STATE OF CALIFORNIA -- THE RESOURCES AGENCY

### CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA 89 SOUTH CALIFORNIA ST., SUITE 200 VENTURA, CA 93001 (805) 585-1800

RECORD PACKET COPY

Filed: 180th Day: 5/08/03

Staff:

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Staff Report:

6/19/03 7/10/03

Hearing Date: Commission Action:

### STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-03-020

**APPLICANT:** Peoples' Self Help Housing Corporation

AGENT: Tiffany Campbell, Suzanne Elledge Planning and Permitting Services

PROJECT LOCATION: 360 Ellwood Beach Drive, Goleta (Santa Barbara County)

PROJECT DESCRIPTION: Construction of two 4-unit apartment buildings, including a 4,584 sq. ft., three-story, 31-foot high four-unit apartment building with parking, laundry room, and trash storage and a 3,016 sq. ft., two-story, 19 ft. high, four-unit apartment building, and 389 cu. yds. of grading (337 cu. yds cut, 52 cu. yds. fill).

Lot Area:

11,508 sq. ft. (.26 acres)

**Building Coverage:** 

4,008 sq. ft.

Pavement Coverage: Landscaped Area:

2,564 sq. ft. 4,936 sq. ft.

Parking Spaces:

11 spaces

Height above existing grade: 31 feet

LOCAL APPROVALS RECEIVED: City of Goleta Conceptual Approval, February 18, 2003 (Case 19-SB-PD).

SUBSTANTIVE FILE DOCUMENTS: Geotechnical Investigation, Ellwood Housing, 360 Ellwood Beach Drive, Santa Barbara (GSI Soils Inc, December 10, 2001); Biological Assessment of Property at 360 Ellwood Beach Drive (Storrer Environmental Service, May 6, 2003); Phase I Environmental Site Assessment Report for Undeveloped Property Located At 360 Ellwood Beach Drive, Santa Barbara County.

SUMMARY OF STAFF RECOMMENDATION: The proposed project would result in the development of two multi-family residential structures on an infill project site in Goleta. Staff recommends approval of the proposed project with three special conditions regarding (1) Landscaping and Erosion Control Plans, (2) Drainage and Polluted Runoff Plans, and (3) Removal of Excess Excavated Materials.

#### I. STAFF RECOMMENDATION

MOTION: I move that the Commission approve Coastal Development Permit

No. 4-03-020 pursuant to the staff recommendation.

#### STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

#### RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

#### II. STANDARD CONDITIONS

- Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

#### III. SPECIAL CONDITIONS

#### 1. Landscape and Erosion Control Plan

Prior to issuance of a coastal development permit, the applicant shall submit two (2) sets of landscaping and erosion control plans prepared by a landscape architect, engineer, or other qualified specialist for review and approval by the Executive Director. The plans shall incorporate the following criteria:

#### A) Landscaping Plan

- (1) All disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants. Invasive, nonindigenous plan species that tend to escape the landscaping site and supplant native species shall not be used in the landscaping plantings associated with the approved project.
- (2) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;

### B) Interim Erosion Control Plan

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include staging areas and stockpile areas.
- (2) The plan shall specify that should grading take place during the rainy season (November 1 March 31) the applicants shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- (3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify

that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

#### 2. <u>Drainage and Polluted Runoff Control Plan</u>

Prior to the issuance of the coastal development permit, the applicant shall submit two (2) sets of plans for the review and approval of the Executive Director, final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85<sup>th</sup> percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.
- (c) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

#### 3. Removal of Excess Excavated Material

Prior to the issuance of the coastal development permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all excavated material and debris from the site. Should the disposal site be located in the Coastal Zone, a coastal development permit shall be required.

#### IV. FINDINGS AND DECLARATIONS.

The Commission hereby finds and declares:

### A. Project Description and Background

The project site is located on a vacant .26-acre infill lot located in the Ellwood Acres subdivision in the City of Goleta, approved prior to the Coastal Act (Exhibits 1-2). The project is surrounded on all sides by developed lots, with apartment complexes to the north, south, and west and a condominium development to the east. The property fronts, and obtains access from, Ellwood Beach Drive.

The applicant proposes to construct two 4-unit apartment buildings, including a 4,584 sq. ft., three-story, 31-foot high four-unit apartment building with parking, laundry room, and trash storage and a 3,016 sq. ft., two-story, 19 ft. high, four-unit apartment building, eleven on-site parking spaces, and 389 cu. yds. of grading (337 cu. yds cut, 52 cu. yds. fill) (Exhibits 3-7) The eight units would be designated as affordable rental units, including two one-bedroom ground-level flats, one of which would be designated as a handicapped accessible unit; four one-bedroom townhouse units; and two two-bedroom townhouse units.

The proposed building site is relatively flat with approximately 5% slope limited to the far west side portion of the property. The site consists primarily of disked soil and exotic annual grasses and forbs along with remnant eucalyptus stumps and several eucalyptus trees. The project would require the removal of 19 stumps and seven eucalyptus trees/suckers. The City of Goleta researched the history of the removal of the eucalyptus trees during the analysis for the preliminary approval and found that most of the trees in the north-south windrow had been removed prior to 1976 as evidenced by aerial photographs, prior to the Coastal Act.

The Biological Assessment (Storrer Environmental Services, May 2003) prepared for the proposed project reported that Ellwood Mesa is a significant regional nesting location for raptors and that the Ellwood Mesa and associated Devereux Creek drainage support a regionally significant complex of monarch butterfly aggregation sites. Furthermore, the nearest aggregation sites comprising the Ellwood Complex are reported to be located approximately 1,500 feet southwest of the project site, in association with Devereux Creek. The biological analysis concluded the following:

The trees at 360 Ellwood Beach Drive have extremely limited nesting potential for birds of prey. They are isolated from larger, more contiguous eucalyptus woodland and windrows on Ellwood Mesa and along nearby Devereux Creek. The trees are surrounded by existing residential structures with associated human activity, domestic animals, noise, and lighting. These are deterrents to roosting and nesting. The trees also lack the structural characteristics (e.g., height, canopy development) typical of most raptor nesting sites.

#### Furthermore the assessment found:

The isolated nature, size, and configuration of the eucalyptus trees onsite suggest very limited potential to support aggregations of monarch butterflies. Aggregation sties typically are comprised of more extensive groves or copses that offer better protection from the elements, as well as access to sources of water and nectar. Given the proximity of these trees to the Ellwood Complex, it is highly likely that they are visited on occasion by foraging butterflies during the winter months....the trees do not appear to hold aggregation potential for over-wintering monarch butterflies. The removal of seven medium-sized eucalyptus trees would not constitute a significant loss of foraging resources for monarch butterflies in either a regional or local context.

The property is not mapped as environmentally sensitive habitat area (ESHA) pursuant to the previously certified Santa Barbara County Local Coastal Program (certification of the County LCP is no longer effective in the subject area due to incorporation of the City of Goleta). Though the site does not contain ESHA, the applicant proposes to plant seventeen 15-gallon native trees and six 24-inch box trees onsite to mitigate the cumulative loss of trees.

### **B. Water Quality**

The Commission recognizes that new development has the potential to adversely impact coastal water quality through the removal of vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, introduction of pollutants such as chemicals, petroleum, cleaning products, pesticides, and other pollutant sources. Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

As described above, the proposed project includes construction of eight affordable apartment rental units in two separate structures, including a 4,584 sq. ft., three-story, 31-foot high four-unit apartment building with parking, laundry room, and trash storage and a 3,016 sq. ft., two-story, 19 ft. high, four-unit apartment building, eleven parking spaces, and 389 cu. yds. of grading (337 cu. yds cut, 52 cu. yds. fill). The site drains to the City's stormwater system ultimately draining to the ocean.

The proposed development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants

commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs to accommodate (infiltrate, filter or treat) the runoff from the more frequent storms, rather than for the largest infrequent storms, results in improved BMP performance

The American Society of Civil Engineers (ASCE) and the Water Environment Federation (WEF) have recommended a numerical BMP design standard for storm water that is derived from a mathematical equation to maximize treatment of runoff volume for water quality based on rainfall/runoff statistics and which is economically sound. The maximized treatment volume is cut-off at the point of diminishing returns for rainfall/runoff frequency. On the basis of this formula and rainfall/runoff statistics, the point of diminishing returns for treatment control is the 85th percentile storm event. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in **Special Condition Two (2)**, and finds this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

<sup>&</sup>lt;sup>1</sup> Urban Runoff Quality Management, WEF Manual of Practice No. 23, ASCE manual and Report on Engineering Practice No. 87. WEF, Alexandria, VA; ASCE, Reston, VA. 259 pp (1998);\*Urbonas, Guo, and Tucker, "Optimization of Stormwater Quality Capture Volume," in Urban Stormwater Quality Enhancement - Source Control, Retrofitting, and Combined Sewer Technology, Proceedings of an Engineering Foundation Conference, Harry C. Torno, ed. October 1989. New York: ASCE, pp. 94-110.

Furthermore, interim erosion control measure implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the postdevelopment stage. Therefore, to ensure that proposed erosion control measures are properly implemented and in order to ensure that adverse effects to coastal water quality do not result from the proposed project, the Commission finds it necessary to require the applicant, as required by Special Condition One (1), to submit final erosion control plans. Additionally, the Commission finds that stockpiled materials and debris have the potential to contribute to increased erosion, sedimentation, and pollution. Therefore, in order to ensure that excavated material will not be stockpiled on site and that landform alteration and site erosion is minimized, Special Condition Three (3) requires the applicant to remove all excavated material and debris from the site to an appropriate location and provide evidence to the Executive Director of the location of the disposal site prior to the commencement of development. Should the disposal site be located in the Coastal Zone a separate coastal development permit shall be required.

Therefore, the Commission finds that the proposed project, as conditioned to incorporate and maintain a drainage and polluted runoff control plan, is consistent with Section 30231 of the Coastal Act.

### C. Local Coastal Program

Section 30604(a) of the Coastal Act states that:

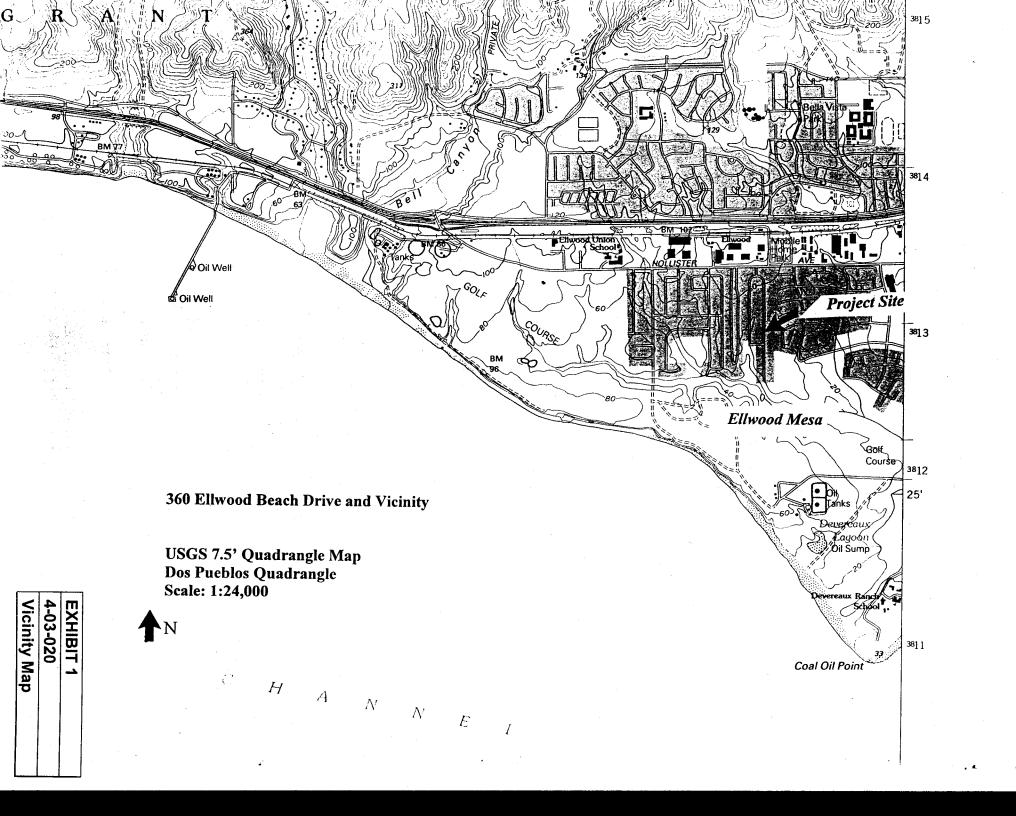
Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicants. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program for Goleta which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

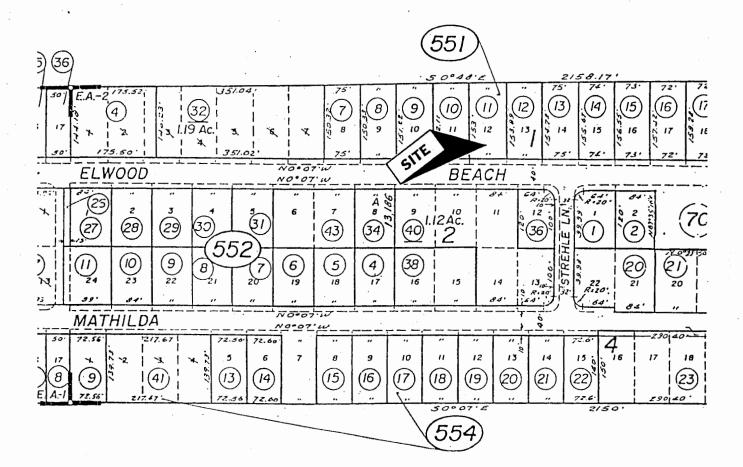
### D. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity would have on the environment.

The Commission finds that the proposed project, as conditioned, will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified effects, is consistent with the requirements of CEQA and the policies of the Coastal Act.







4-03-020
Parcel Map

ATE: DRAWN BY: PROJECT NO.
5/98 D. Johannes 98-1079
E: Santa Barbara County Assessor's Office

Assessor's Parcel Map 360 Ellwood Beach Drive Goleta, California

FIGURE

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CERTIFIED ENVIRONMENTAL CONSULTANTS

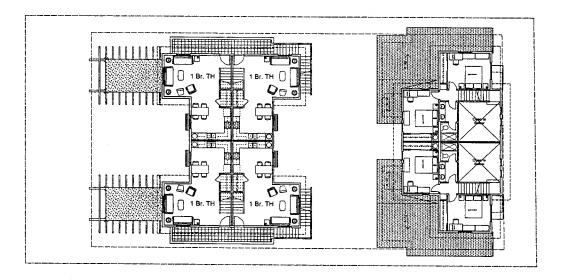
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Ellwood Beach Drive

EXHIBIT 3
4-03-020
Site Plan / 1<sup>st</sup> Floor
Plan

á.

Existing 2 Story Apartments



Ellwood Beach Drive

Existing 2 Story Apartments

Second Floor Plan	4-03-020

**EXHIBIT 4** 

Ellwood Apartments
Peoples' Self Help
Housing Corporation 360 Ellwood Beach Drive Goleta, California

2nd Floor Plan





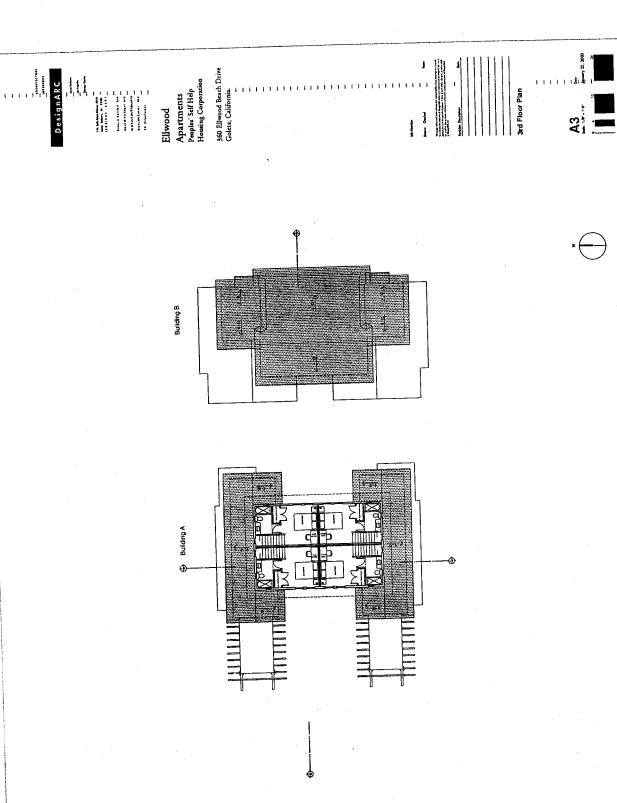
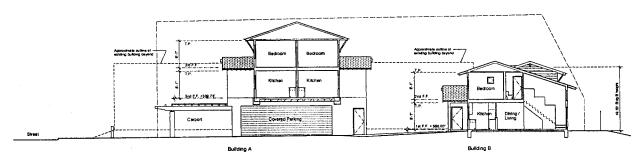
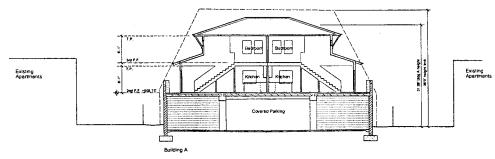


EXHIBIT 5 4-03-020 Third Floor Plan



North-South Section: A



East-West Section: B

4-03-020 **Building Sections EXHIBIT 6**  DesignARC

Ellwood

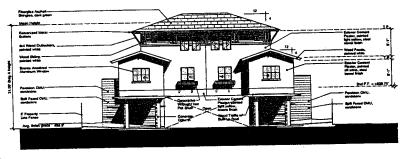
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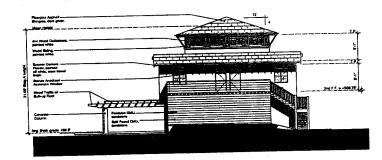
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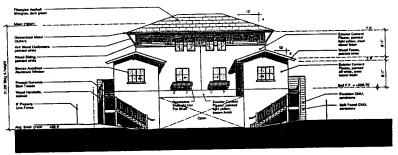
North Elevation



West Elevation



South Elevation



East Elevation

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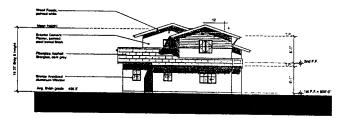


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South Elevation



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