 sq feet.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

4865 Vieja Drive, Santa Barbara, CA 93110
065-240-019, 065-240-020
Nearest cross street: Puente Dr.

4. Description of decision being appealed (check one):

- Approval; no special conditions
- Approval with special conditions:
- Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

| TO BE COMPLETED BY COMMISSION: | |
|--------------------------------|----------------|
| APPEAL NO: | A-4-STB-05-037 |
| DATE FILED: | 3/9/05 |
| DISTRICT: | |

| |
|----------------|
| EXHIBIT 2 |
| A-4-STB-05-037 |
| Olson Appeal |

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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission & Appealed to Board of Supervisors
- Other

6. Date of local government's decision:

Planning Commission: 6 Oct 2004, Board of Supervisors: 15 Feb 2005

7. Local government's file number (if any):

Case #s: 02LLA-0000-00002

02TRM-0000-00002
02DYP-0000-00002
04CDP-0000-00007

Appeal Case No:
04APL-0000-00030

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Jack Maxwell
1253 Coast Village Road, Suite 105
Santa Barbara, CA 93108

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)

See attached

(2)

(3)

(4)

Reference: APPEAL of Hacienda Vieja Project (Case #s 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087 {Appeal Case No. 04APL-00000-00030})
March 2005

SECTION III. Identification of Other Interested Persons

b. Names and mailing addresses of parties you know to be interested and should receive notice of this appeal.

Blaine and Mary Lee Braniff
5311 Dorwin Lane
Santa Barbara, CA 93111

Michael Fealy
1140 Orchid Drive
Santa Barbara, CA 93110

Roger Freedman and Caroline Robillard
1032 Diamond Crest Ct.
Santa Barbara, CA 93110

Bonnie Freeman
More Mesa Shores Homeowners
Association
5200 Austin Road
Santa Barbara, CA 93111

Cynthia and Richard Gray
915 Vista de Lejos
Santa Barbara, CA 93110

Barbara Greenleaf
1085 Vista de la Mesa Dr.
Santa Barbara, CA 93110

Eva Inbar
240 Arboleda Rd.
Santa Barbara, CA 93110

Ariana Katovitch
Sierra Club
906 Garden St. Suite 2C
Santa Barbara, CA 93101

Marilee Krause
4868 Vieja Drive
Santa Barbara, CA

Ken Palley
Santa Barbara Chapter of Surfrider
567 Pintura Dr.
Santa Barbara, CA 93111

David Peri
4878 Vieja Drive
Santa Barbara, CA 93110

Robert and Sally Rauch
Diamond Crest Homeowners Assn.
1086 Diamond Crest Ct.
Santa Barbara, CA 93110

Selma Rubin
4207 Encore Drive
Santa Barbara, CA 93110

Richard Schloss
Oak Group
4876 Vieja Drive
Santa Barbara, CA 93110

Caroline Terry
820 Puente Drive
Santa Barbara, CA 93110

Sarah Vaughan
945 Vista de Lejos
Santa Barbara, CA 93110

Lynn Watson
937 Via Nieto
Santa Barbara, CA 93110

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

- See Cover Letter-Attached
- See additional Background Policy Analysis-Attached

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Valerie F. Olson

Signature of Appellant(s) or Authorized Agent

Date: 9 March 2005

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize _____

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

5923

BACKGROUND POLICY ANALYSIS: HACIENDA VIEJA PLANNING COMMISSION APPEAL

Executive Summary

The More Mesa Preservation Coalition (MMPC) regrets the necessity of appealing Santa Barbara County approval of the above referenced Hacienda Vieja development, but feels compelled to bring this matter to the Coastal Commission. The community is extremely concerned about:

- Apparent reversal of long term precedents concerning More Mesa
- Impacts of the Hacienda Vieja project
- Cumulative negative impacts of recent development approvals on More Mesa's natural resources and scenic beauty.

The MMPC, and the community at large, are concerned that recent approvals do not respect and protect the unique resources of More Mesa and also depart from clear direction for project design set by several Planning Commissions and Boards over the last 15 years. In particular, MMPC, and we believe the community in general, are deeply distressed about the continued trend toward approvals of large two story houses. These structures severely impact views from More Mesa's trail system, and are entirely inconsistent with the character of the surrounding neighborhoods.

Although the MMPC appreciates the design changes directed by the Planning Commission for this project, we are concerned that the project, as approved, will still have severe negative impact on More Mesa. Specifically, it permits development that is inconsistent with the neighborhood, out of character with the natural surroundings and continues the negative cumulative trend toward large obtrusive two story structures. If this trend is continued, the natural beauty of this area will be forever marred.

To address these concerns, we respectfully request that the Coastal Commission direct the project developer to redesign the project as all one story units, designed to blend into the natural environment and the surrounding community. This action would adhere to precedent very clearly laid down by County decision-makers and Coastal Commissions over the last decade and a half. These matters are discussed in more detail below.

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MAR 09 2005

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

6 8 23

Background: More Mesa

Ecological Resource: More Mesa is one of two remaining large and accessible coastal open spaces in the Santa Barbara area (See Figure 1). It's ecological values are so important and varied, that all but 40 of its 265 acres have been identified as Environmentally Sensitive Habitat (ESH) by Santa Barbara County. These resources were evaluated in a year-long study, and subsequently documented, in a comprehensive (300 page) landmark report, by UCSB (Ferren et. al. 1982) ⁽¹⁾.

Recreation: More Mesa boasts one of two premiere coastal trails in our area. With its trail system (over 10 miles) as listed on Santa Barbara County's adopted Goleta Trail and Mountain Trail Maps (See Figure 2 below), More Mesa has been used for recreation by the Santa Barbara community for more than 50 years. Recreational opportunities in the area include, among others, hiking, bicycling, dog walking, horseback riding, bird watching and hang gliding. In the course of a week, 500-2000 people visit the site to enjoy its sweeping ocean and mountain views. More Mesa also fronts one of the largest and most pristine beaches within a 30 mile stretch of the South Coast. Visitors use More Mesa trails to access this unique beach area.

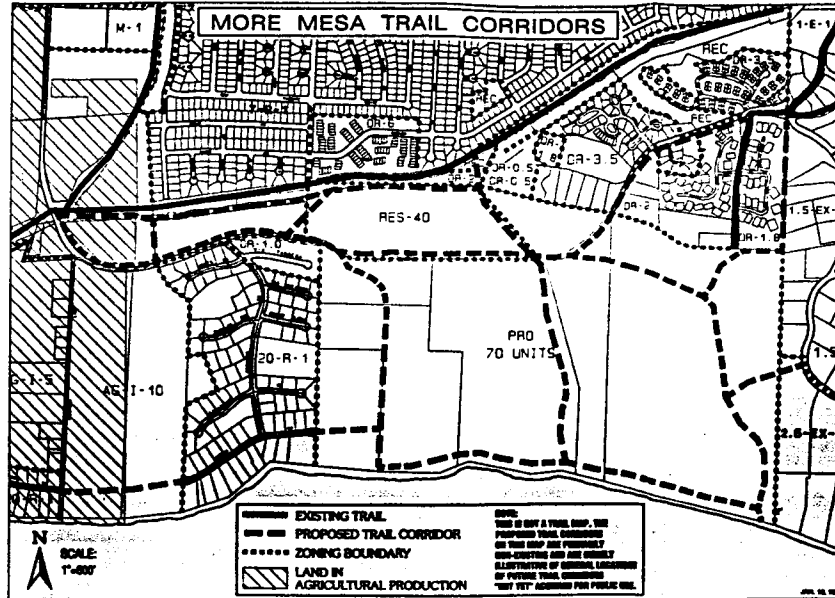


Figure 2: More Mesa Trails (From: Goleta Trails Implementation Study, 1995)

(1) University of California at Santa Barbara, Herbarium, Department of Biological Sciences, Wayne R. Ferren, editor 1982, *A Biological Evaluation of More Mesa. Santa Barbara County California., Santa Barbara.*

More Mesa Preservation Coalition: The More Mesa Preservation Coalition (MMPC) is a group of concerned citizens committed to preserving More Mesa in perpetuity. We have been in existence since 2000, and follow in a 50 year tradition of other conservation groups who have fought to preserve this area. With over 600 supporters, we represent a broad coalition of the Goleta Valley community; professionals, neighbors, conservationists, activists, students, scientists, planning specialists and those who want to continue to enjoy the beauty and ecological resources of More Mesa.

Recent Development Projects

In the past four years there have been several development projects of great concern to the community and MMPC: the Gallegos Lot Split (consisting of the Hart Project and Mockingbird Ventures), Las Brisas, and the proposed Hacienda Vieja. The Gallegos parcel immediately adjoins More Mesa, as does part of the Las Brisas property, and the wetland area of the Hacienda Vieja project.

Las Brisas: The Las Brisas project (*Figure 3*) was under discussion, and the subject of hearings of the Planning Commission for more than two years. The developer originally proposed five grandiose, two-story houses with four-car garages, as well as three very large one-story houses. These were all considered, by the community and the Planning Commission, as inappropriate for the neighborhood. This situation resolved in October 2001, when the developer offered eight smaller, somewhat less opulent one-story structures. These were felt to be more consistent with the size, bulk and scale of the neighborhood. The project was approved by both the County, and the Coastal Commission; thereby setting the standard for appropriate size and scale for buildings that are on the perimeter of More Mesa. "Las Brisas, at More Mesa" was sold to Investec, and is nearly complete, with many houses already sold.

However, even this carefully crafted and lauded decision (created with input from a large number of stakeholders) has been severely subverted. Specifically, although conditioning in the Planning and Development Final Staff Report called for the structures to be "earth tones", the buildings, as constructed, are all casts of white, and are clearly visible from two heavily used More Mesa trails.

Gallegos: The Gallegos family two-story house was built in 1954. Over the entire six mile linear periphery of More Mesa, it was the only two-story structure that existed on the very edge of More Mesa. Two additional (previously constructed) two-story structures, along the periphery on Vieja Drive, are set back, but still clearly visible from More Mesa.

In 2000, the Gallegos family petitioned the County to split their lot into three parcels. Since the existing structure had been constructed about 50 years ago, they wanted a more modern residence for themselves, on one of these three lots. After more than a year of meetings, the Planning Commission ruled that the property could be split into three lots, but that the middle lot should be maintained as open space in perpetuity.

Hart House: The Gallegos family opted to build their two-story replacement house (~3800 square feet) on the westernmost of the three lots, and received a ministerial permit to do so in Fall 2003 (*Figure 3*). The permit was granted to Brian Hart. This structure has been under construction since late 2003 and is proving to be a shocking blot on the landscape (see *Figure 4*). Clearly this structure met neither the letter, nor the spirit of decisions made during deliberations on the Las Brisas project, the Gallegos lot split, or two larger (25 houses each) projects permitted in the late 1980s (Diamond Crest and Vista la Cumbre). The Hart house plainly represents a grievous deviation from policy established by previous boards and commissions.

Mockingbird Ventures: Early this year, the Gallegos Family sold the parcel containing their existing fifty year old house to Mockingbird Ventures (*Figure 3*). A ministerial permit (issued with minimum noticing to the community; de facto no noticing) was also granted for an immense, two-story structure of 4,910 square feet, including a large deck off the second story facing south on More Mesa. This building will also front directly on More Mesa, and present another massive insult to the public view. *Figure 5* is a simulation of the probable effect of this building on the north view shed from More Mesa. The community was not privy to the plans for this structure. Therefore in this simulation, it has been assumed that the Mockingbird Ventures structure will present a similar frontal view as the Hart structure. Moreover, it should be noted that this simulation is not completely representative, since the Mockingbird Ventures building will be significantly larger (1100 square feet), than the Hart house.

Clearly both these projects are completely inconsistent with a decade and a half of precedent for structures directly on More Mesa. They will mar both the natural beauty of More Mesa, as well as being inappropriate structures considering the rural nature of this area.

MMPC and other members of the community contend that both the Hart project, and the Mockingbird Ventures project should never have been permitted.

Hacienda Vieja: The Hacienda Vieja development, as approved, consists of two, one story and two, two-story houses of approximately 3600 square feet sited on about 1.3 acres (Figure 3). During all the Planning Commission hearings, the applicant consistently referred to the size and scale of the two (ministerially permitted) houses (Hart and Mockingbird Ventures) to justify the appropriateness of his design; arguing that his houses were not nearly as obtrusive. MMPC has repeatedly observed this strategy of using ministerial permits of huge single units (that often “slip in under the community’s radar”) to justify inappropriately sized homes in a subsequent multiple unit development. The mantra of “I’m not nearly as big as this other guy” is a classic rejoinder to community concerns about size and scale issues.

Fortunately, the size and scale of Hacienda Vieja has been reduced significantly over the past six months as a result of four Planning Commission hearings and repeated specific direction by dedicated Planning Commissioners. MMPC, neighborhood homeowners associations and the community at large, truly appreciate all the work that went into this effort. However, the reality is that approval of this project continues to represent a complete reversal of previous policy and precedent. **There remain two, two story houses in the Hacienda Vieja project. This approval raises the number of two story houses on the edge of More Mesa to six ... double the number there were a year ago.**

BASIS OF THIS APPEAL

1. SCALE AND CHARACTER OF EXISTING COMMUNITIES

LCP Policy 4-4: *“In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community.”*

We believe that the proposed development (Hacienda Vieja) is not in conformance with the scale and character of the immediate existing community of Vieja Drive. Similarly, its bulk and scale is not compatible with the “neighborhood” that can be defined by those structures that are on the edge of the greater More Mesa area.

Vieja Drive - Hacienda Vieja houses are not at all compatible in either design or density to the nearby semi rural ranch style homes typical of those along Vieja Drive. They are tiled stucco and will be out of character with all but one other house in the area.

Moreover, all the homes on Vieja are sited on approximately one acre lots, and all but two are a single story. Most residents have chosen to live in this area in order to maintain horses and enjoy the recreational resources of nearby More Mesa. The density of homes currently existing on Vieja Drive is one house per acre. The density of the Hacienda

Vieja development is three houses per acre (four houses on 1.3 acres). In this discussion, it should be noted that the application also involves a wetland area of approximately one acre. The applicant has chosen to adopt the artifice of including the one acre wetland to show that the density of the project is equivalent to the rest of the adjoining Vieja Drive neighborhood. While this may be true within the letter of the law, it is not true in the eye of the beholder. Hacienda Vieja will be three times denser than anything in the neighborhood, and look three times denser to the public viewing it from More Mesa.

Immediate Community of More Mesa – “Pedestrian Scale”

Neither is Hacienda Vieja compatible to the adjacent critical open space of More Mesa; that is, heights of the two story houses are not compatible with the “neighborhood” that can be defined by those structures that are on the perimeter of the greater More Mesa area.

In the Negative Declaration for Las Brisas, its neighborhood was defined: “*at a pedestrian scale, to include only those parcels/developments adjacent to and visible from in and around the project site, i.e., More Mesa, the Maxwell/Bierig Vieja Drive property (Hacienda Vieja), the Gallegos lots, Diamond Crest and Vista la Cumbre.*” Note that Hacienda Vieja is defined as part of the “pedestrian scale neighborhood”. Therefore, it should be consistent in size, bulk and scale with other structures so defined. Locations of the specific developments listed above are shown in *Figure 3*, and their size and impacts on Views (see following section) are shown in the table below.

| Project Name | Stories | Average House Size (sq ft/w garage) | Impact on North View |
|----------------------|---------|-------------------------------------|--|
| Diamond Crest | 1 | 3300 (market units) | None (below grade) |
| Vista la Cumbre | 1 | 2860 | Some |
| Las Brisas | 1 | 3610 | Some-supposed to be mitigated with landscaping |
| Hacienda Vieja | 1 & 2 | 3600+ | Major for Lots 2 & 4 |
| Hart | 2 | 3771 | Enormous problem |
| Mockingbird Ventures | 2 | 4910 | Enormous problem |

“Neighborhood” of Hacienda Vieja:
Comparisons of structure sizes and view impact

More Mesa Periphery

As mentioned above, until recently, there were only three two-story houses on the edge of More Mesa. The effects of an inappropriate permitting of the Hart project are clearly visible. It is certain that the Mockingbird Ventures Project will be just as objectionable, if not more objectionable. With the permitting of the Hacienda Vieja Project, the number of two story houses on the edges of More Mesa will double ... therein continuing a dangerous trend that has been set over the past year, of breaking with long time precedents set by several previous Boards and Commissions.

2. PUBLIC VIEWS

LCP Policy 3.4.1 and Coastal Act Policy 30251: *"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal area, and where feasible, to restore and enhance visual quality in visually degraded areas."*

We believe that the two story structures as proposed in the Hacienda Vieja project, will significantly obstruct public views from a heavily used coastal recreation and resource area: More Mesa.

MMPC has been heavily involved with all actions on this project since our first notice of the informal Draft ND review in April 2004. As part of our involvement, we have created simulations of the various design options provided by the developer. At this time we would like to offer an additional simulation for the project, as it has been approved. However, we first describe how these simulations were created:

- The site was extensively photographed, after story poles had been erected by the applicant. Photographs were taken both from Vieja Drive and from More Mesa. (See *Figure 6.*)
- The heights of the story poles were measured.
- Scale drawings supplied by the applicant, and containing elevations, were electronically scanned and digitized.
- These drawings were then digitally scanned, scaled and inserted into the photos at the exact heights and locations of the story poles. *Figure 6* illustrates this process for the original two story design on Lot 1.

The result of the latest simulation on the approved project, *Figure 7*, is in three parts:

- Top image shows the site with only the story poles in place.
- Middle image shows the view with houses (and story poles) if current vegetation is left in place.
- Bottom photo, without current vegetation, has been created because we have found there is a tendency to remove all trees and other vegetation to facilitate construction.

Based on recent experience, we feel it is highly likely that the last image is what will be seen from More Mesa. All of the simulations we have presented to the County have been created with data supplied by the applicant, and by individuals with highly technical backgrounds who are familiar with plans and scale drawings. We believe that these simulations are technically accurate and represent a true picture of what will be observed from More Mesa. In *Figure 7* it is obvious that Lots 2, 3 and 4 are obtrusive and clearly visible from the heavily used east-west trail, even with current vegetation in place. Construction of these houses will significantly mar the north viewshed, when vegetation is removed; a practice commonly followed.

Cumulative effects have not been analyzed: As described in the background information, the Commission should now be keenly aware that the proposed project is one of four recently approved projects at the northeastern edge of More Mesa. The construction of Las Brisas, and especially the Hart house have wrecked havoc with the esthetics of the northeast corner. As the nearly 5,000 square foot Mockingbird Ventures project begins, a second massive assault on the northern viewshed will be made.

MMPC feels it is time reverse the trend of decisions that are inconsistent with past policies and precedent. We appeal to the Coastal Commission, in every sense of the word, to halt the ravaging of the views of More Mesa. We are firmly convinced this can be accomplished by exercising the Commission's clear regulatory authority for protecting coastal resources. We urge you to return to past policies and precedent ... **there should be no more two-story houses on More Mesa.**

Build-Out of Periphery of More Mesa

It has been openly stated several times, and seems to be a general (but invalid) assumption, that the request for approval of Hacienda Vieja is the "end of the build-out on the edges of More Mesa". MMPC remains firm in our belief there is substantial potential for additional development on properties adjacent to More Mesa. We are sure of this position because we have performed a detailed analysis on the potential for build-out on More Mesa. Results are graphically illustrated in *Figure 8*, and in the table below:

| Category | Number |
|--|-----------|
| Existing Houses | 32 |
| Vacant | 11 |
| Under Construction or Approved | 12 |
| Underdeveloped with Subdivision Potential (including Hacienda Vieja) | 20 |
| Potential Additional New Houses | 44 |
| Existing Houses with potential for major redesign | 16 |

There are currently 32 homes adjacent to More Mesa. Twelve more are under construction. Considering those under construction, vacant land and underdeveloped land, a total of forty four (44) additional new structures can be built; considerably more than doubling the number on More Mesa's periphery. Add to this, the potential for major redesign on Vieja Drive and along the western edge of More Mesa, and the potential impact on More Mesa wildlife and viewshed will be considerable.

Finally, the approval of houses that are so out of character with the rest of Vieja Drive could easily transform this rural neighborhood in a short period of time. That is, approval of Hacienda Vieja may well trigger a wave of tear downs and rebuilds of two, two-story houses, on all the one acre lots of Vieja Drive. Using the two story design of Lot 2 of the Hacienda Vieja project, MMPC offers *Figure 9* as a view of what the future could hold ... the Santa Barbara version of



... Central Park.

Figures

Figure 1: More Mesa is one of two remaining, large coastal open spaces

Figure 2: More Mesa prominent feature of Santa Barbara County Trails Map

Figure 3: Recently approved projects represent major cumulative impact on northeast corner of More Mesa

Figure 4: Recently built two-story Hart construction is enormous, inappropriate and obtrusive; close up and far away

Figure 5: Mockingbird Ventures approved two story structure promises further insult to the North view

Figure 6: MMPC simulations are accurate, and based on measured story poles and dimensions from developer's plans

Figure 7: Careful simulation shows that proposed Hacienda Vieja two-story houses will be clearly visible from More Mesa

Figure 8: Potential cumulative development could double the number of houses around More Mesa. Further, the number of two story houses could increase to more than twenty times what currently exists

Figure 9: Change along Vieja Drive could be truly dreadful.

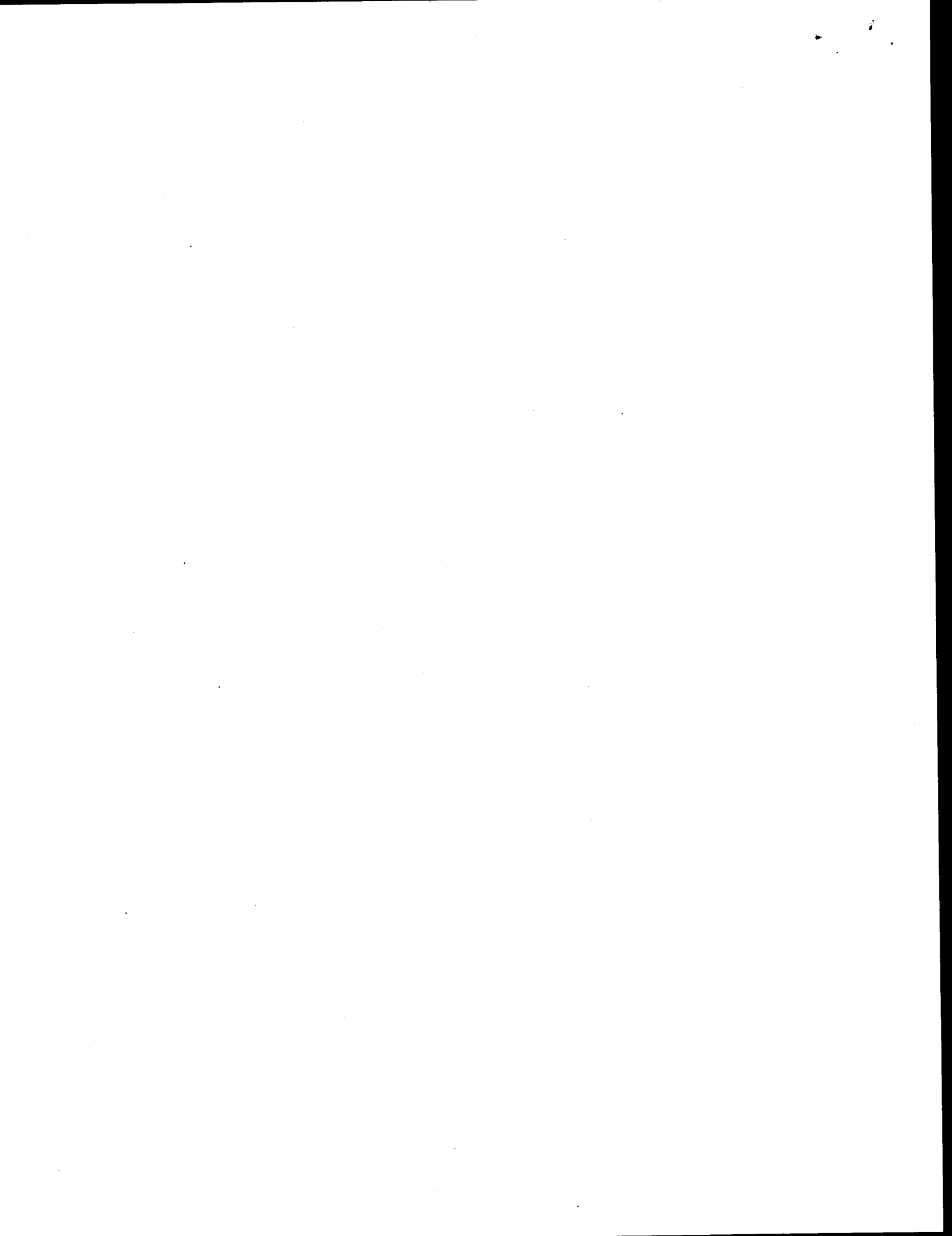




Figure 1: More Mesa is one of two remaining large accessible coastal open spaces



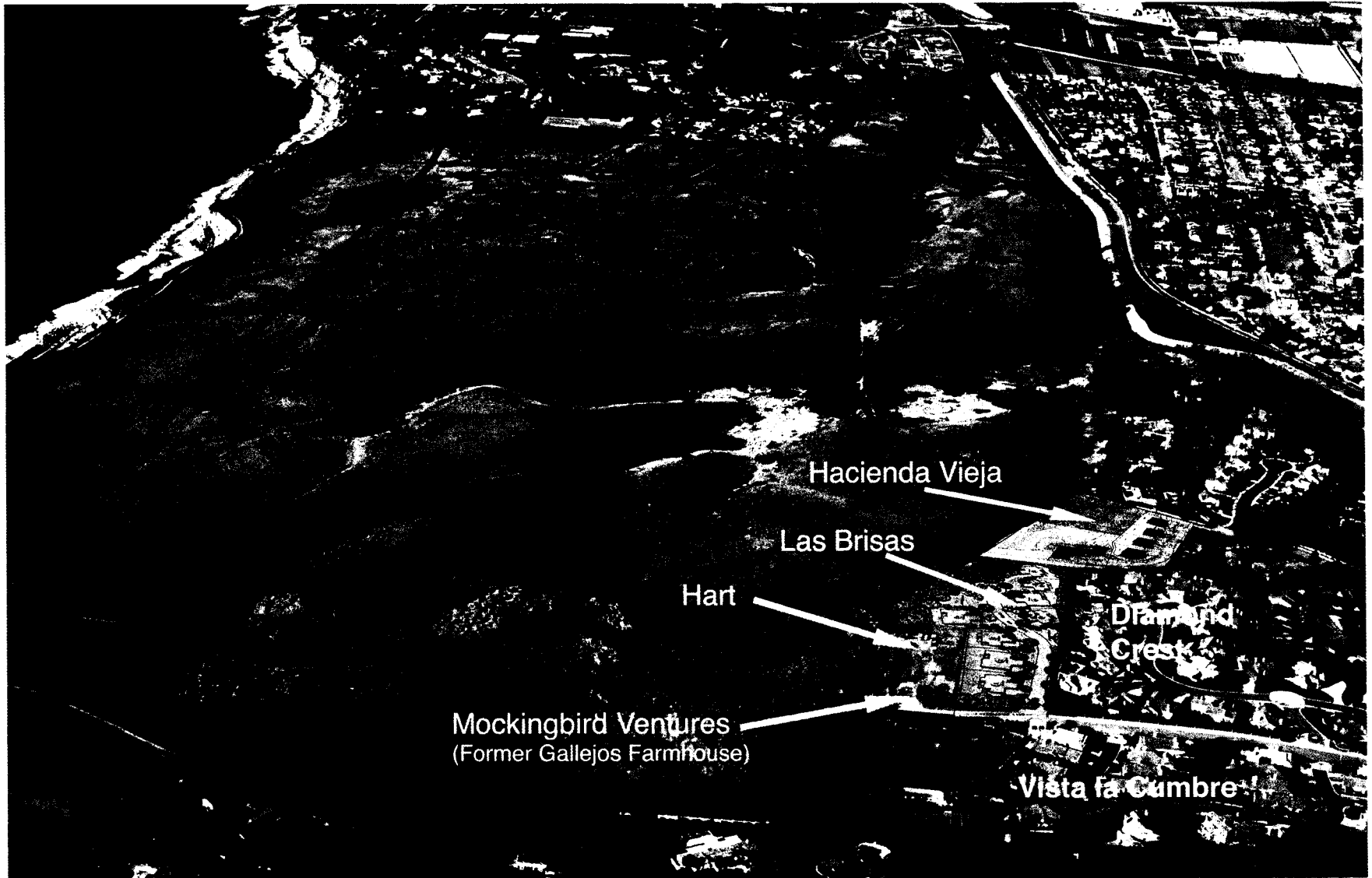


Figure 3: Recently approved projects will cause major cumulative impact on the entire More Mesa area.



Figure 4: Recently built two-story Hart House is enormous, inappropriate and obtrusive ...



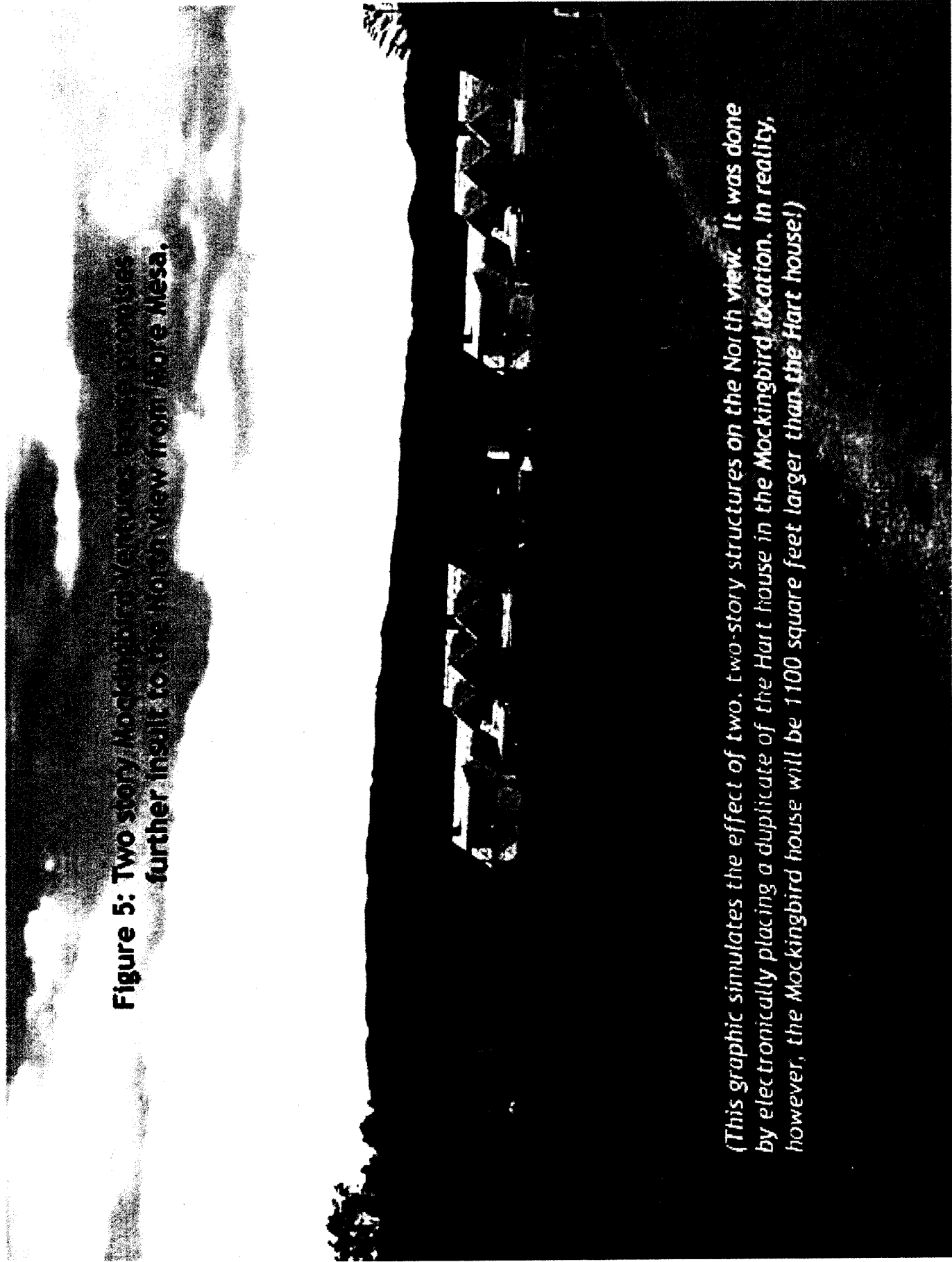
close up ...

... and far away





Figure 5: Two story Mockingbird Village houses are shown to provide further insight to the North view from Moore Mesa.



(This graphic simulates the effect of two, two-story structures on the North view. It was done by electronically placing a duplicate of the Hart house in the Mockingbird location. In reality, however, the Mockingbird house will be 1100 square feet larger than the Hart house!)





Hacienda Vieja
story poles lot 1

South projection overlay
design 06/04

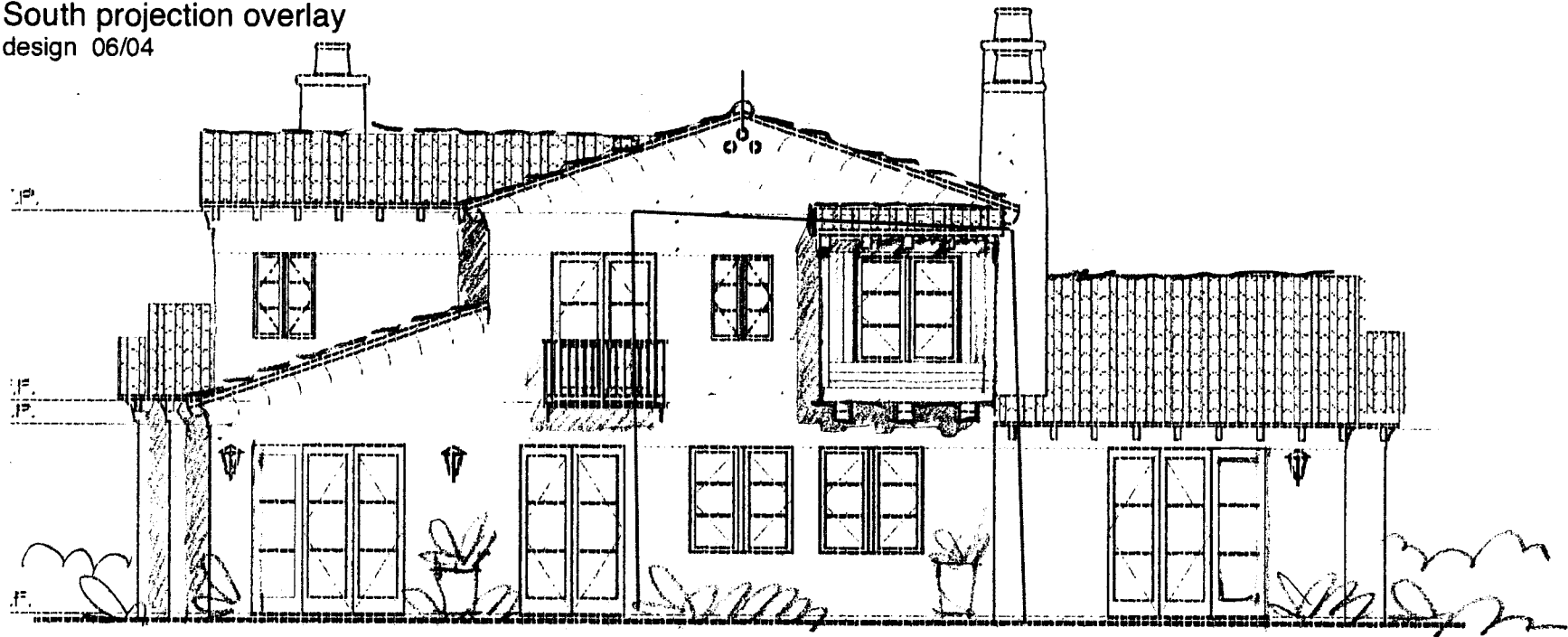


Figure 6: MMPC simulations are accurate and based on measured story poles and dimensions from developer's plans.



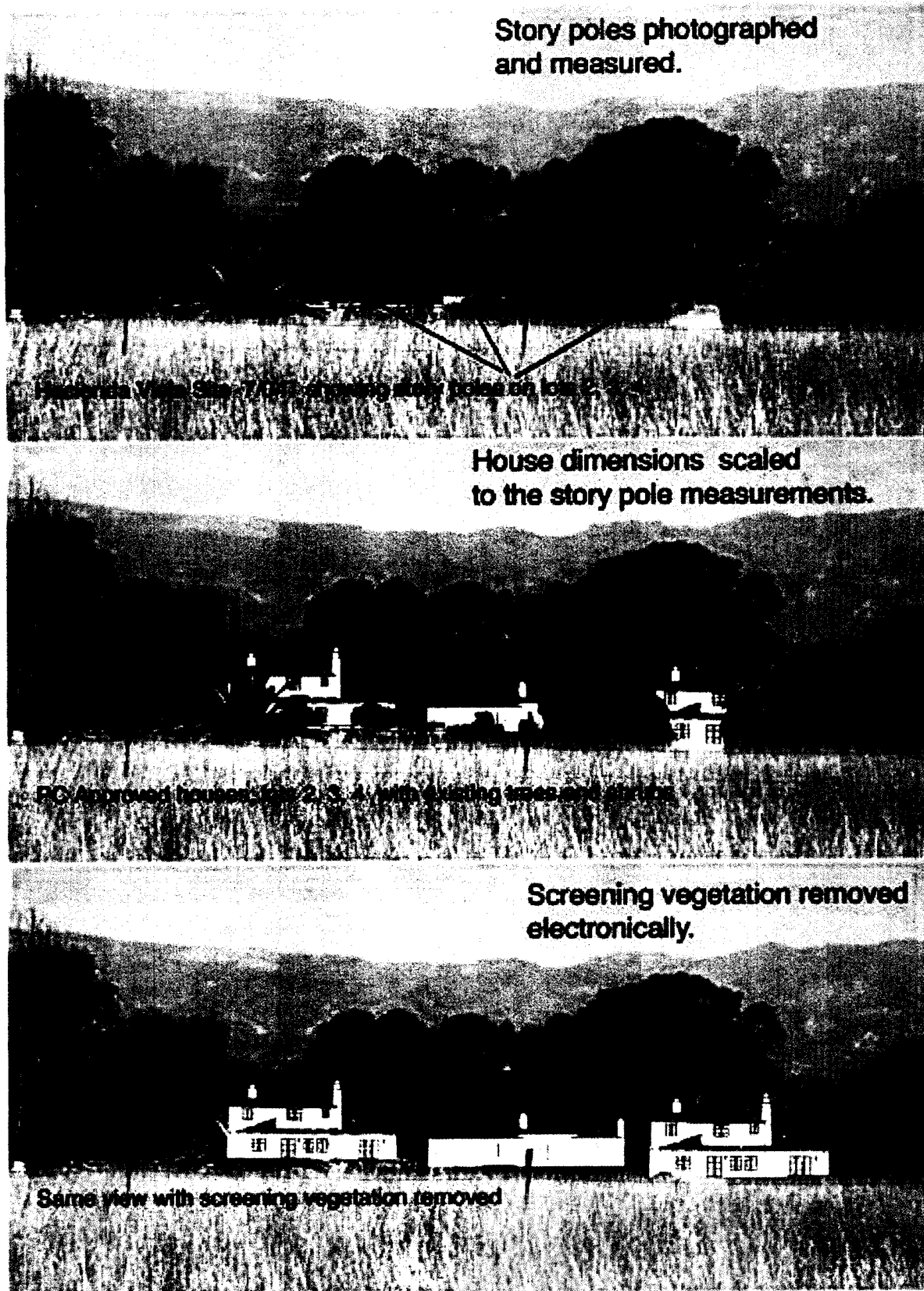


Figure 7: Careful simulation shows that proposed Hacienda Vieja two-story houses will be clearly visible from More Mesa.





- Under construction or approved
- Vacant/subdivision potential
- Undeveloped/subdivision potential
- Existing houses/potential for minor expansion

Parcel owned by
County of Santa Barbara

More Mesa

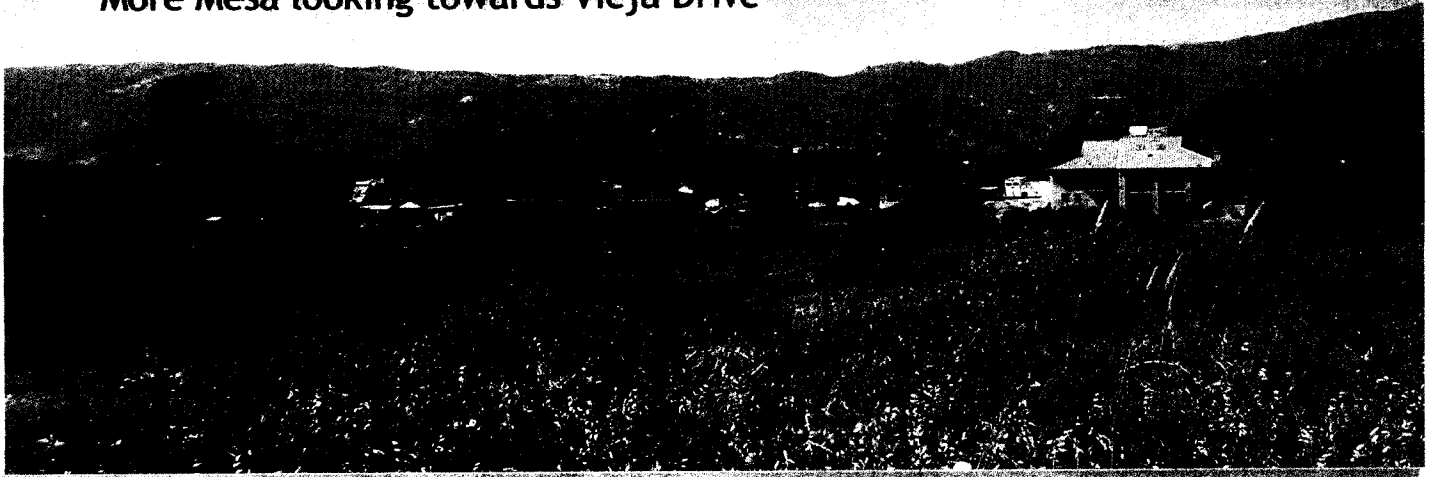
Possible Development Envelope as defined by Goteta Community Plan, August 1993 - 40.5 Acres

More Mesa Specific Plan - 266.5 Acres

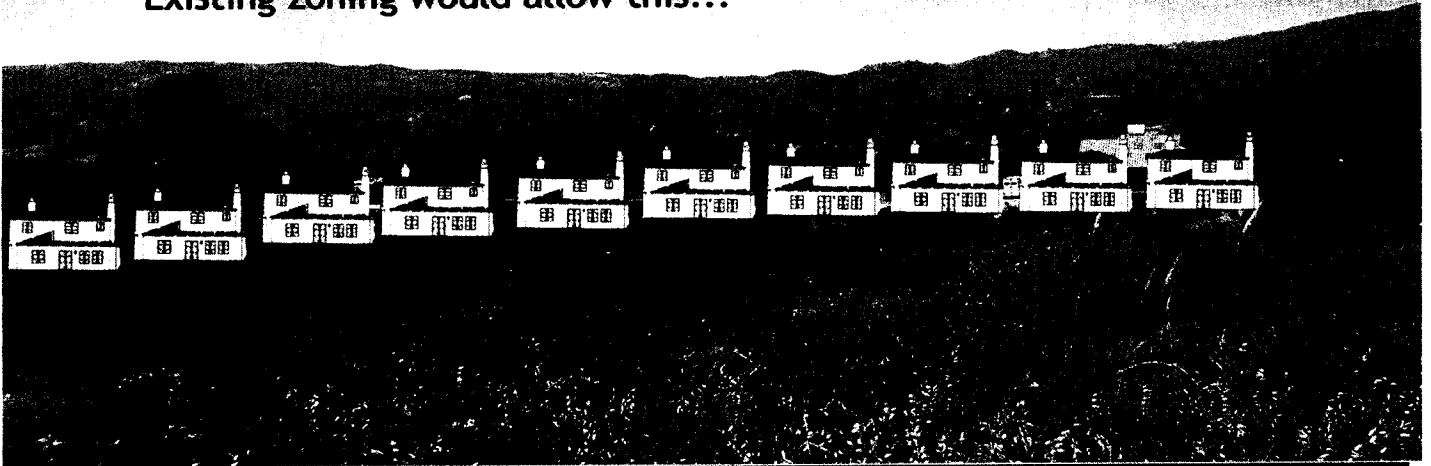
North Arrow
Santa Barbara County Planning and Development
Imagery taken in May 2000 by AirPhoto.com



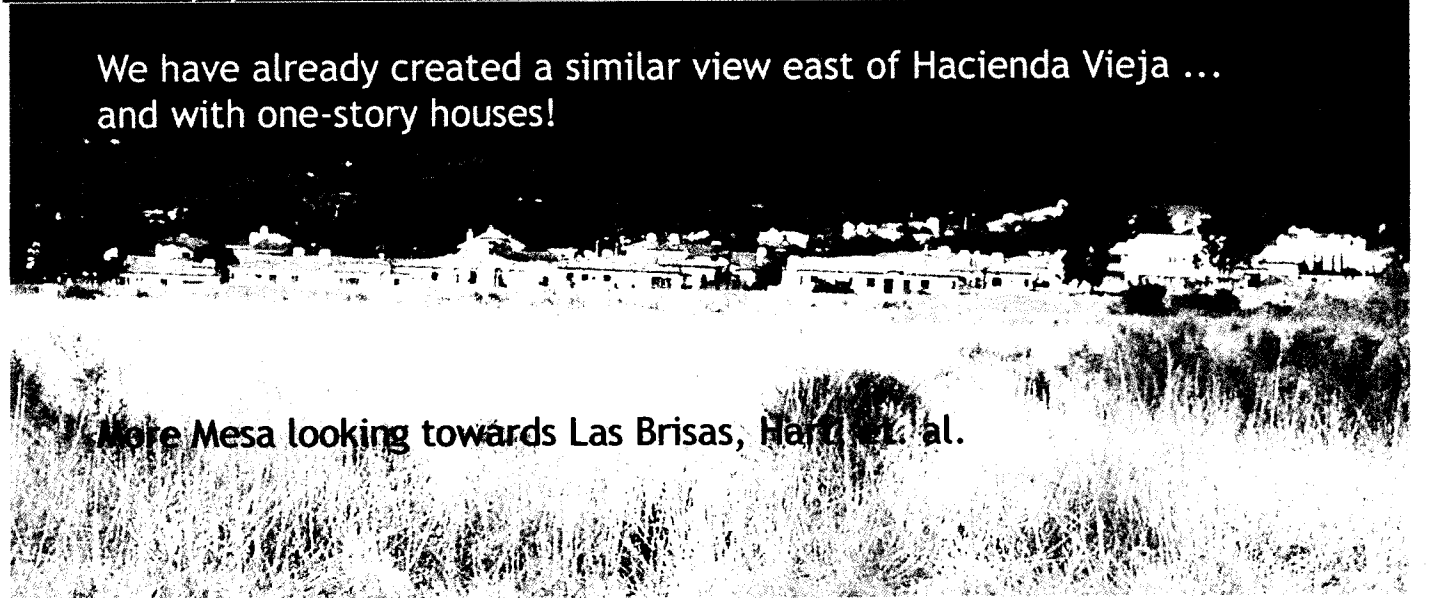
More Mesa looking towards Vieja Drive



Existing zoning would allow this...



We have already created a similar view east of Hacienda Vieja ...
and with one-story houses!



More Mesa looking towards Las Brisas, Hacienda Vieja, al.

Figure 9: Change along Vieja Drive could be truly dreadful.



ATTACHMENT A: VICINITY MAP

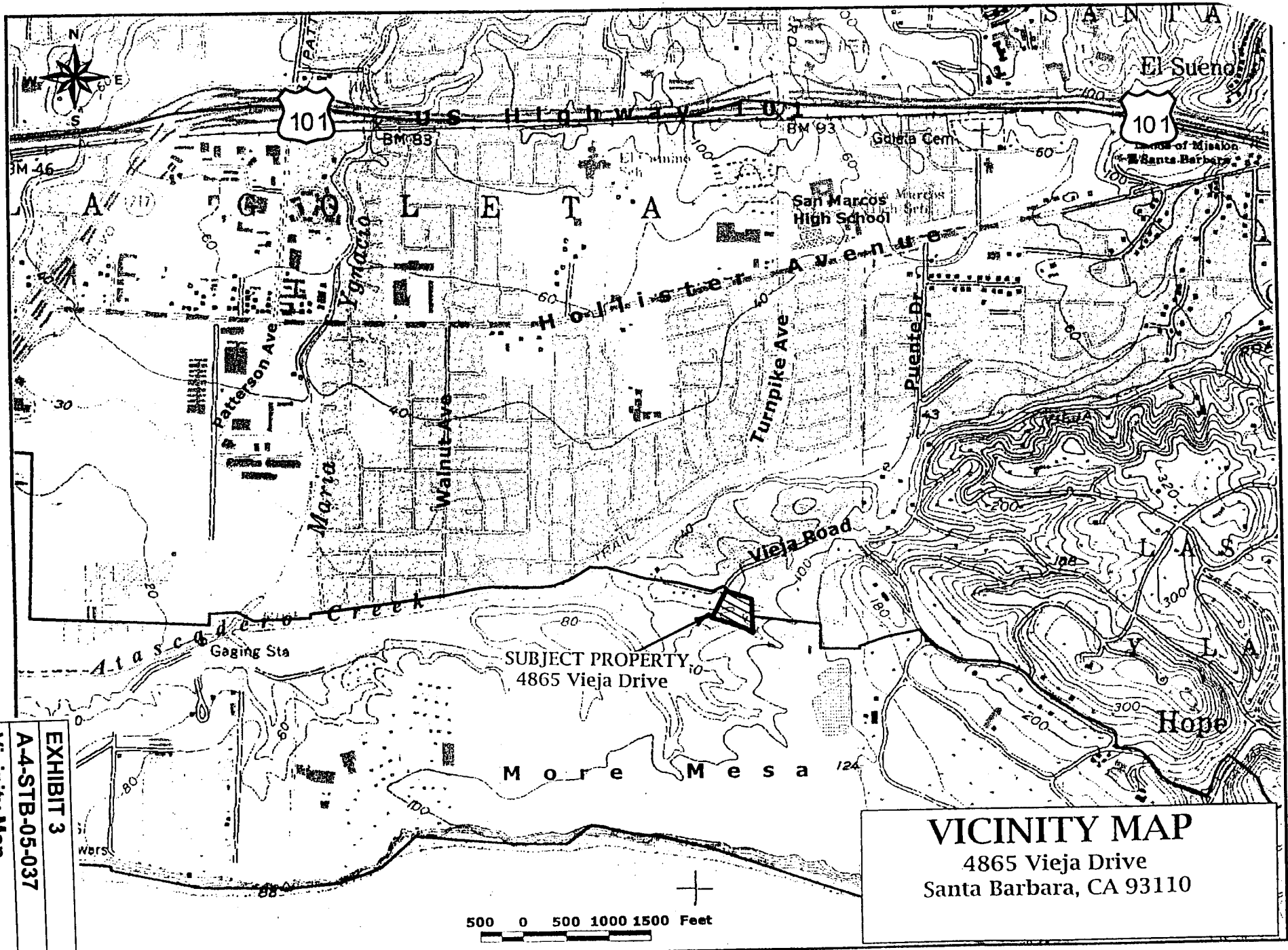


EXHIBIT 3
A-4-STB-05-037
Vicinity Map

VICINITY MAP
4865 Vieja Drive
Santa Barbara, CA 93110

ATTACHMENT A: REVISED LOT LINE ADJUSTMENT

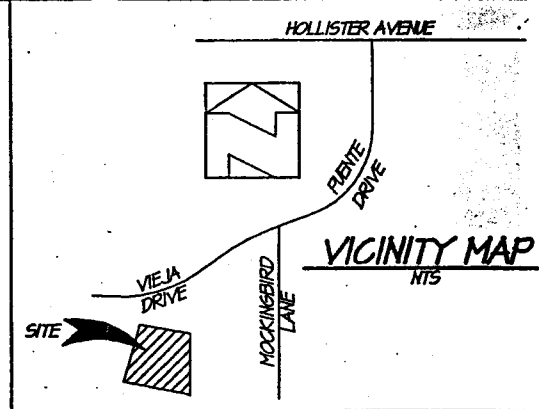
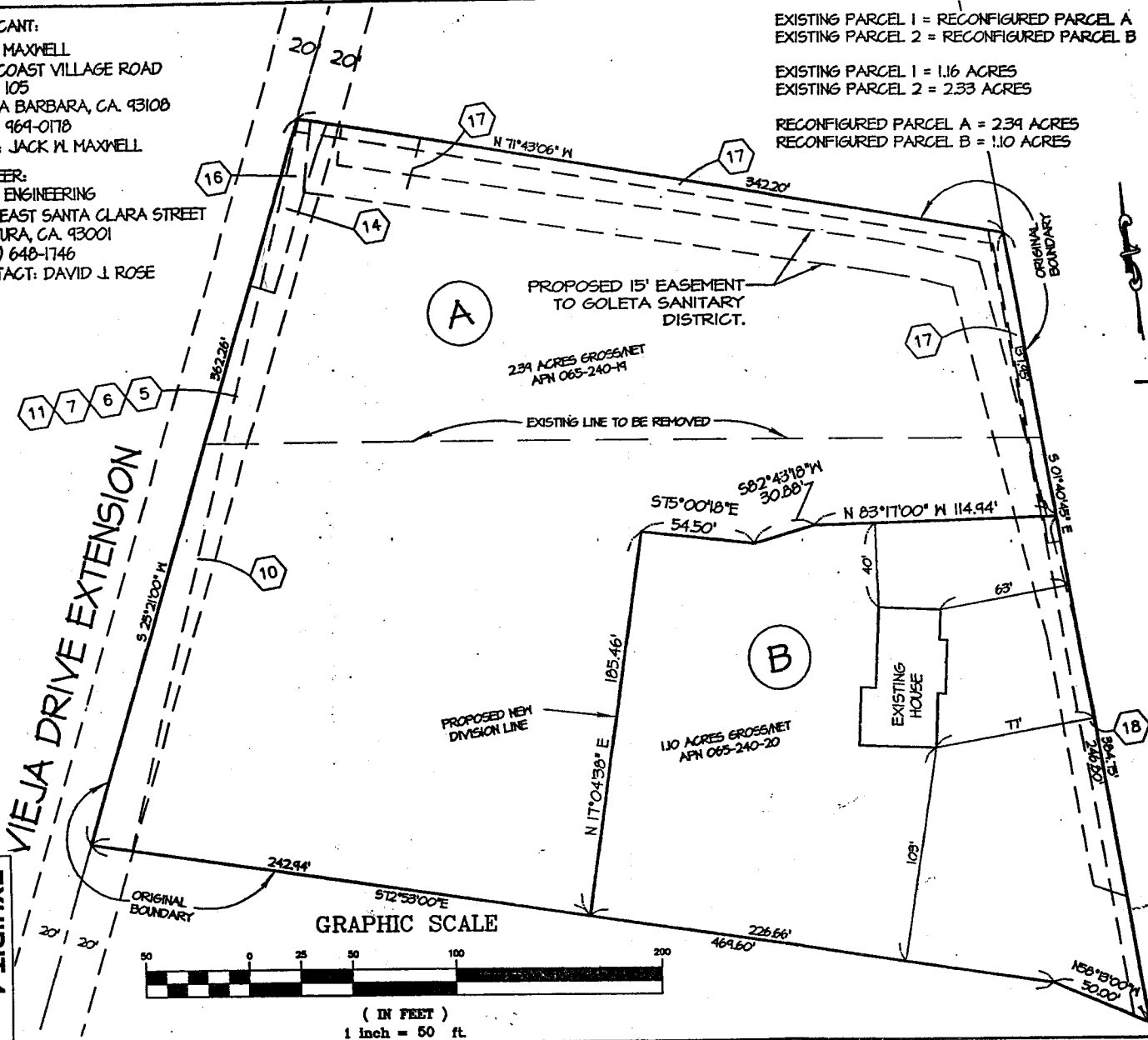
APPLICANT:
 JACK MAXWELL
 1253 COAST VILLAGE ROAD
 SUITE 105
 SANTA BARBARA, CA. 93108
 (805) 964-0178
 ATTN: JACK W. MAXWELL

ENGINEER:
 D.T.R. ENGINEERING
 868 EAST SANTA CLARA STREET
 VENTURA, CA. 93001
 (805) 648-1746
 CONTACT: DAVID J. ROSE

EXISTING PARCEL 1 = RECONFIGURED PARCEL A
 EXISTING PARCEL 2 = RECONFIGURED PARCEL B

EXISTING PARCEL 1 = 1.16 ACRES
 EXISTING PARCEL 2 = 2.33 ACRES

RECONFIGURED PARCEL A = 2.34 ACRES
 RECONFIGURED PARCEL B = 1.10 ACRES

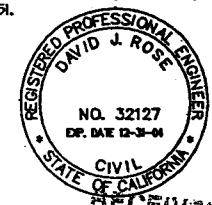


EXISTING EASEMENTS:

- 6. PUBLIC UTILITIES EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY OF CALIFORNIA PER BOOK 235, PAGE 102, O.R.
- 7. 20' ROADWAY EASEMENT TO JULIA BELLE AUSTIN PER BOOK 342, PAGE 140, O.R.
- 10. PUBLIC UTILITIES EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY OF CALIFORNIA PER BOOK 619, PAGE 184, O.R.
- 11. POLE LINE EASEMENT TO ASSOCIATED TELEPHONE COMPANY, LTD. PER BOOK 765, PAGE 343, O.R.
- 12. PIPELINE AND CONDUIT EASEMENT TO THE UNITED STATES OF AMERICA PER BOOK 1168, PAGE 65, O.R. INSTRUMENT/FILE NO. 11952.
- 13. EASEMENT TO ESTES C. DRAKE PER BOOK 1214, PAGE 442 O.R., INSTRUMENT/FILE NO. 9331.
- 14. PIPELINE EASEMENT TO GOLETA WATER DISTRICT PER BOOK 1460, PAGE 208, O.R. INSTRUMENT/FILE NO. 14208.
- 17. PUBLIC UTILITIES EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY PER BOOK 1574, PAGE 578, O.R., INSTRUMENT/FILE NO. 24951.
- 18. PUBLIC UTILITIES EASEMENT TO GENERAL TELEPHONE COMPANY OF CALIFORNIA PER BOOK 1627, PAGE 117, O.R. INSTRUMENT/FILE NO. 16151.

EXHIBIT 4
A-4-STB-05-037
Lot Line Adjustment

David J. Rose

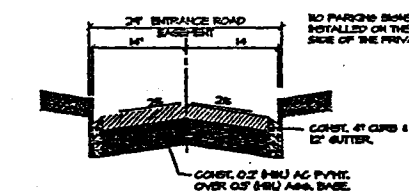
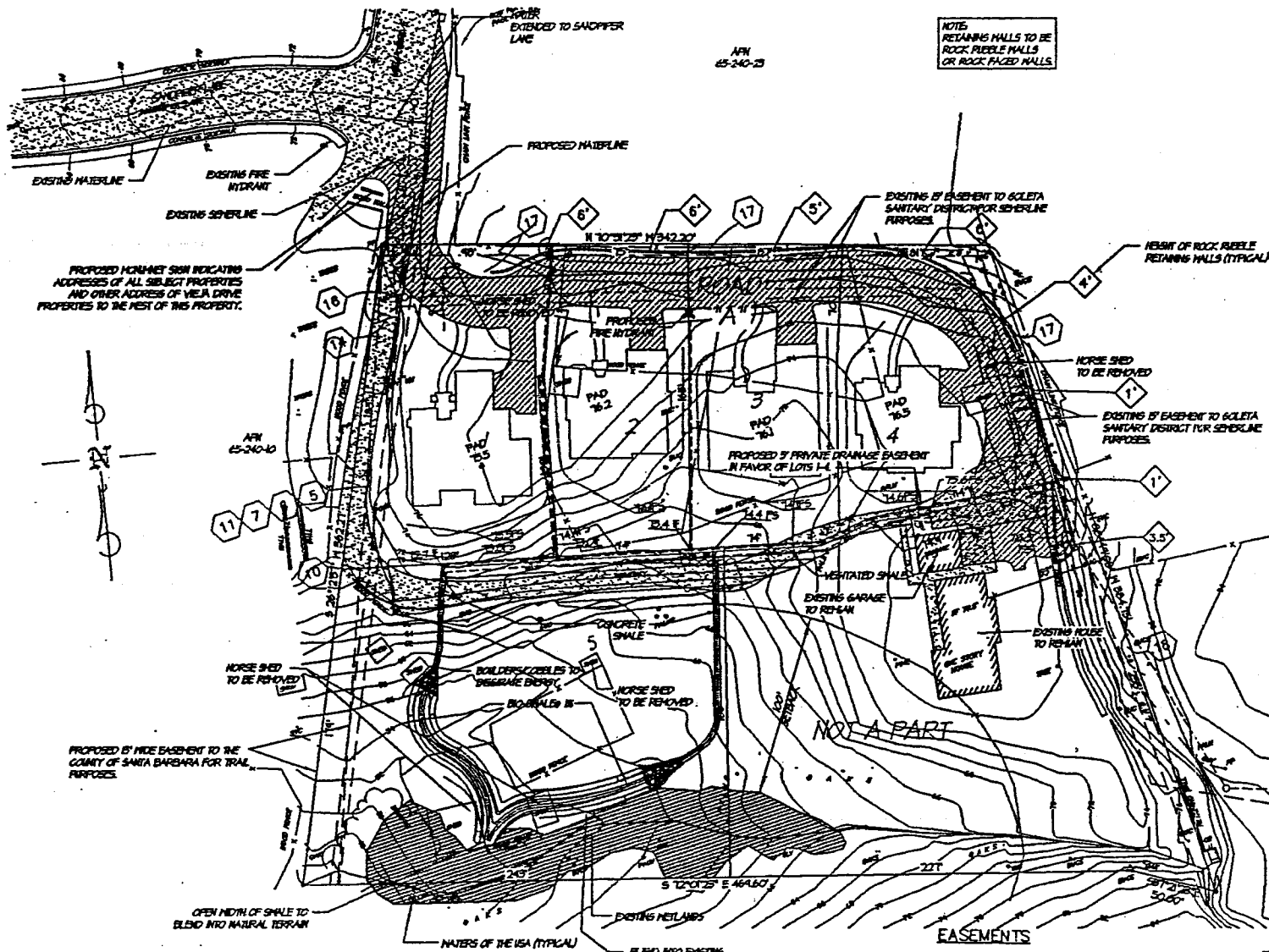


DAVID J. ROSE
 RCE 32127
 EXP. 12-31-04

A PORTION OF RANCHO LA GOLETA, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

S.B. COUNTY PLANNING & DEVELOPMENT

ATTACHMENT C: REVISED GRADING AND DRAINAGE PLAN

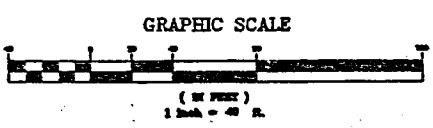


ROAD "A"
N.T.S.
NO PARKING SHALL BE ALLOWED ON PROPOSED ROADWAY.

EARTHWORK QUANTITIES:

| LOT | CUT (CY) | FILL (CY) |
|--------------|-------------|-------------|
| LOT 1 | 145 | 210 |
| LOT 2 | 660 | 40 |
| LOT 3 | 25 | 110 |
| LOT 4 | 120 | 40 |
| LOT 5 | 0 | 450 |
| TOTAL | 1550 | 1220 |

| LOT NUMBER | AREA (SF) | LOT USE | |
|------------------|------------------------------|-------------------------|------------|
| 1 | 36,488 | SINGLE FAMILY RESIDENCE | |
| 2 | 48,488 | SINGLE FAMILY RESIDENCE | |
| 3 | 19,880 | SINGLE FAMILY RESIDENCE | |
| 4 | 48,480 | SINGLE FAMILY RESIDENCE | |
| SUB-TOTAL | 62,457 SF = 1.43 AC. | | 60% |
| 5 | 41,625 SF = 0.96 AC. | COMMON AREA | 40% |
| TOTAL | 104,082 SF = 2.39 AC. | | |



- EASEMENTS**
- (E) PUBLIC UTILITIES EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY OF CALIFORNIA PER BOOK 235, PAGE 102, O.R.
 - (7) 20' ROADWAY EASEMENT TO JULIA BELLE MISTIK PER BOOK 512, PAGE 110, O.R.
 - (10) PUBLIC UTILITIES EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY OF CALIFORNIA PER BOOK 611, PAGE 104, O.R.
 - (11) POLE LINE EASEMENT TO ASSOCIATED TELEPHONE COMPANY, LTD. PER BOOK 765, PAGE 195, O.R.
 - (14) PIPELINE AND CONDUIT EASEMENT TO THE UNITED STATES OF AMERICA PER BOOK 166, PAGE 65, INSTRUMENT FILE NO. 1952.
 - (15) EASEMENT TO ESTES C. DRAKE PER BOOK 121, PAGE 142 O.R., INSTRUMENT FILE NO. 3028.
 - (16) PIPELINE EASEMENT TO GOLETA WATER DISTRICT PER BOOK 1460, PAGE 200, O.R., INSTRUMENT FILE NO. 14208.
 - (17) PUBLIC UTILITIES EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY PER BOOK 1514, PAGE 576, O.R., INSTRUMENT FILE NO. 24952.
 - (18) PUBLIC UTILITIES EASEMENT TO GENERAL TELEPHONE COMPANY OF CALIFORNIA PER BOOK 1621, PAGE 11, O.R., INSTRUMENT FILE NO. 1851.

- UTILITIES:**
- | | |
|--------------------|---|
| WATER: | GOLETA WATER DISTRICT |
| SEWER: | EXISTING PRIVATE SYSTEM GOLETA SANITARY DISTRICT |
| GAS: | SO. CAL. GAS CO. |
| ELECTRICAL: | SO. CAL. EDISON CO. |
| CABLE TV: | COX CABLE T.V. OF SANTA BARBARA |
| TELEPHONE: | GENERAL TELEPHONE CO. |

David
DAVID J. R.
RCE 52121
EXP. 12/31/00

EXHIBIT 5
A-4-STB-05-037
Vesting Tentative
Tract Map / Grading

ATTACHMENT B: REVISED DEVELOPMENT PLAN

TABLATIONS

SITE ADDRESS: VELA ONE (LOT 1), 384
SANTA BARBARA, CA 93111

OWNER:

APN: 832-00-19120

CONTRACT NO.: 19120

CONSTRUCTION TYPE: TYPE V, (4) SINGLE FAMILY RESIDENCES

PLAN 1

LOT 1: 18,791 SQ. FT. - 32 AC
LOWER FLOOR - 3,500 SF
UPPER FLOOR - 1,900 SF
AVERAGE HEIGHT - 17'-0"
REAR SETBACK - 10'-0"

LOT 2: 14,988 SQ. FT. - 32 AC
LOWER FLOOR - 3,500 SF
UPPER FLOOR - 1,900 SF
AVERAGE HEIGHT - 17'-0"
REAR SETBACK - 10'-0"

LOT 3: 14,988 SQ. FT. - 32 AC
LOWER FLOOR - 3,500 SF
UPPER FLOOR - 1,900 SF
AVERAGE HEIGHT - 17'-0"
REAR SETBACK - 10'-0"

LOT 4: 18,791 SQ. FT. - 32 AC
LOWER FLOOR - 3,500 SF
UPPER FLOOR - 1,900 SF
AVERAGE HEIGHT - 17'-0"
REAR SETBACK - 10'-0"

NOT PART OF THIS DEVELOPMENT

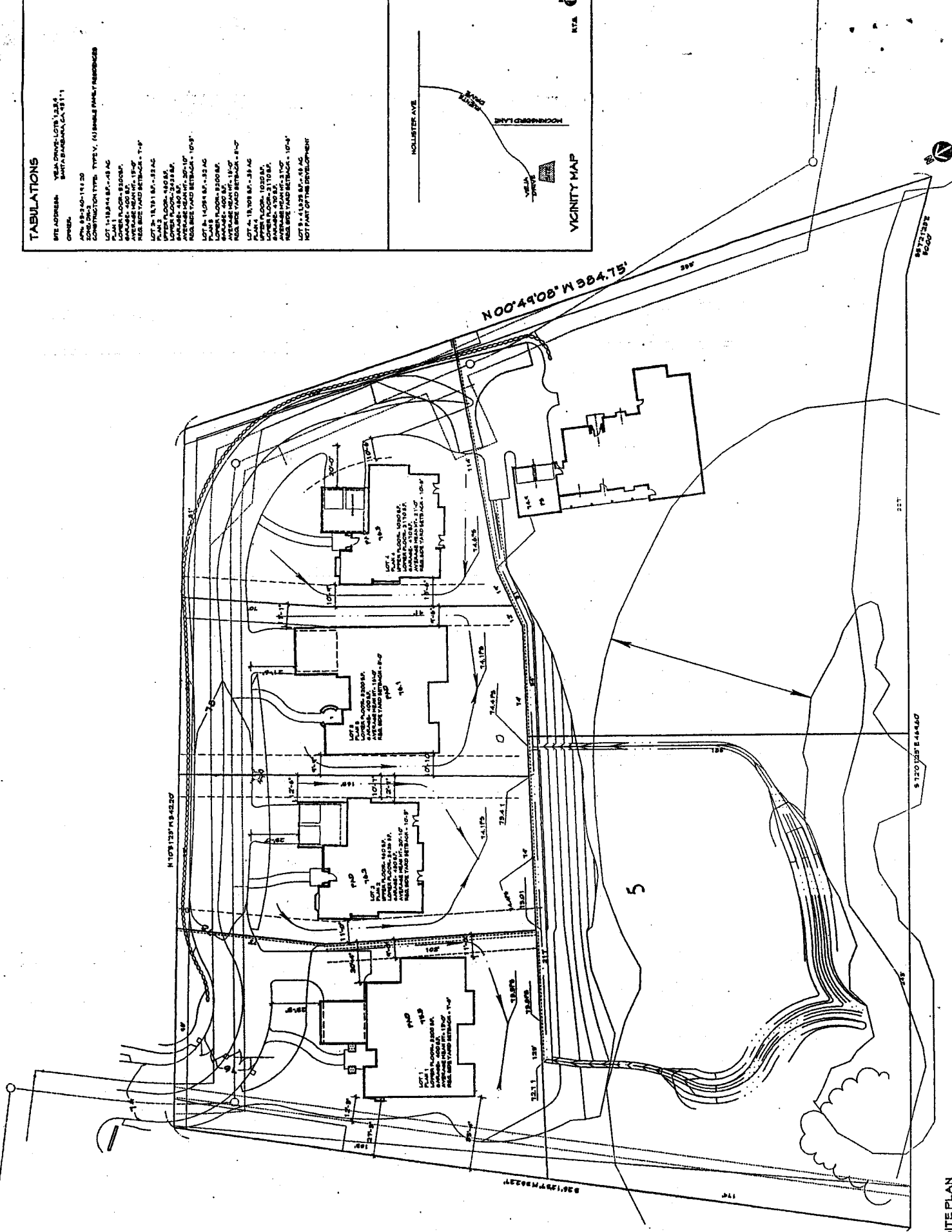
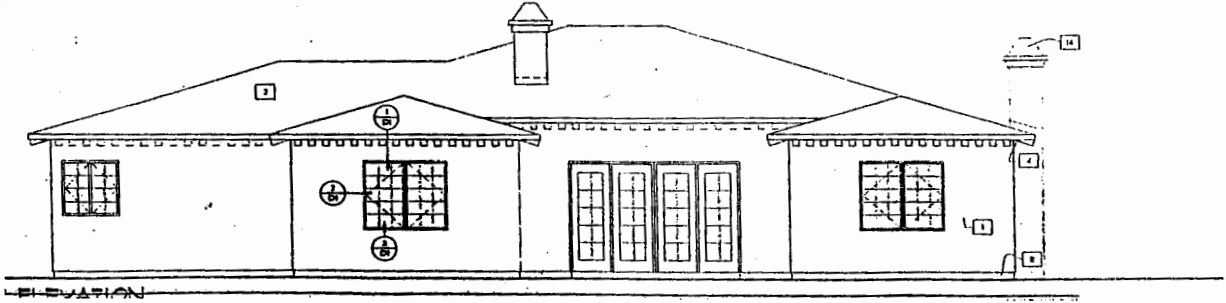
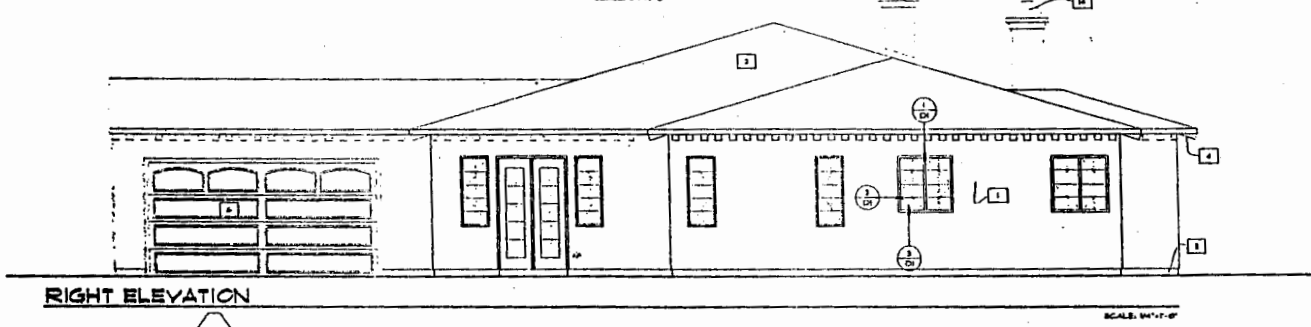
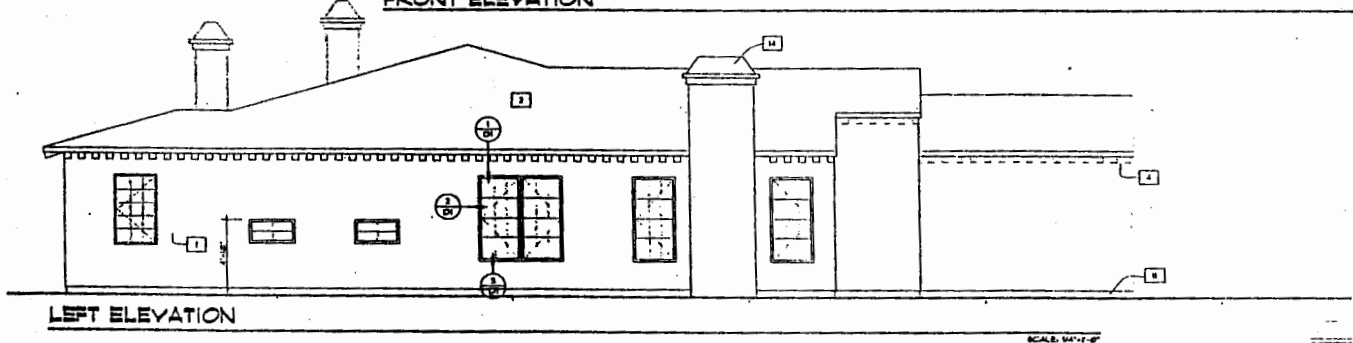
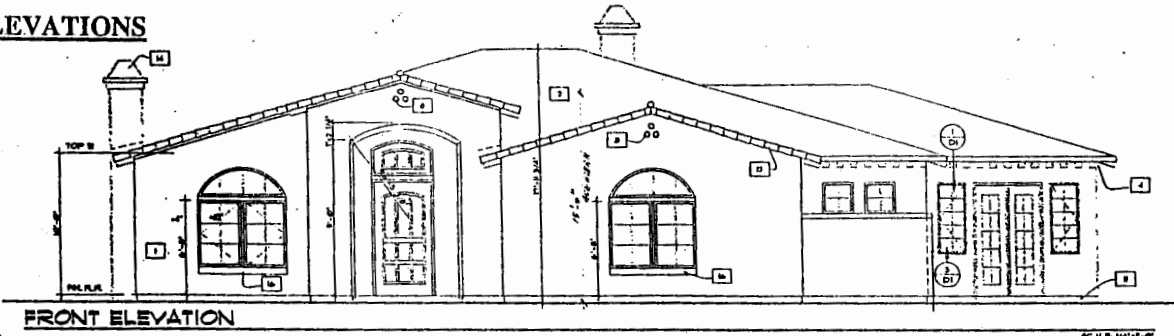


EXHIBIT 6
A-4-STB-05-037
Development Plan

SITE PLAN

**ATTACHMENT F: REVISED ELEVATIONS
AND FLOOR PLANS**



EXTERIOR ELEVATION NOTES:

- MATERIALS SHALL BE AS FOLLOWS:
- WALLS: 1/2\"/>
- STONE VENEER (AT SPECIFIED AREAS): SCHLITZ
- ROOF: 1/2\"/>
- ROOF: CLAY 3-PIECE TILE
- ROOF PITCH SHALL BE AS FOLLOWS: 8:12 (10:12) 3:12 (10:12)
- FOR WINDOW AND SLIDING INFORMATION SEE FLOOR PLAN
- SEE SECTIONS FOR PLATE HEIGHTS
- TOP OF CHIMNEY SHALL BE A MINIMUM OF 2'-0\"/>
- SEE ELECTRICAL PLAN FOR EXTERIOR LIGHT FIXTURES
- DASHED LINE AT TRANSITION FROM VERTICAL TO SLOPED SURFACES INDICATES 0.1 PLASTERING
- ALL WINDOW AND DOOR HEIGHTS ARE 4'-0\"/>
- INDICATES FLOOR PLAN NOTE
- 1. BATTERY PLASTER
- 2. FRAGON TILE ROOF
- 3. STONE VENEER
- 4. RAFTER BARS. SEE DETAIL, S.C.D.
- 5. EXTERIOR PLASTER SAVE. SEE DETAIL, S.C.D.
- 6. METALLIC GARAGE DOOR
- 7. BASE WALL. SEE DETAIL, V.O.D.
- 8. 4\"/>
- 9. BRICKWORK COLLAR
- 10. CORNERPOST
- 11. SIDING. SEE DETAIL, M.V.S.
- 12. PLANK TILE. SEE DETAIL, S.C.D.
- 13. BRICKWORK. SEE DETAIL, S.C.D.
- 14. METAL CHIMNEY CAP
- A. EXTERIOR LIGHT FIXTURE
- B. 3/4\"/>
- C. GARDEN BALL

RICHARD T. THORNE ARCHITECT architecture / planning
 309 AVILA WAY, SANTA BARBARA, CA 93108 (805) 969-9879 fax/telephone richard@rtt.com (email)

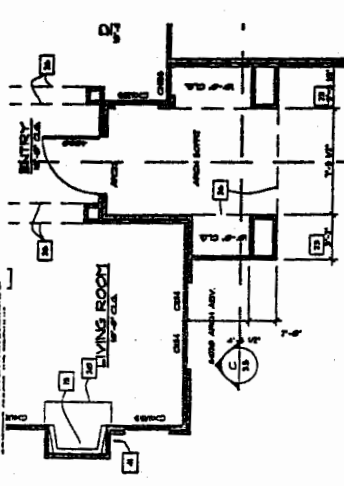
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| LAS BRISAS AT MORE MESA SANTA BARBARA, CA |
| 5/22/03 REVISION |
| ELEVATION B |
| LOT 1 |
| SHEET A-4-STB-05-037 3.1 |

EXHIBIT 7
A-4-STB-05-037
Elevation & Floor
Plans

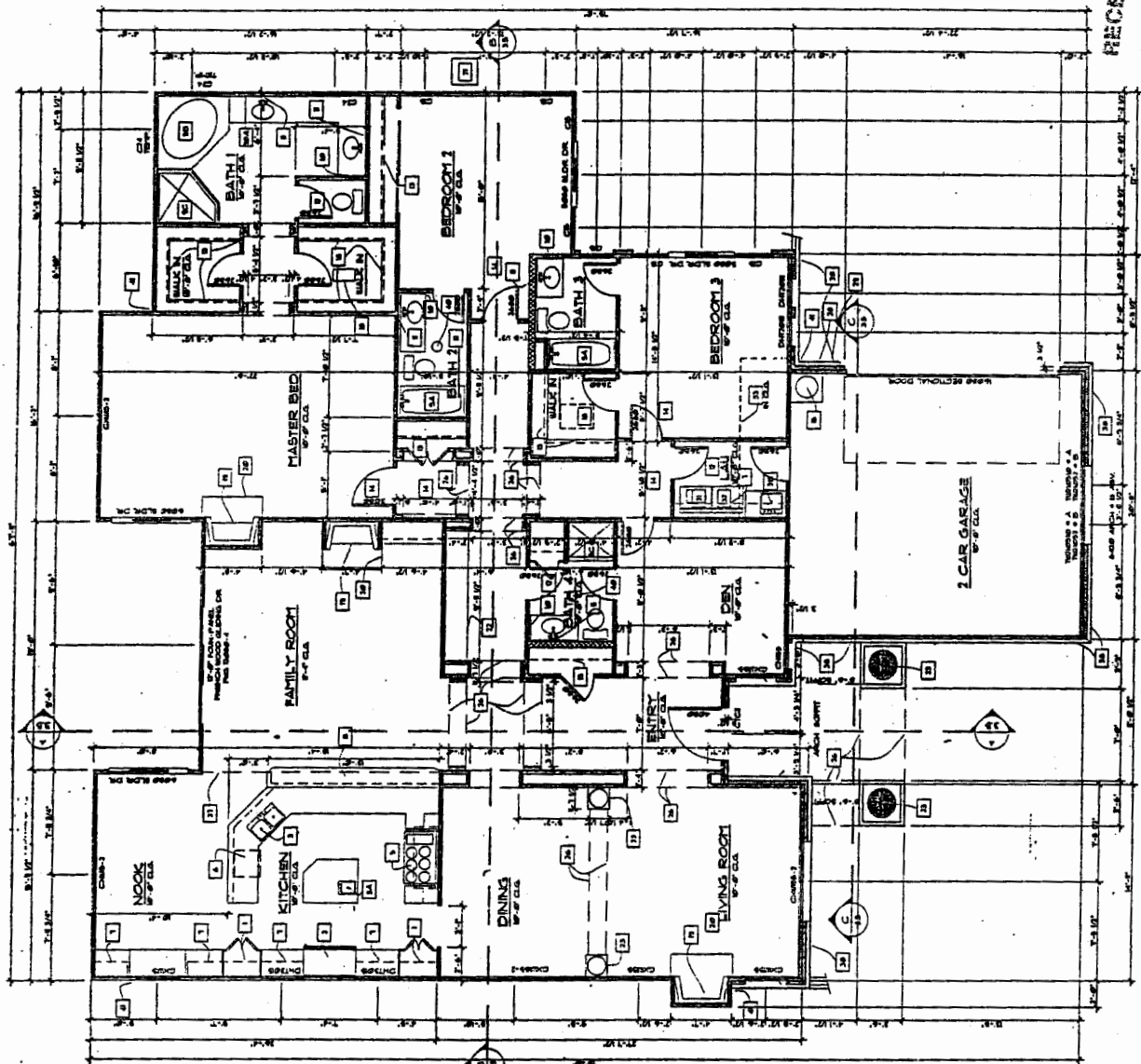
PRELIMINARY, NOT FOR CONSTRUCTION
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FLOOR PLAN NOTES:

- 1. FINISHES TO BE DETERMINED BY THE CLIENT.
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- 50. FINISHES TO BE DETERMINED BY THE CLIENT.



FLOOR PLAN (ENTRY ELEV. B)
SCALE 1/8" = 1'-0"



FLOOR PLAN
SCALE 1/8" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION
LOT 1
RECEIVED SEP 21 2004
3.2

LAS BRISAS AT MORE MESA
SANTA BARBARA, CA
5/22/03
A.M.M.

RICHARD T. THORNE ARCHITECT architecture / planning
309 AVILA WAY, SANTA BARBARA, CA 93108 (805) 969-9879 fax/telephone richard@rtmca.com (emil)



PACIFIC ARCHITECTS

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HERNETO, CA. 94108
805.565.3640

Vieja Drive
HACIENDA VIEJA

APNs
65-240-19
65-240-20

LOT 2

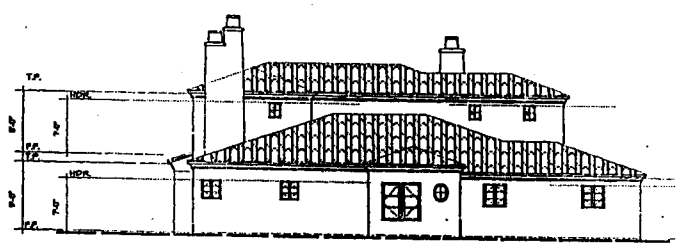


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| Revision | Description | Date |
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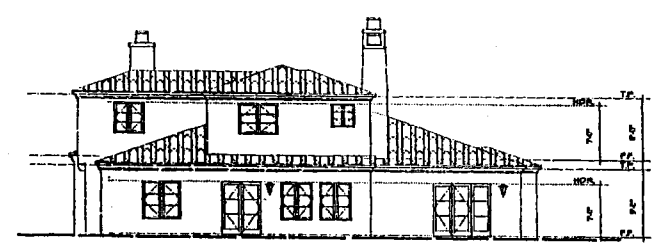
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S.S. COUNTY
PLANNING & DEVELOPMENT



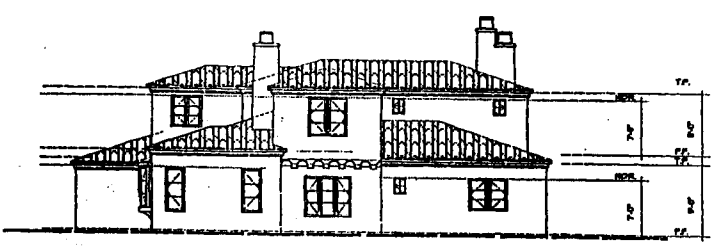
EAST ELEVATION - (LOT 2)

1/16" = 1'-0"



SOUTH ELEVATION - (LOT 2)

1/16" = 1'-0"



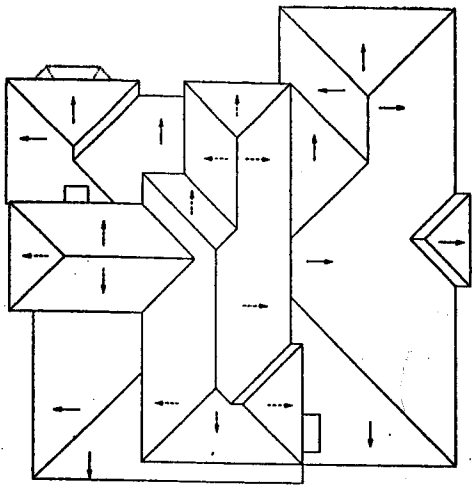
WEST ELEVATION - (LOT 2)

1/16" = 1'-0"



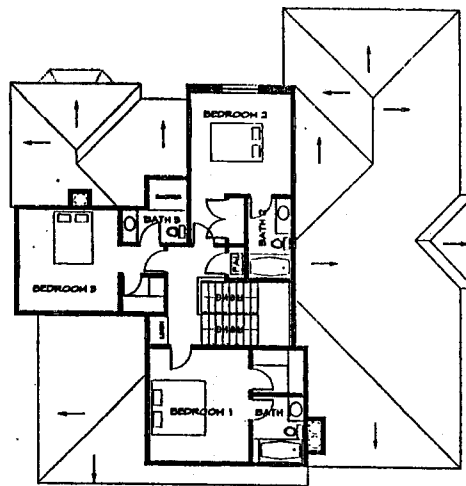
NORTH ELEVATION - (LOT 2)

1/16" = 1'-0"



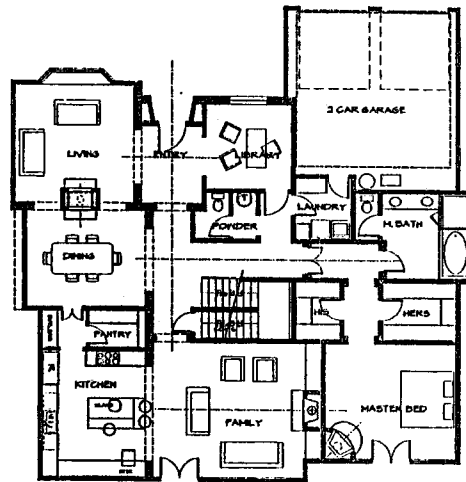
ROOF PLAN - (LOT 2)

1/16" = 1'-0"



UPPER FLOOR PLAN - (LOT 2)

• 1460 SF 1/16" = 1'-0"



LOWER FLOOR PLAN - (LOT 2)

RES- 2426 SF, GAR-1400 SF 1/16" = 1'-0"



PACIFIC ARCHITECTS

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HERMISTON, CA. 93108
805.365.3640

Vieja Drive
HACIENDA VIEJA

APN
65-240-11
65-240-20

LOT 2



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| Revisions | Description | Date |
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Job Number
Date: 9/16/04

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PLANNING & DESIGN

309 AVILA WAY, SANTA BARBARA, CA 93108 (805) 959-9675 FAX/EMAIL: rthorne@rthorne.com (encl)

RICHARD T. THORNE ARCHITECT / planning

LAS BRISAS AT MORE MESA
SANTA BARBARA, CA

5/22/03
REVISION

REVISION A
LOT 3

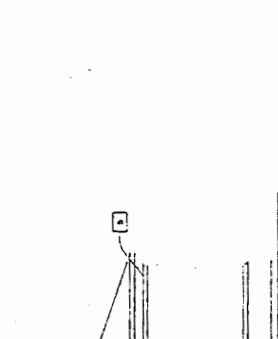
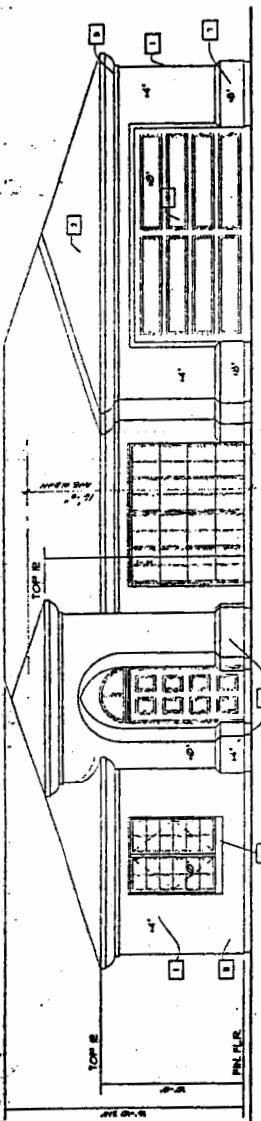
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PLANNING & ARCHITECTURE

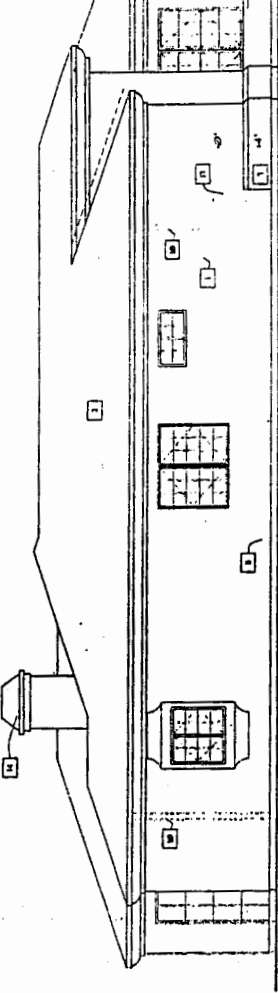
EXTERIOR ELEVATION NOTES:

MATERIALS SHALL BE AS FOLLOWS:
 1. EXTERIOR PLASTER / AT RECORD AND / AS SHOWN
 2. EXTERIOR FINISHES / AS SHOWN
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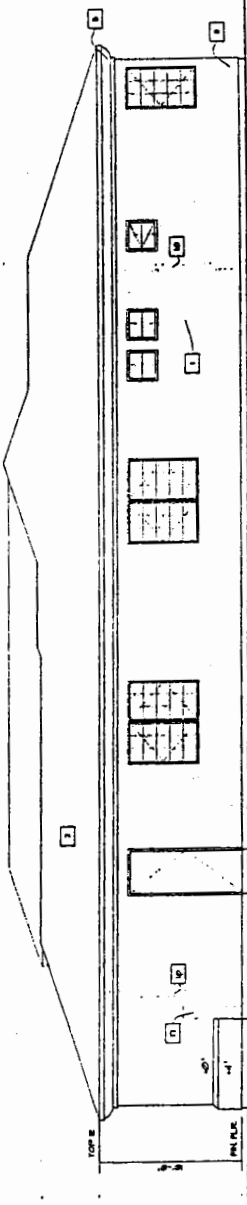
FRONT ELEVATION SCALE: 1/8" = 1'-0"



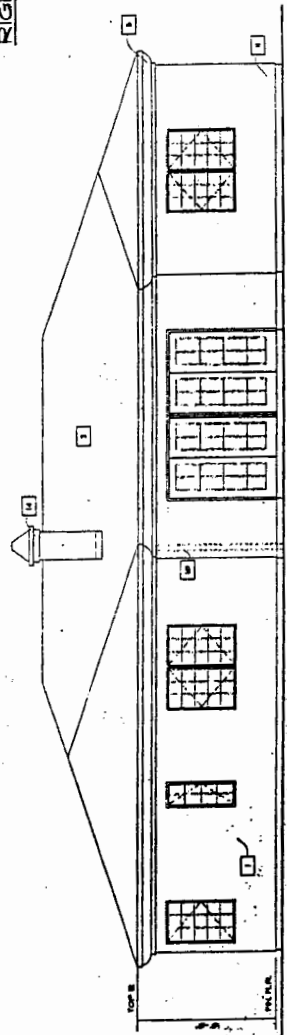
LEFT ELEVATION SCALE: 1/8" = 1'-0"



RIGHT ELEVATION SCALE: 1/8" = 1'-0"

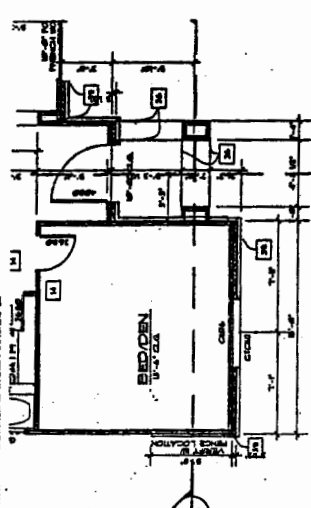
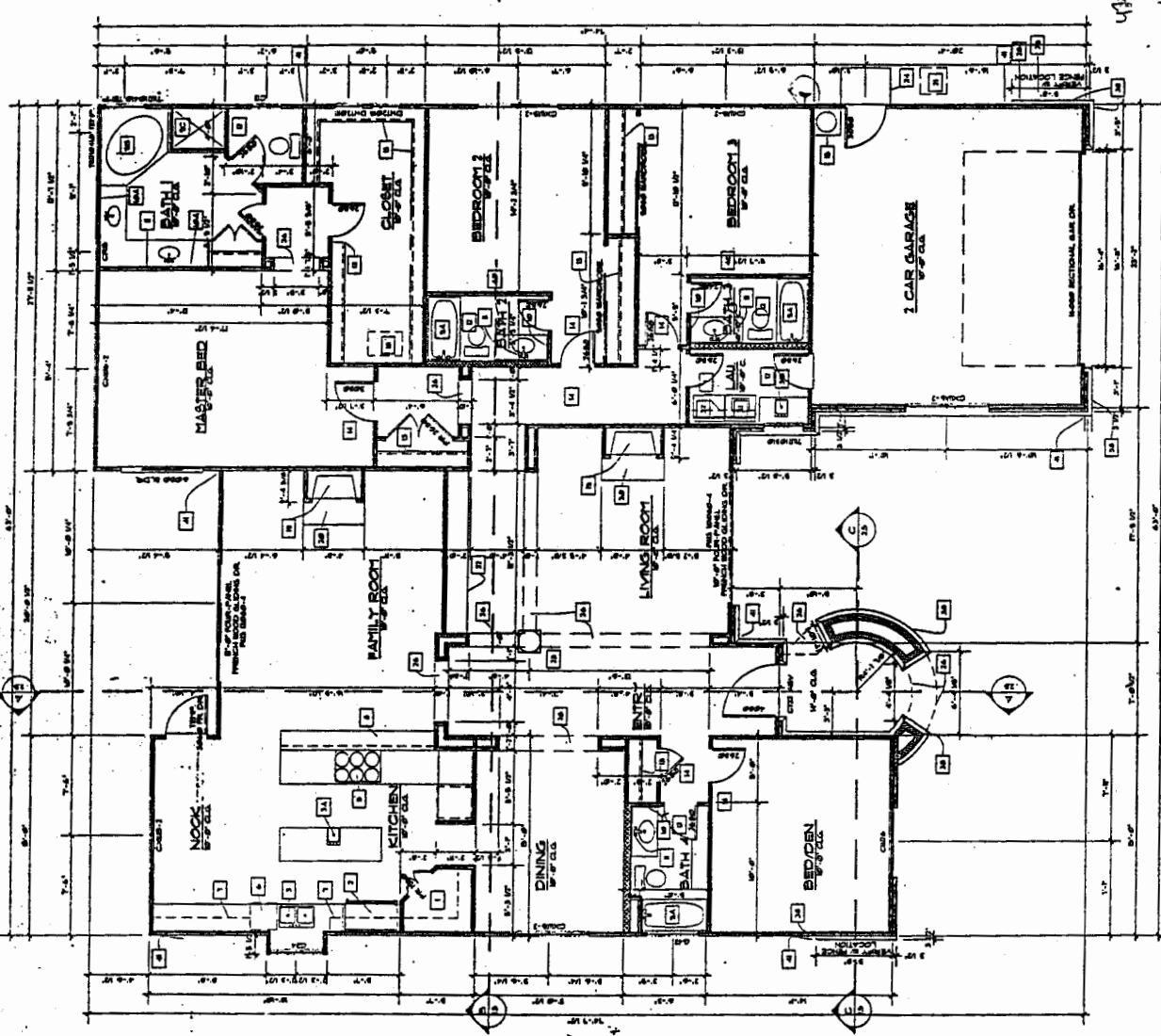


REAR ELEVATION SCALE: 1/8" = 1'-0"



FLOOR PLAN NOTES:

- 1. PROVIDE AN INFORMATION SPACE AND ROOM NUMBER FOR EACH ROOM AND DOUBLE CHECK FOR ACCURACY.
- 2. PROVIDE ROOM NUMBER FOR EACH ROOM AND DOUBLE CHECK FOR ACCURACY.
- 3. PROVIDE ROOM NUMBER FOR EACH ROOM AND DOUBLE CHECK FOR ACCURACY.
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- 50. PROVIDE ROOM NUMBER FOR EACH ROOM AND DOUBLE CHECK FOR ACCURACY.



PARTIAL FLOOR PLAN (ELEVATION B ENTRY)

RICHARD T. THORNE ARCHITECT architecture / planning
 305 AVILA WAY, SANTA BARBARA, CA 93108 (805) 969-9879 (fax/telephone rchard@rtta.com (email))
 LAS BRISAS AT MORE MESA
 SANTA BARBARA, CA
 5/22/03
 A W/REV
 NO. 100000
 LOT 3
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 2.2
 COUNTY

PRELIMINARY NOT FOR CONSTRUCTION

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PACIFIC ARCHITECTS

1117 COAST VILLAGE RD.
MONTICITO, CA. 95108
805.365.3640

Vieja Drive
HACIENDA VIEJA

APH
65-240-19
65-240-20

LOT 4



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| Revision | Description | Date |
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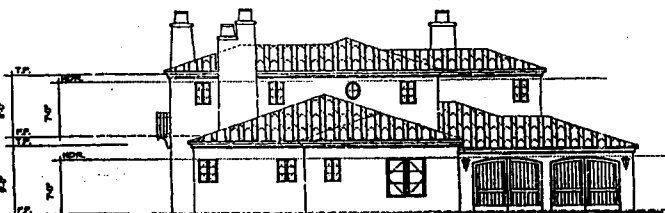
Job Number
Date: 09/16/2004

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A3-4

PLANNING AND DESIGN SERVICES



EAST ELEVATION - (LOT 4)

1/16" = 1'-0"



SOUTH ELEVATION - (LOT 4)

1/16" = 1'-0"



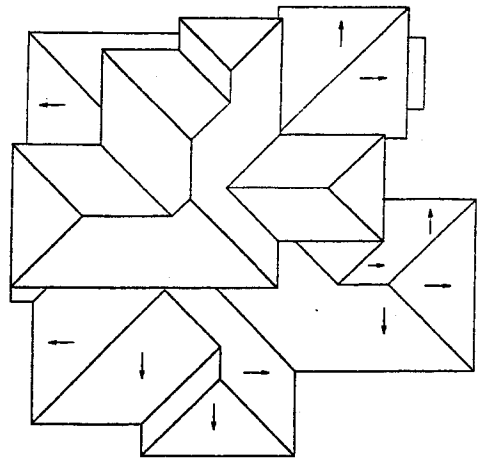
WEST ELEVATION - (LOT 4)

1/16" = 1'-0"

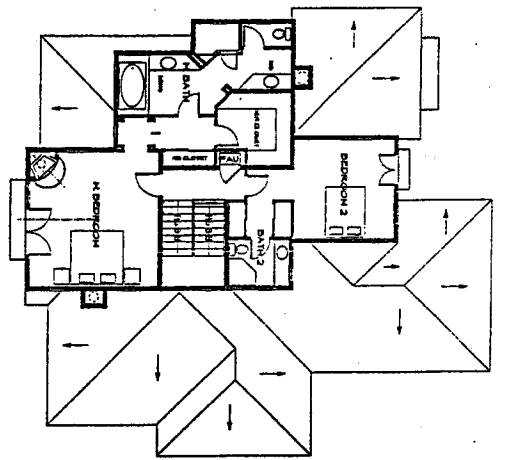


NORTH ELEVATION - (LOT 4)

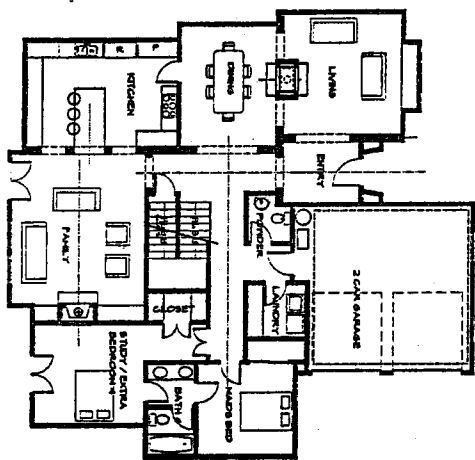
1/16" = 1'-0"



ROOF PLAN - (LOT 4)
1/16" = 1'-0"



UPPER FLOOR PLAN - (LOT 4)
1/16" = 1'-0"



LOWER FLOOR PLAN - (LOT 4)
1/16" = 1'-0"



PACIFIC ARCHITECTS

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MONTROSE, CO. 81046
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Vieja Drive
HACIENDA VIEJA

APR
65-240-14
65-240-20

LOT 4



All Plans, Exhibits and Notes
submitted for review by and for
the use of the Board of Professional
Engineers and Surveyors are
accepted for review and approval for
the purpose of issuing a license to
practice. It is understood that the
licensee shall be held liable for
the accuracy of the information
submitted and the results of the
review process.

| Approval | Description | Date |
|----------|-------------|------|
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PLANNING AND DESIGN

TENTATIVE TRACT NO. 14595
EXISTING TOPOGRAPHY
OF SURROUNDING AREA

RING
SUITE 100
NIA #B003

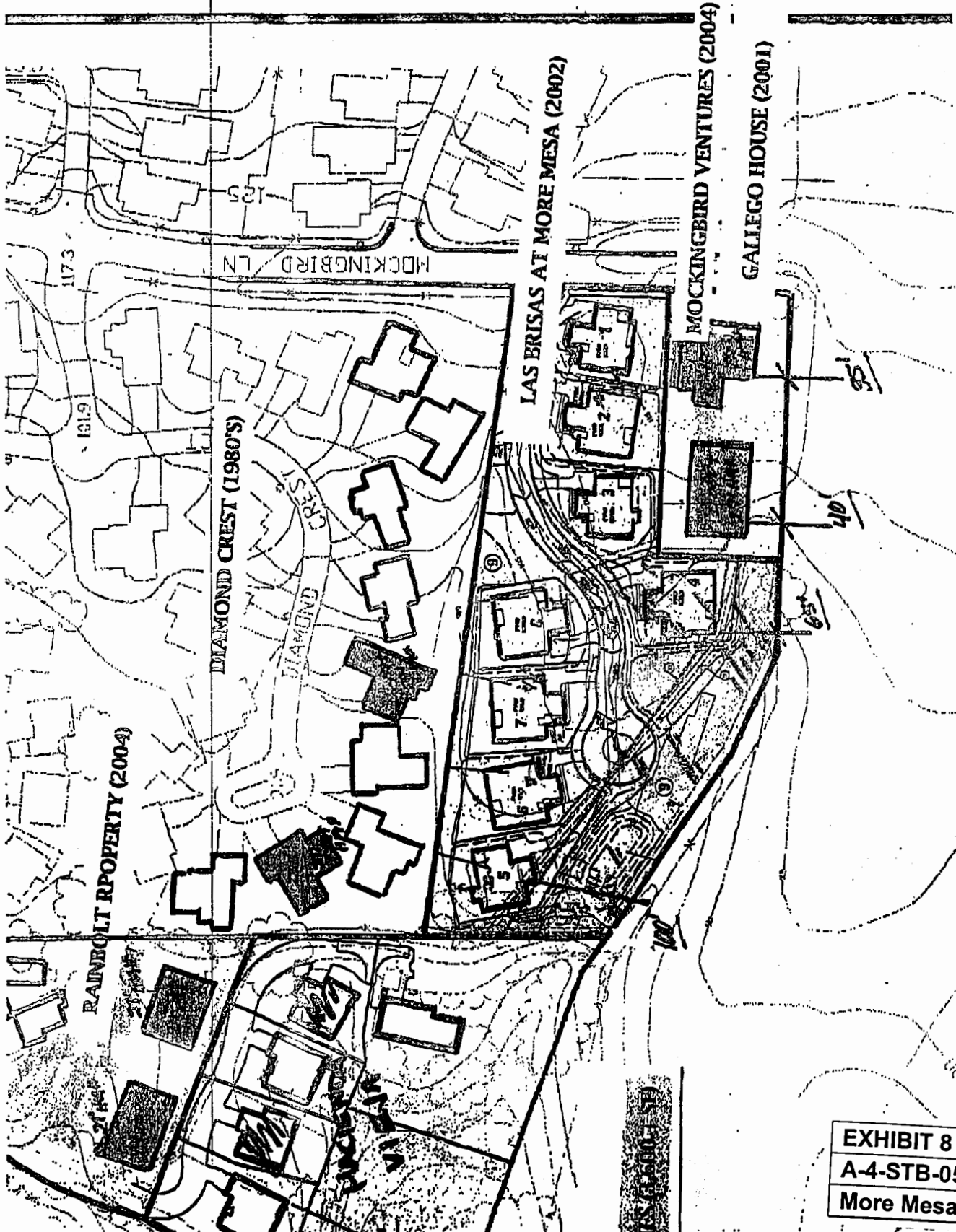
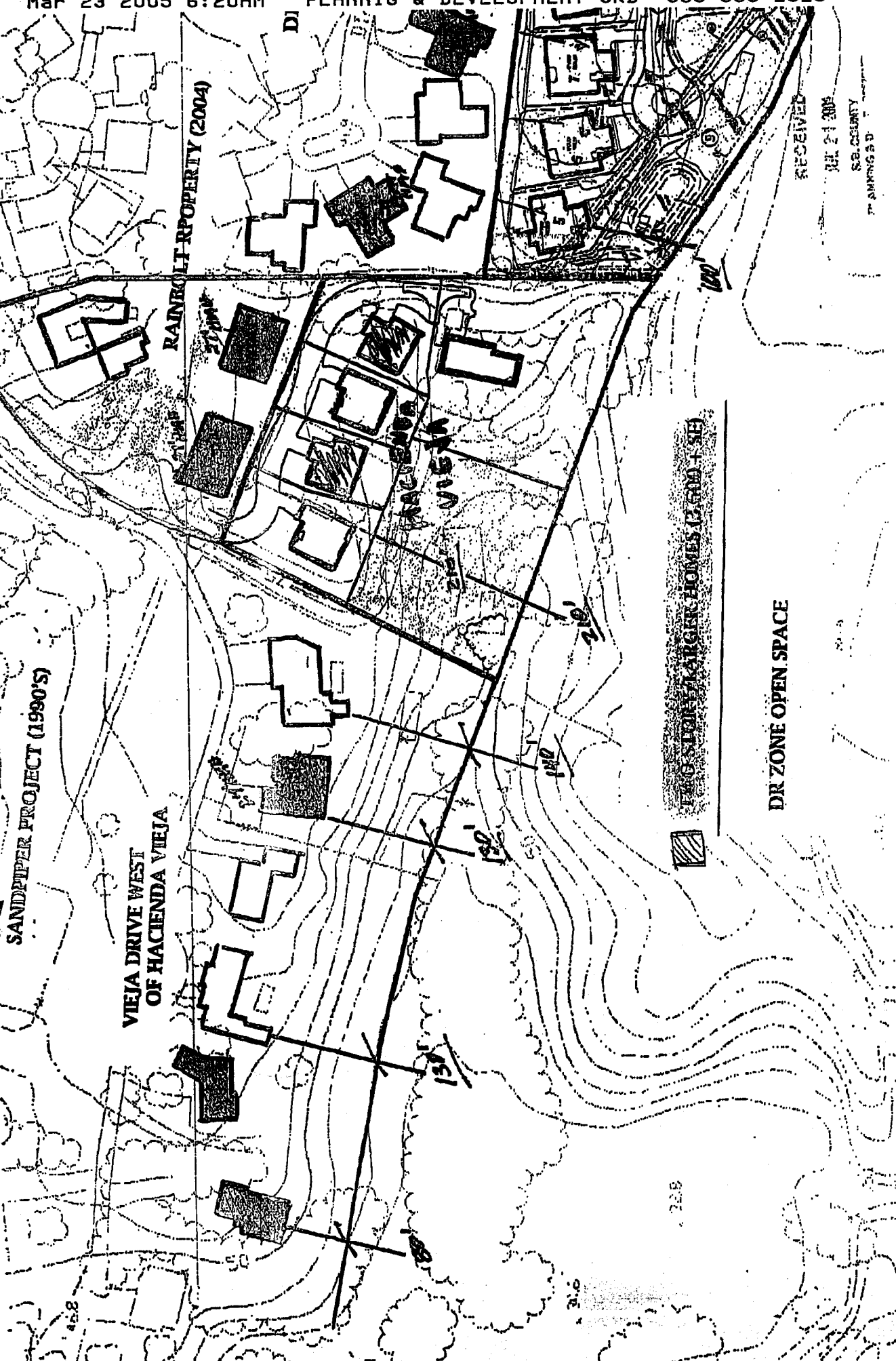


EXHIBIT 8
A-4-STB-05-037
More Mesa Setbacks



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