

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
FAX (415) 904-5400
TDD (415) 597-5885



W11b, 11c&11d

A-4-SBC-20-0065, A-4-STB-20-0078, A-4-STB-20-0079

APRIL 14, 2021

EXHIBITS

Table of Contents

| | |
|-------------------------|------------|
| EXHIBIT 1 | 2 |
| EXHIBIT 2 | 3 |
| EXHIBIT 3 | 4 |
| EXHIBIT 4 | 5 |
| EXHIBIT 5 | 7 |
| EXHIBIT 6 | 9 |
| EXHIBIT 7 | 20 |
| EXHIBIT 8 | 35 |
| EXHIBIT 9 | 50 |
| EXHIBIT 10 | 85 |
| EXHIBIT 11 | 117 |
| EXHIBIT 12 | 144 |
| EXHIBIT 13 | 145 |



Montecito

City of Santa
Barbara

Coast Village Rd.
Commercial Corridor

Olive Mill
Roundabout
Project Location

Hwy 101

San Ysidro
Roundabout
Project Location

Exhibit 1.
Vicinity Map
Appeal Numbers:
A-4-SBC-20-0065,
A-4-STB-20-0078,
A-4-STB-20-0079



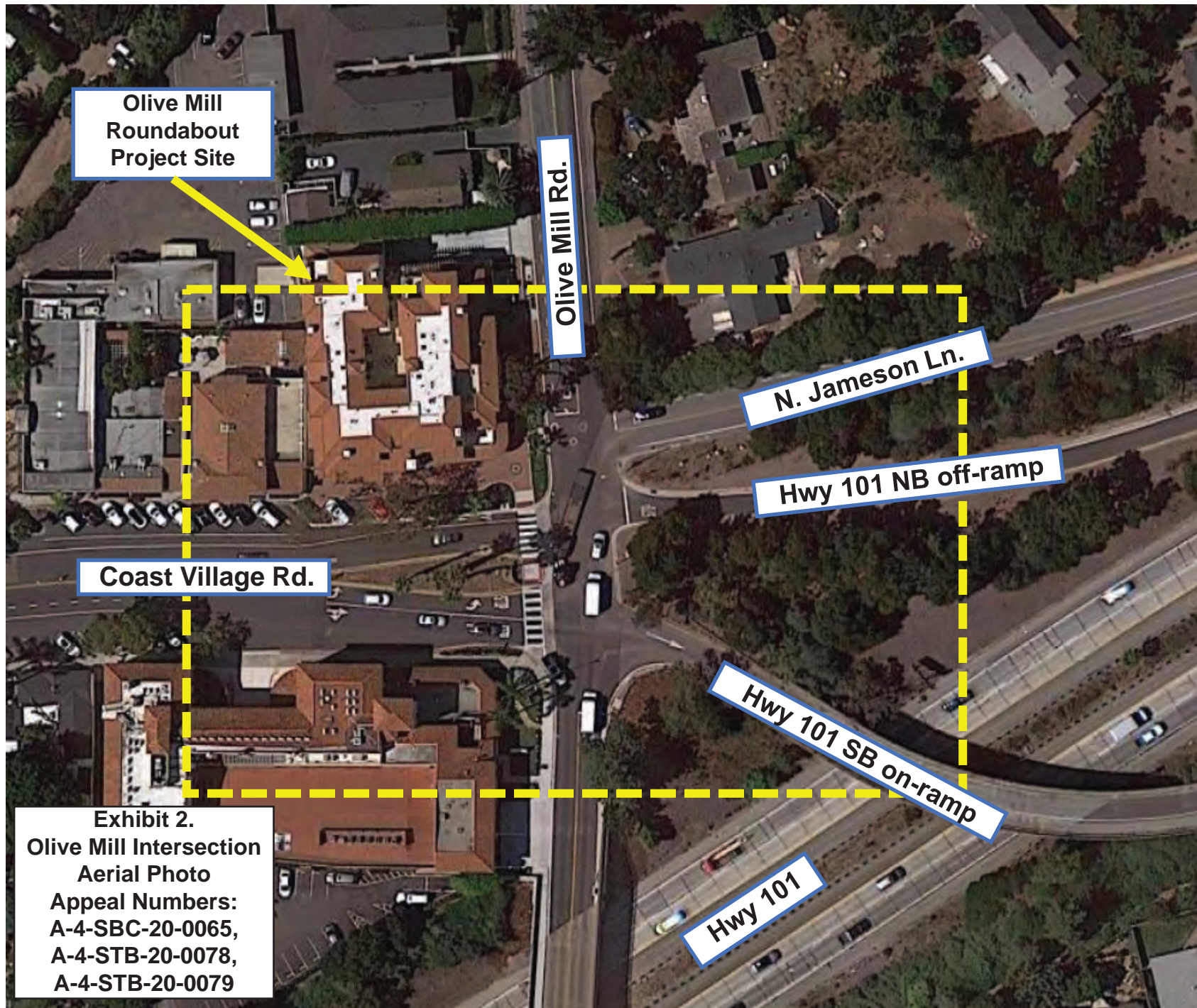


Exhibit 2.
Olive Mill Intersection
Aerial Photo
Appeal Numbers:
A-4-SBC-20-0065,
A-4-STB-20-0078,
A-4-STB-20-0079

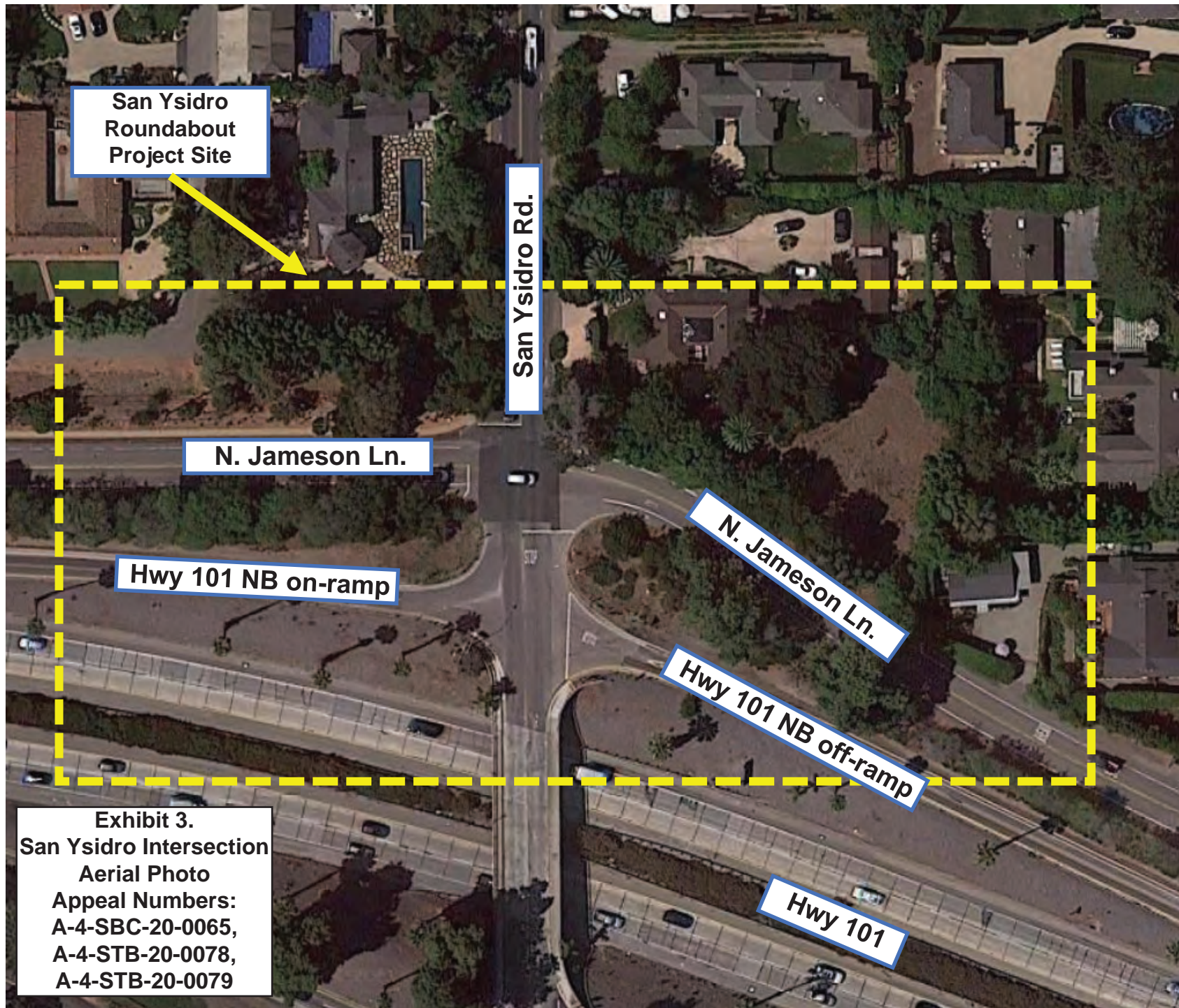
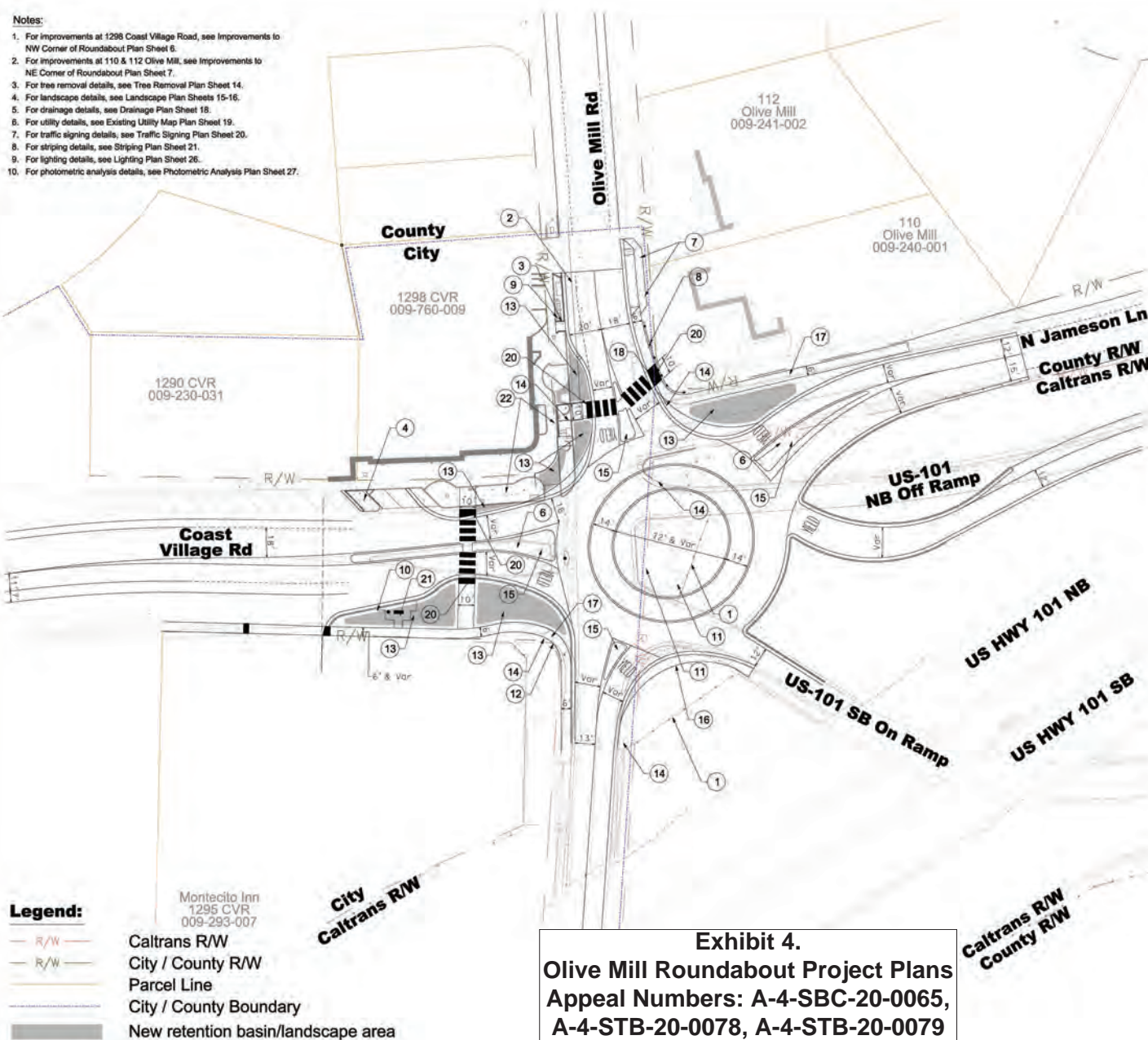


Exhibit 3.
San Ysidro Intersection
Aerial Photo
Appeal Numbers:
A-4-SBC-20-0065,
A-4-STB-20-0078,
A-4-STB-20-0079

- Notes:**
1. For improvements at 1298 Coast Village Road, see Improvements to NW Corner of Roundabout Plan Sheet 6.
 2. For improvements at 110 & 112 Olive Mill, see Improvements to NE Corner of Roundabout Plan Sheet 7.
 3. For tree removal details, see Tree Removal Plan Sheet 14.
 4. For landscape details, see Landscape Plan Sheets 15-16.
 5. For drainage details, see Drainage Plan Sheet 18.
 6. For utility details, see Existing Utility Map Plan Sheet 19.
 7. For traffic signing details, see Traffic Signing Plan Sheet 20.
 8. For striping details, see Striping Plan Sheet 21.
 9. For lighting details, see Lighting Plan Sheet 26.
 10. For photometric analysis details, see Photometric Analysis Plan Sheet 27.

Construction Notes:

- 1 Relocate Caltrans fence.
- 2 Relocate bus stop slightly north from existing.
- 3 Relocate trash ramp.
- 4 Remove eucalyptus tree and add one parking spot.
- 6 Relocate Baltimore sign in coordination with the Four Seasons Resort "The Biltmore" Santa Barbara.
- 7 Relocate residential driveways to 110 Olive Mill and 112 Olive Mill.
- 8 New 6' fence and trees for 110 Olive Mill.
- 9 Modify utility lids to be ADA compliant: bus loading area.
- 10 Relocate bus stop slightly west from existing.
- 11 Relocate highway sign.
- 12 Fire hydrant to be protected in place.
- 13 Construct new retention basin/landscape area to address right of way stormwater.
- 14 Remove stop sign.
- 15 New splitter island.
- 16 New guardrail.
- 17 New concrete sidewalk 6'.
- 18 Relocate fire hydrant.
- 20 Construct curb ramp and truncated domes.
- 21 New bus stop pad.
- 22 Storm water retention planters to be protected in place, which handle 1298 CVR stormwater.



Legend:

- R/W
- City / County R/W
- Parcel Line
- City / County Boundary
- New retention basin/landscape area

Exhibit 4.
Olive Mill Roundabout Project Plans
 Appeal Numbers: A-4-SBC-20-0065,
 A-4-STB-20-0078, A-4-STB-20-0079
 (1 of 2)



TYLIN
 INTERNATIONAL

PUBLIC WORKS
 DEPARTMENT
 ENGINEERING DIVISION

DATE: _____
 CITY: _____
 COUNTY: _____
 PROJECT: _____

DESIGN: _____
 DRAWN: _____
 CHECKED: _____
 35%
 DRAFT

OLIVE MILL ROAD INTERSECTION ROUNDABOUT PROJECT
SITE PLAN:
PROPOSED LAYOUT

FILE NO.
 XXXX S-3
 SHEET NO.
 C-1-XXXX
 DATE: _____

SHT 4 OF 28

Layout Legend

| # | Description |
|----|--|
| 1 | (N) Sidewalk |
| 2 | (N) Sandstone wall |
| 3 | Relocated Coast Village Road monument sign |
| 4 | (N) Truck apron; sandstone cobble |
| 5 | (N) Off-tracking paving; sandstone cobble |
| 6 | (N) Field grown olive tree; typ. |
| 7 | (N) Coast live oak; typ. |
| 8 | (N) Large specimen succulent such as Agave americana or Agave webberii |
| 9 | (N) Medium succulent such as Agave 'Blue Flame' |
| 10 | (N) Low succulent groundcover such as Senecio serpens with a natural arrangement of shrubs and succulents such as Agave attenuata 'Blue Flame', Aeonium 'Mint Saucer', Anacardosus 'Big Red' and Salvia chamaedryoides |
| 11 | Low groundcover such as Fragaria chiloensis |
| 12 | Not used |
| 13 | (N) Groundcover such as Dianella 'Cassa Blue' |
| 14 | (N) Low groundcover such as Myoporum |
| 15 | (N) Medium shrub such as Westringia 'Grey Box' or Oliva 'Little Olive' |
| 16 | (N) Low groundcover such as Rosemarinus 'trene' |
| 17 | (N) Sandstone boulder |
| 18 | (E) Tree to remain; typ. |
| 20 | (N) 2' wide cobble maintenance path |
| 21 | (N) Cobble paving to match truck aprons on narrow splitter islands |
| 22 | (N) CalTrans denial fencing (not shown) |
| 23 | (N) Cercis occidentalis |
| 24 | (N) Hesperocyparis macrocarpa |
| 25 | Not Used |
| 26 | (E) Brick paving |
| 27 | (E) Tree to be removed; typ. |
| 28 | (N) Multi-trunk Kentia Palm |
| 29 | (N) Natural planting area consisting of medium shrubs and grasses under 24" such as Salvia chamaedryoides, Salvia 'Winnifred Gilman', and Muhlenbergia dubia |
| 30 | (N) Natural planting area consisting of medium shrubs and grasses under 24" such as Salvia chamaedryoides, Salvia 'Winnifred Gilman', and Rhus integrifolia |
| 31 | (N) Medium evergreen grass such as Lemnandra Brezler |
| 32 | (N) MTD bus stop |
| 33 | (N) Infiltration basin. Planting to be designated in Construction Documents |

NOTE: Our landscape concepts and designs meet the City's SBMC Section 15.20.040 and the plantings will be planted in accordance with City Municipal Code Section 15.20.040

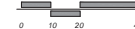
X Tree to be removed



Preliminary Plant List

| NAME | Waste Use |
|--|-----------|
| TREES: Mitigation Trees * | |
| Arbutus Menziesii/ Marina Strawberry Tree | Low |
| *Cercis occidentalis/Western Redbud | Low |
| Ficus sellowiana/ Pineapple Guava | Low |
| *Hesperocyparis macrocarpa/ Monterey Cypress | Low |
| Howea forsteriana/ Kentia Palm | Mod |
| Oliva europaea/ Field Grown Olive | Low |
| *Platanus racemosa/ California Sycamore | Low |
| *Quercus agrifolia/ Coast Live Oak | Very Low |
| Washingtonia robusta/ Mexican Fan Palm | Low |
| * California Native Species | |
| SHRUBS/SUCCULENTS | |
| Achillea millefolium/ Lavender Beauty/ Lavender Yarrow | Low |
| Aeonium 'Mint Saucer' | Low |
| Agave americana/ Century Plant | Low |
| Agave webberii/ Weber Agave | Low |
| Agave 'Blue Flame'/ Blue Flame Agave | Low |
| Hedera helix/ English Ivy | Low |
| Kalanchoe beharavensis/ Brown Dwarf/ Dwarf Velvet Elephant Ear | Low |
| Oliva europaea 'Little Olive'/ Little Olive | Low |
| Rhamnus 'Eve Case'/ Eve Case Coffeeberry | Low |
| Salvia chamaedryoides/ Glandular Sage | Low |
| Salvia 'Winnifred Gilman'/ Blue Sage | Low |
| Westringia fruticosa/ Grey Box/ Grey Box Westringia | Low |
| Westringia fruticosa/ Mundi/ Low Coast Rosemary | Low |
| GRASSES | |
| Muhlenbergia capillaris/ White Cloud/ White Aem Muffy Grass | Low |
| Lemnandra Brezler/Brezler Dwarf Mat Rush | Low |
| Muhlenbergia dubia/ Pine Muffy Grass | Low |
| Sesleria 'Greenlee'/ Greenlee Moor Grass | Low |
| GROUND COVER | |
| Dianella caerulea/ Cassa Blue/ Blue Flax Lily | Low |
| Fragaria chiloensis/ Beach Strawberry | Low |
| Myoporum parvifolium/ White (Prodrum)/ Creeping Myoporum | Low |
| Rosemarinus 'trene'/ Irene Trailing Rosemary | Low |
| Senecio serpens/ Blue Chalksticks | Low |

Exhibit 4. Olive Mill Roundabout Project Plans Appeal Numbers: A-4-SBC-20-0065, A-4-STB-20-0078, A-4-STB-20-0079 (2 of 2)



Scale:
1" = 20'

202 East Coto Street
Santa Barbara, CA 93101
tel 805.962.9055
fax 805.962.5658
arcadestudio.com



PUBLIC WORKS
DEPARTMENT
ENGINEERING DIVISION

APPROVED: _____ DATE: _____
CITY ENGINEER: _____
DESIGNED: _____
DRAWN: _____
CHECKED: _____
35%
DRAFT

REVISIONS

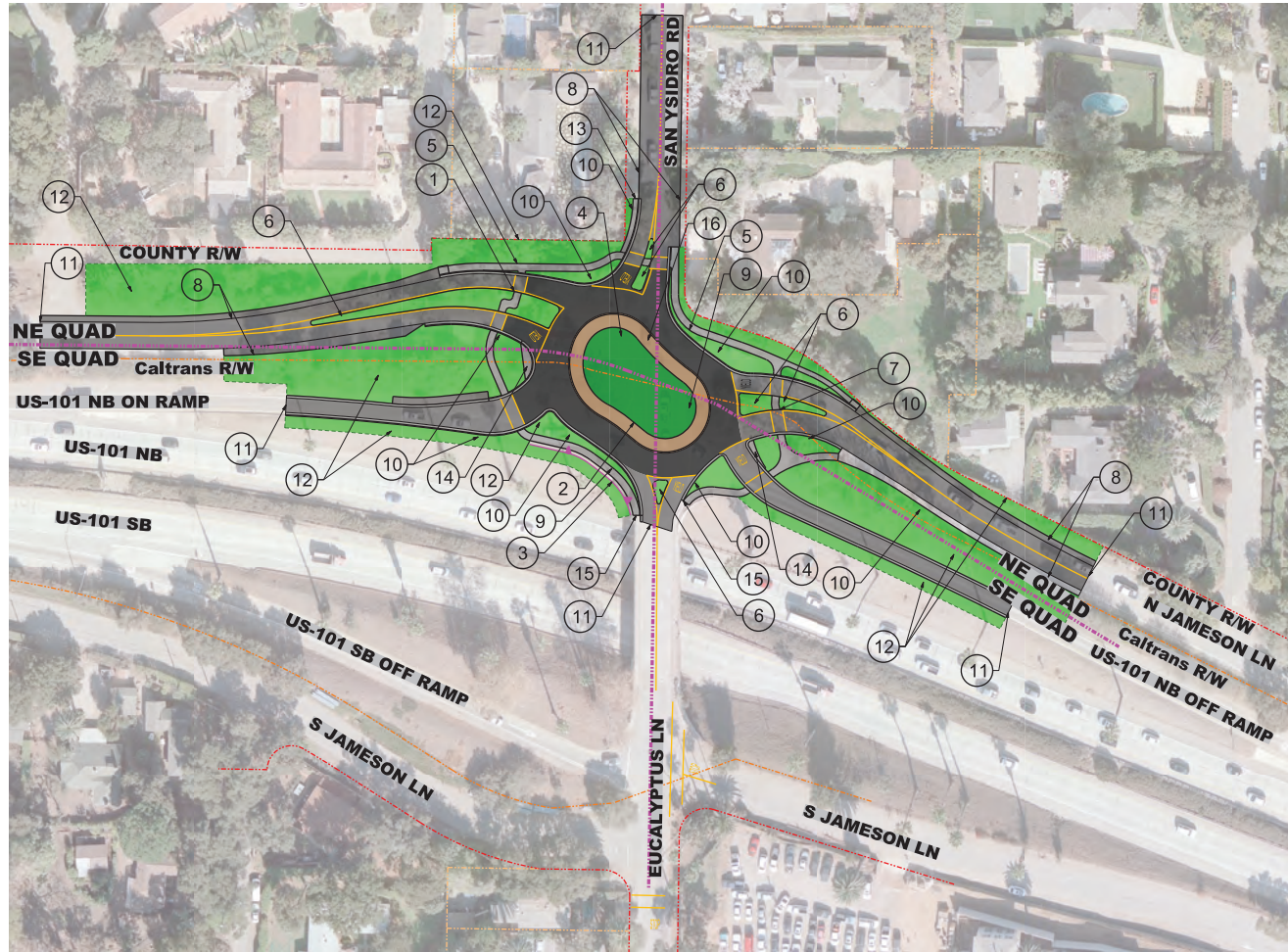
OLIVE MILL ROAD INTERSECTION IMPROVEMENTS PROJECT
LANDSCAPE CONCEPT PLAN

PKW NO. _____
XXXX
BD NO. _____
LA-1
SHT. 053
C1-XXXX
DWS. NO. _____
SHT. 15 OF 28

THIS IS A COPYRIGHTED DOCUMENT AND MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION OF ARCADIA STUDIO INC. COPYRIGHT 2011.

NOTES:

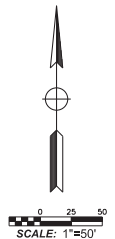
- 1 CURB HEIGHTS = 6", Typ.
- 2 CENTER WALL = 2.5' HEIGHT.
- 3 RETAINING WALL = 110' LONG, 2'-19" HEIGHT.
- 4 ROUNDABOUT AND ROADWAY = 21' WIDTH AND 110' TO 180' DIAMETER.
- 5 6" SIDEWALK, Typ.
- 6 SPLITTER ISLAND, Typ.
- 7 CROSSWALK, Typ.
- 8 CLASS 2 BIKE PATH
- 9 EXISTING LIGHT FIXTURE TO BE REMOVED
- 10 NEW LIGHT FIXTURE
- 11 JOIN EXISTING PAVEMENT
- 12 LANDSCAPE, Typ.
- 13 JOIN EXISTING TRAIL
- 14 PCC PAVEMENT
- 15 JOIN EXISTING SIDEWALK
- 16 TRUCK APRON



LEGEND:

- | | | | | | |
|--|-------------------------|--|------------------------|--|---------------------------|
| | CALTRANS R/W | | PROPOSED AC PAVEMENT | | PROPOSED STRIPING/MARKING |
| | COUNTY R/W | | PROPOSED C&G, SIDEWALK | | |
| | PARCEL LINE | | PROPOSED LANDSCAPE | | |
| | PROPOSED RETAINING WALL | | PROPOSED HARDSCAPE | | |
| | | | PROPOSED PCC PAVEMENT | | |

NOTE: SEE LIGHTING PLAN FOR PROPOSED LIGHT LOCATIONS



| | | | | | | | | | |
|-----------------------------|-------------------|--|--|-----------------------------|---|-------------|--------|-------------|---|
| CONSTRUCTION STARTED: | PROJECT ENGINEER: | | COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS TRANSPORTATION DIVISION | | DESIGN BY: | CHECKED BY: | SCALE: | PROJECT NO. | SITE MAP SAN YSIDRO ROAD AT US 101 SHEET NO. 03 OF 24 FILE NO. S-2 |
| CONSTRUCTION COMPLETED: | DATE | | DRAWN BY: | CONSTRUCTABILITY REVIEW BY: | REVISION DATES (PRELIMINARY STAGE ONLY) | | | | |
| RECORD DRAWING APPROVED BY: | | | | | | | | | |

Exhibit 5.
San Ysidro Roundabout Project Plans
Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079
(1 of 2)

Landscape Design Intent:

Maintain the semi-rural setting of the site by incorporating low wood rail fencing, native sandstone, native plants, and plant materials with contrasting colors. Plant materials selected are a mix of flowering and non-flowering with green, blue, and grey foliage colors. Shrubs and groundcovers will be planted very close together to reduce the amount of weeds and to quickly achieve a robust looking landscape. Large specimen native trees have been incorporated into the design to mitigate the loss of existing trees. Plants have been carefully selected for durability, low water use, and low maintenance.

New evergreen native tree to match existing: *Quercus agrifolia* / Coast Live Oak

New colored concrete sidewalk, typ. Color of sidewalk to match decomposed granite color.

Existing decomposed granite path to remain.

New durable evergreen groundcover such as: *Lupinus nodiflora* / Kurapia

Join new colored concrete sidewalk with existing decomposed granite sidewalk.

New sun/shade tolerant California native screen shrubs such as: *Arctostaphylos* 'Howard McKinn' / *Howard McKinn* Manzanita *Arctostaphylos* 'Sunset' / *Sunset* Manzanita *Fremontodendron* 'Ken Taylor' / *Hannel* Bush *Malva laurina* / *Laurel* Sumac *Rhus integrifolia* (or *Rhus ovata*) / *Lemonadeberry* *Prunus ilicifolia* ssp *hyonii* / *Catalina* Cherry *Romneya coulteri* / *Madia* poppy *Vernegia carpesoides* / *Canyon* Sunflower

New evergreen native conifer to match existing: *Cupressus macrocarpa* / *Monterey* Cypress

1'-6" Wide native sandstone grouted cobble strip at back of curb, typ. For landscape maintenance access.

Existing decomposed granite path to remain.

Join new concrete sidewalk with existing decomposed granite sidewalk.

Existing white stucco wall to remain.

New colored concrete sidewalk, typ. Color and finish of sidewalk to match existing pedestrian ramps along the west side of San Ysidro Road (Davis Colors Palamino #5447). Note: If feasible, the section of path west of San Ysidro Road and north of the west side of North Jameson Lane will be decomposed granite instead of colored concrete.

New ornamental grass accents around boulders such as:

Ligularia spicata / *Esqueto* Grass
New evergreen perennial such as: *Stemly Slim* Mat Rush *Coronilla longifolia* 'Stemly Slim' / *Stemly Slim* Mat Rush or *Ornamental* *revoluta* 'Baby Bliss' / *Baby Bliss* Flax Lily
Mixed shrubs and groundcovers in middle island planter such as: *Agave attenuata* / *Festul* Agave *Arctostaphylos* 'Sunset' / *Sunset* Manzanita *Carex praeagilis* / *California* Meadow Sedge *Chondrostemon tectorum* / *Cape* Rush *Lupinus nodiflora* / *Kurapia* *Ligularia spicata* / *Esqueto* Grass *Westringia* 'Grey Box' / *Compact* Coast Rosemary
Low flowering perennial at splitter islands such as: *Tulbaghia violacea* / *Society* Garlic or *Limonium perezi* / *Sea* Lavender

Preliminary Irrigation Notes:

Water source is potable water, to be serviced by Montecito Water District.

Irrigation system shall comply with all requirements of the state of California Model Water Efficient Landscape Ordinance and County of Santa Barbara Standards for landscape design.

A dedicated irrigation submeter will be installed. If required, an irrigation backflow device will also be installed.

All new plantings will be irrigated.

All valves shall be separated by sun/shade requirements, plant type, and water needs.

All landscaping shall be irrigated with drip irrigation. Drip line will be inline emitter type such as Netam RW drip line.

New trees will be irrigated with drip irrigation rings on separate valves from shrubs and groundcover.

Install all plastic valve boxes where they will be screened by plants.

Irrigation system will be installed in accordance with manufacturer's specifications and building codes.

All pipe installed under paving, through walls or footings must be placed inside schedule 40 PVC sleeves.

Irrigation controller run times shall be adjusted to not allow any irrigation water overspray onto paved surfaces.

Existing tree to be removed, typ. See existing tree/vegetation report prepared by Rincon Consultants.

New 2' wide truncated dome detectable tiles, typ. per County of Santa Barbara Public Works standards.

New colored and textured concrete driving surface with 30"x30" scorelines, Davis colors 'Dark Grey' #8084 or #860 concrete color.

New colored concrete sidewalk, typ. Color and finish of sidewalk to match existing pedestrian ramps along the west side of San Ysidro Road (Davis Colors Palamino #5447).

Existing tree to remain in place and to be protected, typ. See existing tree/vegetation report prepared by Rincon Consultants.

Existing fence to remain.

New native sandstone grouted cobble paving grouted to engineered concrete subslab. 8' width minimum.

New flowering groundcover such as: *Carissa* 'Green Carpet' / *Prostrate* Natal Plum

New native sandstone planter wall, 20" high max, with 30" high max. high boulders set into wall.

New deciduous native tree to match existing: *Platanus racemosa* / *California* Sycamore

New wood split rail or Peeler Pole fence. 30" high max. to top rail, 36" high max. to top of posts.

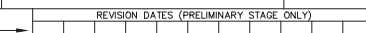
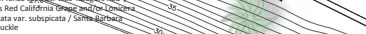
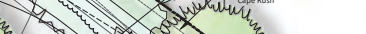
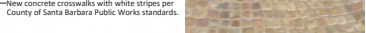
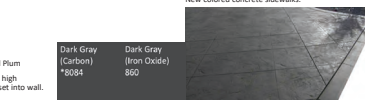
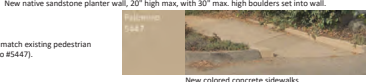
Option for fast wood concrete posts.

New concrete crosswalks with white stripes per County of Santa Barbara Public Works standards.

Preliminary Irrigation Notes Continued:

Under canopies of existing trees, excavate irrigation trenches by hand.

Irrigation controller used will be a smart irrigation controller with wireless weather sensor that will automatically adjust the duration of valve run times based on current weather conditions.



PRELIMINARY NOT FOR CONSTRUCTION

Date/ Issue Sheet No. Sheet Title
2020.02.03 L1.1 PRELIMINARY LANDSCAPE PLAN

| | |
|-----------------------------|-------------------|
| CONSTRUCTION STARTED: | PROJECT ENGINEER: |
| CONSTRUCTION COMPLETED: | DATE |
| RECORD DRAWING APPROVED BY: | |



COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS

Exhibit 5.

**San Ysidro Roundabout Project Plans
Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079
(2 of 2)**

DESIGN BY: EC
DRAWN BY:

CHECKED BY:
CONSTRUCTIBILITY REVIEW BY:

SCALE: PROJECT NO.

AS SHOWN

SAN YSIDRO ROAD AT 101 FREEWAY ROUNDABOUT

SHEET NO. 1 OF 2
FILE NO.

DISREGARD PRINTS BEARING EARLIER REVISION DATES

REVISION DATES (PRELIMINARY STAGE ONLY)

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 S. CALIFORNIA ST., SUITE 200
VENTURA, CA 93001-4508
(805) 585-1800
SOUTHCENTRALCOAST@COASTAL.CA.GOV

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: South Central Coast

Appeal Number: _____

Date Filed: _____

Appellant Name(s): _____

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

Note regarding emailed appeals. Please note that emailed appeals are accepted **ONLY** at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Central Coast district office, the email address is SouthCentralCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.

Exhibit 6.

Appeal A-4-SBC-20-0065 by Scott Wenz
Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079

Appeal of local CDP decision
Page 2

1. Appellant Information¹

Name: Cars Are Basic
Mailing address: 1180 Eugenia Place, #220
Phone number: (805) 687-1832
Email address: cab@carsarebasic.org

How did you participate in the local CDP application and decision-making process?

☐ Did not participate ☒ Submitted comment ☐ Testified at hearing ☐ Other

Describe: Appealed decision of the Santa Barbara City Planning Commission to the City Council. Appeal was heard

On October 13, 2020.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: _____

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: Appealed decision of Santa Barbara Planning Commission
to the Santa Barbara City Council. Appeal was heard on Oct 13,
2020.

¹ If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

2. Local CDP decision being appealed2

Please identify the location and description of the development that was approved or denied by the local government.

2 Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

³ Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

Appeal of local CDP decision
Page 4

3. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☒ Interested persons identified and provided on a separate attached sheet

4. Grounds for this appeal⁴

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: The proposed roundabout at the intersection of Olive Mill Road and Coast Village Road in the City of Santa Barbara fails to comply with Santa Barbara City LCP/CLUP Policy 3.1-26, which requires all new development located in the Coastal Zone minimize energy consumption and Vehicle Miles traveled (VMT). IN 2017, as part of the Highway 101 HOV project Revised EIR process, Cars Are Basic (CAB) submitted an alternative to the construction of HOV lanes and the roundabout. Our alternative called for reducing VMT in the roundabout using good development and planning strategies. We based our alternative on guidelines that were then being developed for implementing SB 743. CalTrans refused to analyze our alternative and compare VMT impacts to the impacts from the HOV and roundabout projects. We requested the city analyze our alternative and compare VMT impacts to the roundabout project VMT impacts for the purposes of determining which project provide the greatest minimization of VMT and energy consumption, as required by LCP/CLUP policy 3.1-26. The city refused, stating that CEQA requirements superceded Coastal Act and LCP/CLUP requirements. CAB, disagrees, and believes LCP/CLUP Coastal Act requirements control. Please see attached bullet points.

⁴ Attach additional sheets as necessary to fully describe the grounds for appeal.

Appeal of local CDP decision
Page 5

5. Appellant certifications

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Scott Wenz

Scott Wenz
Signature

Date of Signature 9 Nov. 2020

5. Representative authorizations

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☒ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

§ If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

§ If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name _____

CDP Application or Appeal Number CDP 2019-00008

Lead Representative

Name _____

Title _____

Street Address. _____

City _____

State, Zip _____

Email Address _____

Daytime Phone _____

Your Signature _____

Date of Signature _____

Additional Representatives (as necessary)

Name Tom Becker
Title presenter
Street Address. 453 Kendale Road
City Buellton, Ca
State, Zip CA 93427
Email Address tsbecker069@gmail.com
Daytime Phone 805 448-8557

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Your Signature _____

Date of Signature _____

Cars Are Basic

Appeal of Coastal Development Permit

Page One

-
- California Coastal Act Section 30253(4) was enacted in 2007.
 - California Coastal Act Section 30253(4) and City LCP/CLUP policy 3.1-26 both read “New development shall minimize energy consumption and Vehicle Miles Traveled (VMT)”.
 - California Public Resources Code 21174 states the Coastal Act controls when there is a conflict between the Coastal Act and CEQA.
 - Therefore, Coastal Act Section 30253(4) and city LCP/CLUP policy 3.1-26 supersedes CEQA rules and guidelines when determining the level of VMT impacts allowed by the project.
 - The City appears to be claiming that the project only has to meet CEQA requirements showing no significant VMT impacts. The Coastal Act/city LCP/CLUP supercedes that CEQA requirement, which would necessitate the city analyze and identify the project or project alternative that provides the greatest minimization of VMT and energy consumption impacts.

Page Two

-
- In 2017, a Revised EIR (REIR) for the Highway 101 HOV project was prepared to determine impacts of the VMT inducing HOV project on intersections in the area of the HOV project. The proposed roundabout project was identified as a mitigation for the increased VMT induced into the project intersection by the addition of HOV lanes on the highway.
 - Cars Are Basic (CAB) submitted an alternative to the HOV and roundabout construction project during the draft phase of the HOV project REIR. We requested CalTrans study reducing VMT on Highway 101 as a method of reducing impacts to the project intersection instead of a construction project. Caltrans refused to study our alternative. Our alternative was based on guidelines that were then being developed for the implementation of SB 743. Our alternative would reduce VMT, while the project does not.
 - For almost 4 years, and during the hearing process for the project's CDP, the city was asked to prepare an analysis of our alternative's VMT reductions, and compare those reductions with the VMT reductions of the proposed project. Our request was made for the purpose of determining the project's compliance with the City's LCP/CLUP, which would necessitate the city determine which project or project alternative provides the greatest minimization of VMT and energy consumption. The city refused, and appears to be claiming that the CEQA requirement showing a less than significant impact from VMT supercedes the LCP/CLUP policy that necessitates the city identify the project or project alternative that provides the greatest minimization of VMT and energy consumption.

Page Three

. There are 2 substantial issues here:

- 1- The city appears to be claiming that CEQA supercedes the Coastal Act and the City's LCP/CLUP. CAB's position is the Coastal Act and the City's LCP/CLUP control, as per Public Resources Code 21174. If the project's CDP is upheld by the CCC, that may set a precedent.
- 2- CAB's position, which we have had for almost 4 years, is the city's LCP/CLUP necessitates the city identify the project or project alternative that achieves the greatest minimization of VMT and energy consumption, and the city's use of CEQA requirements that offer a lower level of environmental protection is in error.

•

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 S. CALIFORNIA ST., SUITE 200
VENTURA, CA 93001-4508
(805) 695-1800
SOUTHCENTRALCOAST@COASTAL.CA.GOV

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: South Central Coast

Appeal Number:

A-4-STB-20-0079

Date Filed:

12/21/20

Appellant Name(s):

Thomas Becker**APPELLANTS**

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

Note regarding emailed appeals. Please note that emailed appeals are accepted **ONLY** at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Central Coast district office, the email address is SouthCentralCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.

Exhibit 7.

Appeal A-4-STB-20-0079 by Thomas Becker
Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079

Appeal of local CDP decision
Page 2

1. Appellant information¹

Name: Thomas Becker
Mailing address: 453 Kendale Road, Buellton, CA
Phone number: (805) 448-8557
Email address: tsbecker069@gmail.com

How did you participate in the local CDP application and decision-making process?

☐ Did not participate ☒ Submitted comment ☒ Testified at hearing ☐ Other

Describe: Submitted written comments and gave verbal testimony at all hearings

For the project.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: _____

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: Appealed Montecito Planning Commission approval
Of project CDP to the SB County Board of Supervisors.

¹ If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

Appeal of local CDP decision

Page 3

2. Local CDP decision being appealed2

| | |
|--|---|
| Local government name: | County of Santa Barbara |
| Local government approval body: | Board of Supervisors |
| Local government CDP application number: | 19CDP-00000-00048 |
| Local government CDP decision: | <input checked="" type="checkbox"/> CDP approval <input type="checkbox"/> CDP denial ³ |
| Date of local government CDP decision: | 11/17/20 |

Please identify the location and description of the development that was approved or denied by the local government.

Describe: **Construction of a roundabout intersection at the intersection of Olive Mill Road, Coast Village Road and North Jamesson Lane.**

2 Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

³ Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the appeal information sheet for more information.

Appeal of local CDP decision

Page 4

3. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.



Interested persons identified and provided on a separate attached sheet

4. Grounds for this appeal⁴

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: County CDP approval violated Coastal Act Section 30253(4)

and CLUP 3.11.1 by failing to identify the project or project alternative

That would reduce VMT and energy consumption to the greatest extent

feasible. Please see attached bullet point presentation.

Note: I have requested, and now request, Coastal Commission staff facilitate

a meeting between myself and county staff to discuss the issues of my appeal

and my VMT reducing project alternative. I request CCC staff facilitate a meeting

before CCC staff spends any substantial amount of time working on my appeal.

I wish to reduce the cost of my appeal on the taxpayers. I believe county staff and I can resolve our

differences in 1-2 hours. County staff refused 3 requests from County Council for a facilitated meeting, while I

accepted all 3 offers. This is an effort to reduce costs for the taxpayer.

⁴ Attach additional sheets as necessary to fully describe the grounds for appeal.

Appeal of local CDP decision
Page 5

5. Appellant certifications

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Thomas Becker



Signature

Date of Signature 12/20/20

5. Representative authorizations

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

s If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

s If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name _____

CDP Application or Appeal Number _____

Lead Representative

Name _____

Title _____

Street Address _____

City _____

State, Zip _____

Email Address _____

Daytime Phone _____

Your Signature _____

Date of Signature _____

Additional Representatives (as necessary)

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Your Signature _____

Date of Signature _____



December 20, 2020

Appeal of Coastal Development Permit

Page One

- California Coastal Act Section 30253(4) was enacted in 2007.

- California Coastal Act Section 30253(4) and County CLUP 3.11.1 both read "New development shall minimize energy consumption and Vehicle Miles Traveled (VMT)". The Coastal Commission has accepted the definition of the word "minimize" as meaning to reduce impacts to the greatest extent feasible.

- California Public Resources Code 21174 states the Coastal Act controls when there is a conflict between the Coastal Act and CEQA.

Therefore, Coastal Act Section 30253(4) and county CLUP 3.11.1 supersedes CEQA rules and guidelines when determining the level of VMT impacts allowed for the project.

- County staff appears to be claiming that the project is only required to meet CEQA section 15064.3 guidelines showing no substantial VMT increases. The Coastal Act/county CLUP supersedes that CEQA guideline, or any other CEQA guideline, when determining the VMT impacts allowed for the project. As per the Coastal Commission's own accepted definition of the word "minimize", The CLUP and the Coastal Act necessitates the county analyze and identify the project or project alternative that provides the greatest reductions of VMT and energy consumption impacts that are feasible.

Page Two

In 2017, a Revised EIR (REIR) for the Highway 101 HOV project was prepared to determine impacts of the VMT inducing HOV project on intersections in the area of the HOV project. The proposed roundabout project was identified as a mitigation for the increased VMT induced into the project intersection by the addition of HOV lanes on the highway.

- An alternative to the HOV and roundabout construction project was submitted during the draft phase of the HOV project REIR. That alternative proposed instituting planning and development policies that would reduce VMT on Highway 101 and into the project intersection. That alternative was based on guidelines that were then being developed for the implementation of SB 743. That alternative would reduce VMT by at least 15% into the project intersection and maintain that reduction. The proposed project would not reduce VMT and would allow VMT to increase.

- For the purposes of determining compliance with the county CLUP and the Coastal Act, the county was asked in a timely manner to prepare a comparative analysis of the VMT reducing alternative and the proposed project. Compliance with the county CLUP and the Coastal Act, and the Coastal Commission's own accepted definition of the word "minimize", would necessitate the county identify which project or project alternative provides the greatest reduction of VMT and energy consumption that can be feasibly achieved. The county refused repeated requests for that analysis. Instead, staff appears to be claiming that the CEQA guidelines requiring the project show no substantial VMT increases is all that is required, and CEQA guidelines supersede the CLUP and Coastal Act requirements that VMT and energy consumption be reducing to the greatest extent feasible.

Page Three

. There are 5 substantial issues here:

1- The county appears to be claiming CEQA controls the Coastal Act and the county's CLUP. Public Resources Code 21174 states the Coastal Act and the county's CLUP control CEQA.

2- County staff ignored repeated requests to participate in meetings to discuss the submitted VMT reducing alternative.

3- Compliance with County CLUP 3.11.1 and the Coastal Act necessitates the county prepare a comparative analysis for the submitted VMT reducing alternative and the proposed project. That comparative analysis should identify the project or alternative that achieves the greatest minimization of VMT and energy consumption.

4- Coastal Act section 30007.5, and other Coastal Act sections and policies, state that when conflicts arise during the implementation of Coastal Act policies, the conflict shall be resolved in a manner that provides the greatest environmental protections. If the Coastal Commission upholds the county's decision that the project is only required to show no substantial VMT increase, then the Commission will be setting a precedent by rejecting their own accepted definition of the word minimize. That rejection of the environmental protections afforded by the strict definition of the word minimize will severely degrade environmental protections for this project and all future projects and developments under the jurisdiction of the Coastal Act.

5- If the Coastal Commission upholds the county's approval, the Coastal Commission will be setting a precedent by rejecting an environmentally superior alternative based on the spirit and guidelines of SB 743, while supporting a massive construction project that not only fails to reduce VMT, but supports the massive Highway 101 widening project that will induce substantial increases in VMT, energy consumption and traffic.

List of interested persons (as of 12/20/20)

- **City of Santa Barbara**
- **County of Santa Barbara**
- **John Price 1298 Coast Village Road, Montecito. CA**
- **Pamala Boehr 119 Olive Mill Road, Montecito, CA**
- **Nancy Mulholland, address unknown**
- **Roger Rittner 110 Olive Mill Road, Montecito, CA**

TECHNICAL ADVISORY

ON EVALUATING TRANSPORTATION IMPACTS IN CEQA



April 2018


Transportation Analysis Updates in Santa Barbara County

Prepared by:

County of Santa Barbara,
Planning and Development Department

FEHR & PEERS

July 2020





Transportation Analysis under CEQA

First Edition

© 2020 California Department of Transportation. All Rights Reserved.

Evaluating Transportation Impacts of State Highway System Projects

California Department of Transportation
Sacramento, California
September 2020

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 S. CALIFORNIA ST., SUITE 200
VENTURA, CA 93001-4508
(805) 585-1800
SOUTHCENTRALCOAST@COASTAL.CA.GOV

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: South Central Coast

Appeal Number: A-4-STB-20-0078Date Filed: 12/21/20Appellant Name(s): Thomas Becker**APPELLANTS**

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's [contact page at https://coastal.ca.gov/contact/#/](https://coastal.ca.gov/contact/#/)).

Note regarding emailed appeals. Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Central Coast district office, the email address is SouthCentralCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's [contact page at https://coastal.ca.gov/contact/#/](https://coastal.ca.gov/contact/#/).

Exhibit 8.

Appeal A-4-STB-20-0078 by Thomas Becker
Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079

Appeal of local CDP decision
Page 2

1. Appellant information¹

Name: Thomas Becker
Mailing address: 453 Kendale Road, Buellton, CA
Phone number: (805) 448-8557
Email address: tsbecker069@gmail.com

How did you participate in the local CDP application and decision-making process?

☐ Did not participate ☒ Submitted comment ☒ Testified at hearing ☐ Other

Describe: Submitted written comments and gave verbal testimony at all hearings

For the project.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: _____

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: Appealed Montecito Planning Commission approval
Of project CDP to the SB County Board of Supervisors.

¹ If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

Appeal of local CDP decision
Page 3

2. Local CDP decision being appealed:

Local government name: County of Santa Barbara
Local government approval body: Board of Supervisors
Local government CDP application number: 19CDP-00000-00098
Local government CDP decision: ☒ CDP approval ☐ CDP denial³
Date of local government CDP decision: 11/17/20

Please identify the location and description of the development that was approved or denied by the local government.

Describe: Construction of a roundabout intersection at the intersection
of San Ysidro Road, Highway 101 and North Jameson Lane.

² Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

³ Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the appeal information sheet for more information.

Appeal of local CDP decision

Page 4

3. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☒ Interested persons identified and provided on a separate attached sheet

4. Grounds for this appeal⁴

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: County CDP approval violated Coastal Act Section 30253(4)
and CLUP 3.11.1 by failing to identify the project or project alternative
That would reduce VMT and energy consumption to the greatest extent
feasible. Please see attached bullet point presentation.

Note: I have requested, and now request, Coastal Commission staff facilitate

a meeting between myself and county staff to discuss the issues of my appeal

and my VMT reducing project alternative. I request CCC staff facilitate a meeting

before CCC staff spends any substantial amount of time working on my appeal.

I wish to reduce the cost of my appeal for the taxpayers. I believe county staff and I can resolve our

differences in 1-2 hours. County staff refused 3 requests from County Council for a facilitated

meeting. I accepted all 3 offers. This is an effort to reduce costs for the taxpayer.


⁴ Attach additional sheets as necessary to fully describe the grounds for appeal.

Appeal of local CDP decision
Page 5

5. Appellant certifications

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Thomas Becker


Signature

Date of Signature 12/20/20

5. Representative authorization

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

• If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

• If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name _____

CDP Application or Appeal Number _____

Lead Representative

Name _____

Title _____

Street Address. _____

City _____

State, Zip _____

Email Address _____

Daytime Phone _____

Your Signature _____

Date of Signature _____

Additional Representatives (as necessary)

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Your Signature _____

Date of Signature _____



December 20, 2020

Appeal of Coastal Development Permit

Page One

- California Coastal Act Section 30253(4) was enacted in 2007.

- California Coastal Act Section 30253(4) and County CLUP 3.11.1 both read "New development shall minimize energy consumption and Vehicle Miles Traveled (VMT)". The Coastal Commission has accepted the definition of the word "minimize" as meaning to reduce impacts to the greatest extent feasible.

- California Public Resources Code 21174 states the Coastal Act controls when there is a conflict between the Coastal Act and CEQA.

Therefore, Coastal Act Section 30253(4) and county CLUP 3.11.1 supersedes CEQA rules and guidelines when determining the level of VMT impacts allowed for the project.

- County staff appears to be claiming that the project is only required to meet CEQA section 15064.3 guidelines showing no substantial VMT increases. The Coastal Act/county CLUP supersedes that CEQA guideline, or any other CEQA guideline, when determining the VMT impacts allowed for the project. As per the Coastal Commission's own accepted definition of the word "minimize", The CLUP and the Coastal Act necessitates the county analyze and identify the project or project alternative that provides the greatest reductions of VMT and energy consumption impacts that are feasible.

Page Two

In 2017, a Revised EIR (REIR) for the Highway 101 HOV project was prepared to determine impacts of the VMT inducing HOV project on intersections in the area of the HOV project. The proposed roundabout project was identified as a mitigation for the increased VMT induced into the project intersection by the addition of HOV lanes on the highway.

- An alternative to the HOV and roundabout construction project was submitted during the draft phase of the HOV project REIR. That alternative proposed instituting planning and development policies that would reduce VMT on Highway 101 and into the project intersection. That alternative was based on guidelines that were then being developed for the implementation of SB 743. That alternative would reduce VMT by at least 15% into the project intersection and maintain that reduction. The proposed project would not reduce VMT and would allow VMT to increase.

For the purposes of determining compliance with the county CLUP and the Coastal Act, the county was asked in a timely manner to prepare a comparative analysis of the VMT reducing alternative and the proposed project. Compliance with the county CLUP and the Coastal Act, and the Coastal Commission's own accepted definition of the word "minimize", would necessitate the county identify which project or project alternative provides the greatest reduction of VMT and energy consumption that can be feasibly achieved. The county refused repeated requests for that analysis. Instead, staff appears to be claiming that the CEQA guidelines requiring the project show no substantial VMT increases is all that is required, and CEQA guidelines supersede the CLUP and Coastal Act requirements that VMT and energy consumption be reducing to the greatest extent feasible.

Page Three

. There are 5 substantial issues here:

1- The county appears to be claiming CEQA controls the Coastal Act and the county's CLUP. Public Resources Code 21174 states the Coastal Act and the county's CLUP control CEQA.

2- County staff ignored repeated requests to participate in meetings to discuss the submitted VMT reducing alternative.

3- Compliance with County CLUP 3.11.1 and the Coastal Act necessitates the county prepare a comparative analysis for the submitted VMT reducing alternative and the proposed project. That comparative analysis should identify the project or alternative that achieves the greatest minimization of VMT and energy consumption.

4- Coastal Act section 30007.5, and other Coastal Act sections and policies, state that when conflicts arise during the implementation of Coastal Act policies, the conflict shall be resolved in a manner that provides the greatest environmental protections. If the Coastal Commission upholds the county's decision that the project is only required to show no substantial VMT increase, then the Commission will be setting a precedent by rejecting their own accepted definition of the word minimize. That rejection of the environmental protections afforded by the strict definition of the word minimize will severely degrade environmental protections for this project and all future projects and developments under the jurisdiction of the Coastal Act.

5- If the Coastal Commission upholds the county's approval, the Coastal Commission will be setting a precedent by rejecting an environmentally superior alternative based on the spirit and guidelines of SB 743, while supporting a massive construction project that not only fails to reduce VMT, but supports the massive Highway 101 widening project that will induce substantial increases in VMT, energy consumption and traffic.

List of interested persons (as of 12/20/20)

- **City of Santa Barbara**
- **County of Santa Barbara**
- **John Price 1298 Coast Village Road, Montecito. CA**
- **Pamala Boehr 119 Olive Mill Road, Montecito, CA**
- **Nancy Mulholland, address unknown**
- **Roger Rittner 110 Olive Mill Road, Montecito, CA**

TECHNICAL ADVISORY

ON EVALUATING TRANSPORTATION IMPACTS IN CEQA



April 2018

Transportation Analysis Updates in Santa Barbara County

Prepared by:

County of Santa Barbara,
Planning and Development Department

FEHR & PEERS

July 2020





Transportation Analysis under CEQA

First Edition

© 2020 California Department of Transportation. All Rights Reserved.

Evaluating Transportation Impacts of State Highway System Projects

California Department of Transportation
Sacramento, California
September 2020



City of Santa Barbara California

4-SBC-20-0856
Received

OCT 26 2020
California Coastal Commission
South Central Coast District

NOTICE OF FINAL ACTION CITY OF SANTA BARBARA COASTAL DEVELOPMENT PERMIT

Date: October 22, 2020

Application Number: PLN2019-00115

Coastal Number: CDP2019-00008

Name of Applicant: City of Santa Barbara Public Works, County of Santa Barbara Public Works, Santa Barbara County Association of Governments, and California Department of Transportation

Name of Owner: City of Santa Barbara Public Works, County of Santa Barbara Public Works, Santa Barbara County Association of Governments, and California Department of Transportation

Project Address: Intersection of Olive Mill Road, Coast Village Road, North Jameson Lane, and Highway 101

Project Location: Intersection of Olive Mill Road, Coast Village Road, North Jameson Lane, and Highway 101 in the City of Santa Barbara, County of Santa Barbara

APN Number: Right-Of-Way

Project Description: The project consists of reconfiguring the six-legged intersection at Olive Mill Road, Coast Village Road, Jameson Lane, Highway 101 northbound off-ramp, and Highway 101 southbound on-ramp to a single lane roundabout. The approaches to the intersection at each of the legs would be modified to include new road curvature (to slow traffic), pedestrian refuge islands, sidewalks, street lighting, signage, crosswalks, landscaping, and drainage facilities. The project requires a Coastal Development Permit from the City (PLN2019-00115, CDP2019-00008) and requires a Development Plan and Coastal Development Permit from the County (19DVP-00000-00024, 19CDP-00000-00048). The project is appealable to the Coastal Commission per Public Resources Code §30603(a)(5).

This is to inform you that on August 20, 2020, the Planning Commission of the City of Santa Barbara approved an application for a Coastal Development Permit for the project listed above. The project is located in the Appealable jurisdiction of the City's Coastal Zone.

The decision is based on the following findings and conditions:

See attached Resolution No. 007-20, which includes findings and conditions as approved by the Planning Commission.

The Coastal Development Permit is subject to the following conditions:

See attached Resolution No. 007-20, which includes findings and conditions as approved by the Planning Commission.

The Coastal Development Permit expires eight years from the date of issuance, unless otherwise explicitly modified by conditions of approval.

If you, as an aggrieved party or applicant, disagree with the decision of the Planning Commission regarding the outcome of this application, you may appeal the decision to the California Coastal Commission. An appeal may be filed with the Coastal Commission by (1) an aggrieved party, (2) the applicant, or (3) two members of the

Exhibit 9.
Final Local Action Notice for CDP
No. CDP2019-00008
Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079

Notice of Final Action

Page 2 of 2

Coastal Commission. Such appeals must be filed in the office of the Coastal Commission not later than 5:00 PM of the tenth working day following receipt of sufficient notice of the final local governmental action. In the case of an appeal by an applicant or aggrieved party, the appellant must have first pursued appeal to the City to be considered an aggrieved party. The project was appealed to City Council and the hearing took place on October 13, 2020; the Council voted to deny the appeal in a 6-0 vote and approved the project. If you have any questions or comments regarding this matter, contact Megan Arciniega, Project Planner at (805) 560-7587.

Attachments:

1. PC Resolution No. 007-20
2. Reduced site plan
3. Vicinity Map
4. Council Agenda Report



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 007-20

INTERSECTION OF OLIVE MILL ROAD, COAST VILLAGE ROAD, NORTH JAMESON LANE COASTAL DEVELOPMENT PERMIT AUGUST 20, 2020

APPLICATION OF CITY OF SANTA BARBARA PUBLIC WORKS, COUNTY OF SANTA BARBARA PUBLIC WORKS, SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS, AND CALIFORNIA DEPARTMENT OF TRANSPORTATION, OWNER OF INTERSECTION OF OLIVE MILL ROAD, COAST VILLAGE ROAD, NORTH JAMESON LANE, AND HIGHWAY 101, APN: RIGHT-OF-WAY, ZONE: (CITY) C-1/S-D-3, (COUNTY) TC; LAND USE DESIGNATION: (CITY) COMMERCIAL/MED-HIGH RESIDENTIAL, (COUNTY) TRANSPORTATION CORRIDOR, MONTECITO COMMUNITY PLAN; ((CITY) PLN2019-00115, CDP2019-00008; (COUNTY) 19DVP-00000-00024, 19CDP-00000-00048)

The project consists of reconfiguring the six-legged intersection at Olive Mill Road, Coast Village Road, Jameson Lane, Highway (HWY) 101 northbound off-ramp, and HWY 101 southbound on-ramp to a single lane roundabout. The approaches to the intersection at each of the legs would be modified to include new road curvature (to slow traffic), pedestrian refuge islands, sidewalks, street lighting, signage, crosswalks, landscaping, and drainage facilities. The project requires a Coastal Development Permit from the City (PLN2019-00115, CDP2019-00008) and requires a Development Plan and Coastal Development Permit from the County (19DVP-00000-00024, 19CDP-00000-00048). The project is appealable to the Coastal Commission per Public Resources Code §30603(a)(5).

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, three people appeared to speak and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 13, 2020
2. Site Plans
3. Correspondence received in support of the project:
 - a. Douglas Fell, Santa Barbara CA
 - b. Nancy Mullholland, Santa Barbara CA
 - c. Pamela Boehr, Santa Barbara CA
 - d. Roger Rittner, Santa Barbara CA
 - e. Scott Wenz, Santa Barbara CA
 - f. Thomas Becker, Santa Barbara CA
 - g. Tod Berlinger, Santa Barbara CA

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application, making the following findings and determinations:

A. ENVIRONMENTAL REVIEW (CEQA GUIDELINES §15162 AND §15164)

The Planning Commission has considered the Addendum dated July 22, 2020 together with the previously certified EIR dated August 26, 2014 (2014 EIR), Revised EIR dated October 27, 2017 (2017 EIR), and EIR Addendum dated June 1, 2018, and finds that the Addendum reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA. Therefore, the Addendum, together with the previously certified 2014 EIR, 2017 EIR, and EIR Addendum dated June 1, 2018, is adequate for this project. On the basis of the whole record, including the Addendum, the previously certified CEQA documents, and any public comments received, the Planning Commission finds that the project changes described in the Addendum will neither create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment, nor present new information of substantial importance pursuant to CEQA Guidelines §15162.

B. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

1. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because the project will improve the efficiency of the intersection, with a design that is sensitive to the character of the area including historic resources, as described in Section VI.B of the Staff Report.
2. The project is consistent with the policies of the California Coastal Act, because the project will enhance and restore the overall quality of the coastal zone, assure orderly utilization of the intersection, maximize public access to and along the coast, and improve recreational facilities, as described in Section VI.B of the Staff Report.

II. Said approval is subject to the following conditions:

In consideration of the project approval granted by the Planning Commission and for the benefit of the owner of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property. The owner of this project, and as referenced herein as "Owner", is the City of Santa Barbara Public Works Department for the portion of the project that is within the city limits. The County of Santa Barbara Public Works Department, is the owner of and responsible for the portion of the project that is within unincorporated part of the County of Santa Barbara, and Caltrans for the areas of jurisdiction that are under their authority. Jurisdictional boundaries are noted on the project plans. This approval, and associated conditions of approval, is limited to the portion of the project located within the jurisdiction of the City of Santa Barbara.

The Owner has delegated the delivery of final design and construction of the project to the Santa Barbara County Association of Governments (SBCAG) therefore implementation of the conditions approval are delegated to SBCAG with oversight by the City of Santa Barbara.

- A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:
1. Obtain all required design review approvals.
 2. Permits. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said improvements.

Details on implementation of these steps are provided throughout the conditions of approval.

- B. **Approved Development.** The development of the Real Property approved by the Planning Commission on August 20, 2020 is limited to that portion of the project located within City jurisdiction for construction of a single-lane roundabout at the intersection at Coast Village Road, North Jameson Lane, Olive Mill Road, and Highway 101. The project includes the removal of up to 50 trees and installation of replacement trees. Grading includes 1,400 cubic yards of cut and 2,000 cubic yards of fill. The project includes new sidewalks, landscaping, lighting, signage, fencing, stormwater retention basins and bioswales, and the improvements shown on the plans signed by the Planning Commission Chair on said date and on file at the City of Santa Barbara.

- C. **Design Review.** The project, including public improvements, is subject to the review and approval of the Architectural Board of Review (ABR). The ABR shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.

1. **Storm Water Treatment Plan.** Prior to Final Design Approval, storm water treatment BMP's shall be incorporated into the project plans as follows:
 - a. A description of proposed storm water BMPs shall be included in the scope of work, or project description section of the plan cover sheet.
 - b. The site plan shall include all locations of all BMPs and a reference to the details on the Civil sheets.
 - c. The amount of proposed new impervious area, the amount of proposed replaced impervious area, and the amount of removed impervious area in the project statistics shall be provided on a section of the plan cover sheet.
 - d. Indicate where storm water from all impervious area for the entire parcel will flow (i.e. clearly show how all hardscape will be treated by proposed BMPs). It must be demonstrated that no runoff requiring treatment is bypassing the proposed BMPs.
 - e. On the plan sheets (typically Civil sheets) reproduce documentation signed by City Public Works that the proposed storm water BMPs (list individually) will be maintained pursuant to SBMC 22.87.050.
 - f. On the first sheet of the plans adjacent to the list of "Special Inspections and Structural Observations", include a list of the mandatory inspections by the City Inspector or City QSP for all storm water post-construction improvements (BMP). List the inspections required for the different construction phases individually for each type of BMP. The list shall include critical phases of the construction process when an inspection is necessary to confirm the BMPs are installed correctly.
 - g. Before the Public Works Permit is finalized, the project Civil Engineer that designed the post-construction BMPs must submit a stamped letter verifying that all post-

construction BMPs were installed as approved and that they comply with the City's Tier 3 storm water requirements. Additionally, the Public Works Department will certify compliance on behalf of the City.

2. **Tree Protection and Replacement Plan.** A Final Tree Protection and Replacement Plan shall be prepared that incorporates the tree protection, removal and replacement recommendations contained in the arborist's report prepared by Rincon Consultants, dated April 10, 2020. The Final Tree Protection and Replacement Plan, shall include the following:
 - a. Inventory of existing trees surveyed within the project area greater than 4 inches in diameter at breast height in the City's jurisdiction and greater than 6 inches in diameter at breast height in the County's jurisdiction. Tree species, diameter at breast height, and jurisdiction shall be identified for each tree.
 - b. Identification of trees to be protected in place on project plans, along with protective measures to be implemented. Protection measures shall include, but are not limited to, tree protection fencing, signage, and monitoring of certain activities by an arborist or biologist.
 - c. Identification of trees to be removed or significantly impacted on project plans.
 - d. Replacement planting ratio of 3:1 with 15-gallon containers. Oaks and sycamores shall be replaced in kind; non-native trees may be replaced with trees of various species.
 - e. Three 24-inch minimum box trees shall be installed in the public right-of-way adjacent to private property at 110 Olive Mill Road if the homeowner requests them.
 - f. Planting location, size, quantities, species, method of irrigation and provide details for root and foliage protection.
3. **Plan Notation Regarding Tree Protection and Replacement Plan.** Include a note on the plans that the recommendations/conditions contained in the Arborist's Report/ Tree Protection and Replacement Plan shall be implemented.
4. **Bus Stop.** The proposed bus stop on Olive Mill Road shall be adjusted or relocated such that permanent vehicular access to the driveway serving 1298 Coast Village Road is maintained at all times.
5. **Lighting.** Lighting shall be code compliant and provide the minimum required light levels. Full cut off, dark skies compliant light fixtures have been selected at heights to minimize glare and light pollution while focusing the light on the roundabout. The lighting levels shall not exceed the minimum requirement of any applicable legal standard, and ten volt dimmers shall be installed and maintained to attain the minimum lighting levels.
6. **Irrigation System.** The irrigation system shall be designed and maintained with the most current technology to prevent a system failure.
7. **Screened Backflow Device.** The backflow devices for irrigation systems shall be provided in a location screened from public view, as approved by the ABR.

8. **Location of Dry Utilities.** If dry utilities are placed in the public right-of-way, they shall be painted "Malaga Green," and if feasible, they shall be screened as approved by ABR.
- D. **Mitigation Measures.** The following mitigation measures identified in the 2017 South Coast 101 High Occupancy Vehicle (HOV) Lanes Project Revised EIR/Environmental Assessment (SCH#2009091018), 2018 Addendum, and 2020 Addendum dated July 22, 2020, shall apply to the project.
 1. **Aesthetics.**
 - a. All proposed concrete barriers shall include aesthetic treatment such as texture and/or color appropriate for the setting.
 - b. Drainage structures visible from public areas shall be designed to visually blend-in with the setting as much as possible.
 - c. If new traffic management system elements such as radar, cameras, and other equipment are added to the project, all visible components shall be located in the least obtrusive locations possible and colored to reduce visibility.
 - d. All new lighting shall minimize excess light and glare by careful placement of the poles, height and position of luminaires, and shielded lenses where feasible.
 - e. All areas where existing ramps and other paved surfaces are removed and where new landscaping is proposed shall be made suitable for planting.
 - f. Existing trees and shrubs shall be preserved to the greatest extent possible.
 - g. Existing healthy palm trees that are affected by the project shall be transplanted to other areas within the project.
 - h. Planting shall be included with any retaining walls to the greatest extent possible.
 - i. The landscaping plan shall include historically successful plant species throughout the corridor.
 - j. All aesthetic planting shall use larger container-size plant material where appropriate. Trees shall be planted, at minimum, from 15-gallon containers.
 - k. All permanent storm water treatment measures shall be designed to visually fit with the ornamental or natural landscaped roadsides to the greatest extent feasible considering their intended function. Swales, ditches and basins shall appear as natural as possible. Built structures shall be architecturally treated, colored or hidden from view with planting.
 2. **Air Quality.**
 - a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this includes wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency is required whenever the wind speed exceeds 15 miles per hour. Reclaimed water shall be used whenever possible. However, reclaimed water shall not be used in or around crops for human consumption.

- b. Minimize amount of disturbed area and reduce onsite vehicle speeds to 15 miles per hour or less.
- c. If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- d. Gravel pads shall be installed at all access points to prevent tracking mud onto public roads.
- e. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, re-vegetation, or spreading soil binders until the area is paved or otherwise developed so that dust generation does not occur.
- f. The contractor or builder shall designate a person to monitor the dust control program and to order increased watering, as necessary to prevent transportation of dust offsite. The individual's duties include holiday and weekend periods when work may not be in progress. The name and telephone number of such a person shall be provided to the Santa Barbara County Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.
- g. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain a permit from Santa Barbara County Air Pollution Control District.
- h. Fleet owners are subject to Sections 2449, 2449.1, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of Regulations to reduce diesel particulate matter and criteria pollutant emissions from in-use off-road diesel-fueled vehicles.
- i. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; auxiliary power units will be used whenever possible.
- j. Diesel construction equipment meeting the California Air Resources Board's (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards will be used to the maximum extent feasible.
- k. Diesel-powered equipment shall be replaced by electric equipment whenever feasible.
- l. To the extent feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by the Environmental Protection Agency or California.
- m. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

- n. Construction equipment shall be maintained in tune per the manufacturer's specifications.
- o. The engine size of construction equipment shall be the minimum practical size.
- p. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

3. **Biological Resources.**

- a. Existing trees and shrubs shall be preserved to the greatest extent possible.
- b. All oaks and other native trees greater than 6 inches in diameter at breast height to remain in the project vicinity shall be delineated on design plans. Prior to any ground-disturbing activities, environmentally sensitive area fencing shall be installed around the drip line of the trees to be protected. Where feasible, fencing will be established at least 5 feet from the drip line of trees to be protected.
- c. The Caltrans Standard Specifications for Bird Protection shall be included with the project's contract.
- d. Non-standard Specifications for nesting swallows shall be included with the project's Plans and Specifications. If construction activities occur on these structures during the swallow nesting season (March to August), a qualified biologist shall inspect all nests to ensure that no birds are using them. If the nests are abandoned, the contractor can remove the nests before March 1 and either prohibit birds from accessing the structure using netting or actively discourage nesting.
- e. To avoid impacts to nesting birds, tree and vegetation removal shall occur between September 1 and February 15. If tree removal is required during the nesting season, a qualified biologist shall conduct a focused survey for active bird nests in the trees to be removed. If any active migratory bird nests are found, Caltrans shall coordinate with the California Department of Fish and Wildlife and the City/County to determine an appropriate buffer based on the habits and needs of the species. The nest shall not be removed until the young have fledged and nesting is complete. If any nesting white-tailed kites are observed during surveys, City and County shall be immediately notified. White-tailed kite nests shall be fully avoided. The City and County shall coordinate with California Department of Fish and Wildlife regarding appropriate avoidance measures while the nest is active.
- f. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 14 days prior to initiation of vegetation removal and/or initiation of construction activities. If any nesting white-tailed kites are observed during surveys City and County shall be immediately notified. White-tailed kite nests shall be fully avoided. The City and County shall coordinate with California Department of Fish and Wildlife regarding appropriate avoidance measures while the nest is active. Surveys shall include the private property right-of-entry

constraints. If any other species' nests are located during surveys, all construction work shall be conducted outside the buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 250 feet for non-raptor bird species and 500 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. Readily visible exclusion zones shall be established in areas where nests must be avoided. Nests, eggs, or young of birds covered by the Migratory Bird Treaty Act and California Fish and Game Code shall not be moved or disturbed until the end of the nesting season or until young fledge, whichever is later, nor shall adult birds be killed, injured, or harassed at any time.

- g. Impacts to native oak trees greater than 6 inches diameter at breast height shall be offset by replacement planting within the project limits. Replacement plantings shall be achieved using a 3:1 ratio for each tree removed, in accordance with Santa Barbara County's Draft Guidelines for Urban Oak Trees (2006). Although higher numbers are sometimes appropriate, the limited habitat value of the trees to be removed and the fact that all replacement trees will be maintained within Caltrans right-of-way make this an appropriate number for this project. Replacement plantings will be detailed in the Caltrans landscape architecture Landscape Planting Plan. Oak tree plantings shall be monitored to ensure successful re-vegetation at six months and then once a year for three years. It is recommended that native tree and shrub species such as western sycamore, lemonade berry, toyon, laurel, sumac and coyote brush also be included as replacement plantings.
- h. To prevent new invasive species from being imported to the site, the project contractor shall implement the following control measures:
 - (1) Only certified noxious weed-free erosion control materials and fill will be used.
 - (2) All straw and seed material shall be certified weed-free by the County Agricultural Commissioner prior to being used at the project site. The California Department of Food and Agriculture maintains a current listing of noxious weeds.
 - (3) Prior to construction, a qualified botanist/biologist shall provide invasive plant prevention training and an appropriate identification/instruction guide to staff and contractors. A list of target species shall be included, along with measures for early detection and eradication.
 - (4) Prior to construction, specific areas shall be designated for cleaning of tools, vehicles, equipment, clothing and footwear, and other gear.
 - (5) Before entering and exiting the worksite, any and all tools, equipment, vehicles, clothing, and footwear, and other gear shall be cleaned to remove soil, seeds, and other plant parts.

- (6) The reproductive parts of any invasive plants, such as seeds, mature flowers, and roots/shoots of species that can reproduce vegetatively, shall be contained in sealed containers and removed from the site to a licensed landfill.
- (7) If necessary, suitable receiving areas shall be designated for invasive plant waste disposal prior to their transport to a certified landfill and 100 percent containment of the invasive plant materials during transport shall be achieved.
- (8) All disturbed areas that are not converted to hardscape or formally landscaped shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydro-seeding shall occur where no construction activities have occurred within 6 weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydro-seeding, weed removal shall occur in consultation with a qualified botanist/biologist. Alternatively, in areas not suitable for hydro-seeding, areas that are not hardscaped and are planned for formal landscaping shall be mulched to reduce potential for invasive species to colonize. Mulch shall be at least 4 inches thick and shall be weed free.
- (9) For project activities outside areas of direct impact, tree resources shall be avoided by confining activities, such as traffic control and lane modifications, to within existing pavement, gravel, or other unvegetated areas.

4. Cultural Resources.

- a. Avoidance, minimization and mitigation measures for cultural resources in areas near Montecito Creek will be carried out through the implementation of the June 2013 *Programmatic Agreement Between the California Department of Transportation and the California State Historic Preservation Office Regarding the South Coast 101 HOV Lanes Project, U.S. Route 101, Santa Barbara County, California* and the appended *Treatment and Data Recovery Plan for the South Coast 101 HOV Lanes Project, Santa Barbara County, California* (See Appendix D, *State Historic Preservation Officer Correspondence*).
- b. Caltrans shall prepare a technical report documenting the results of the implementation of the Data Recovery Plan. Copies of the report will be distributed by Caltrans to the State Historic Preservation Officer, the Central Coast Information Center of the California Historic Resources Information System, and to the Coastal Band of the Chumash Nation, the Santa Ynez Band of Chumash Indians, and Chumash individuals and groups participating in the consultation process.
- c. If Caltrans determines during the implementation of the Data Recovery Plan or after construction of the Undertaking has commenced, that either the implementation of the Data Recovery Plan or the Undertaking will affect a previously unidentified property that may be eligible for the National Register, or affect a known historic

property in an unanticipated manner, Caltrans shall address the discovery or unanticipated effect in accordance with 36 CFR §800.13(b).

- d. If human remains are discovered, State Health and Safety Code Section 7050.5(b) states that further disturbances and activities must cease in any area or nearby area suspected to overlie remains, and the county coroner would be contacted. Pursuant to State Health and Safety Code 7050.5(c), if the county coroner/medical examiner determines that the human remains are or may be of Native American origin, the Native American Heritage Commission will be contacted and the discovery will be treated in accordance with the provisions of California Public Resources Code 5097.98(a)-(d). The Native American Heritage Commission will notify the Most Likely Descendent. The District 5 or construction personnel who discovered the remains will contact the cultural resource specialist who will then work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of Public Resources Code 5097.98 are to be followed as applicable.

5. Greenhouse Gas Emissions.

- a. The Project shall incorporate recycling and waste-diversion techniques by promoting the reuse of materials such as steel, road base, concrete, asphalt-concrete, to the extent feasible (Deputy Directive 17 Recycling Asphalt Concrete).
- b. Disturbed areas will be seeded with native and drought-tolerant shrubs, perennials and grasses.
- c. Disturbed areas will be planted with a variety of native and drought-tolerant trees and shrubs in ratios sufficient to replace the air quality and cooling benefit of trees removed by construction of the Project. Any native trees removed as part of the project will be replaced at a 3:1 ratio resulting in continued increases to the biomass within the project limits. Additional trees will be planted as space allows to further increase those benefits. Street trees will be planted from large-sized containers to accelerate reestablishment of the greenhouse gas sink and to shade the pavement. Riparian planting will also be included to maintain shade along creek corridors.
- d. To the extent that it is applicable or feasible, the following measures shall be incorporated into the Project:
 - (1) Use compost and soil amendments derived from recycled wood products and green waste materials.
 - (2) Use fiber produced from recycled pulp such as newspaper, chipboard, cardboard.
 - (3) Use wood mulch made from green waste and/or clean manufactured wood or natural wood.
 - (4) Use native and drought-tolerant seed and plants species.
 - (5) Use irrigation controllers with "smart" irrigation technology for plants dependent on actual climate conditions.

- (6) Minimize pesticide use and implement reduction goals restriction.
- (7) Use fly ash in all concrete poured on the project.
- (8) Use recycled water for irrigation within the Santa Barbara city limits (and elsewhere if available).

6. Hydrology/Water Quality.

- a. Permanent Storm Water Treatment Best Management Practices—Because this project proposes to add more than 1 acre of new impervious surfaces, permanent storm water treatment best management practices will be incorporated into this project to the maximum extent practicable. Treatment best management practice techniques shall concentrate on the use of biofiltration swales (stable grass-lined ditches) to convey surface runoff, and biofiltration strips to intercept overland flow. Currently, infiltration devices are not proposed as part of the project due to high groundwater levels in most locations. If site specific locations indicate low groundwater and soils are determined to be appropriate for infiltration, infiltration devices would then be evaluated for installation.
- b. All existing vegetated locations to remain along the project limits shall be evaluated for viability as bio-strips and documented to quantify effectiveness of reductions of particulate runoff. In addition, the preliminary locations identified in the Final Environmental Document, Table F.1 (updated in the Revalidation/Addendum prepared in June 2018) shall be used for building new bio-strips and bio-swales to intercept runoff. If subsurface conditions are appropriate, these same locations shall also be used for infiltration purposes.
- c. During construction, litter on the highway shall be removed periodically as part of regular maintenance procedures.
- d. Storm water best management practices shall be selected and designed during the design phase of this project. Best management practices shall be selected to minimize pollutant discharges to surface waters, minimize storm water discharge rates and volumes, and recharge groundwater. A formal storm water drainage plan shall be developed during the design process of this project.
- e. Standard temporary construction site and permanent design pollution prevention and permanent storm water treatment best management practices (BMPs) shall be used during and after construction of the project to control potential discharges of pollutants to surface water. Best management plans shall be designed with the goal of controlling general gross pollutants and/or sedimentation/siltation, depending on location. The required storm water pollution prevention plan shall address all the best management plans necessary to prevent water quality impacts during construction of the project. In addition, buffers from sensitive resources such as wetlands and riparian corridors will be established throughout the project area.

7. Noise.

- a. Caltrans will consider constructing the permanent noise barriers before beginning project construction so that the barriers can reduce construction noise transmission

to adjacent residents and other land uses. When it will not interfere with other construction activities, recommended permanent soundwalls shall be built during the first phase of construction to protect sensitive receptors from subsequent construction noise, dust, light, and glare.

- b. Advanced Notice: The resident engineer shall notify the District 5 Public Information Officer to place notice of the proposed project in local news media in advance of construction. The notice will give estimated dates of construction and mention potential noise impacts.
- c. Public Relations: A telephone shall be installed in the Public Information Officer's office to receive noise complaints. The telephone number shall be publicized in local newspapers, and by letter to residences near the construction area.
- d. Construction activities shall be minimized near any residential areas during evening, nighttime, weekend, and holiday periods. Noise impacts are typically minimized when construction activities are performed during daytime hours. When possible, noisier construction tasks exceeding 87 dBA within 50 feet of residential areas shall be limited to weekdays from 7:00 a.m. to 5:00 p.m. However, some nighttime construction will be necessary to avoid major traffic disruption.
- e. In the case of construction noise complaints by the public, the construction manager shall be notified and the specific noise-producing activity may be changed, altered, or temporarily suspended. District noise staff shall be consulted if specific noise-producing activities cannot be adequately reduced in the field.
- f. All equipment shall have sound-control devices no less effective than those provided on the original equipment. All equipment shall operate with muffled exhaust.
- g. When feasible, the use of loud sound signals such as back-up warning buzzers or alarms shall be avoided in favor of light warnings. The exception is those cases required by safety laws for the protection of personnel.
- h. As directed by the Caltrans resident engineer, the contractor will implement appropriate additional noise mitigation measures such as notifying adjacent residents in advance of construction work, and installing acoustic barriers around stationary construction noise sources.
- i. Temporary barriers shall be used, if needed, to protect residential areas from excessive construction noise generated by such items as compressors, generators, pneumatic tools, and jackhammers. Noise barriers can be made of heavy plywood, moveable insulated sound blankets, or other best available control techniques.
- j. Each internal combustion engine, used for any purpose on the job, or related to the job, must be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine will be operated on the jobsite without an appropriate muffler.

8. **Recreation.**

- a. Coordinate with local jurisdictions as needed to minimize disruptions to traffic, pedestrians, and bicyclists associated with local and state road construction projects in the corridor. Refer to Construction Impacts under Traffic Circulation (including pedestrian and bicycle) for further details regarding a required Transportation Congestion Management Plan.
- b. Where the project proposes local-street changes, all modified pedestrian facilities shall comply with the Americans with Disabilities Act.
- c. All existing bike or pedestrian facilities shall be retained or replaced as needed.

9. Transportation.

- a. A Traffic Management Plan will be developed before building the project. Measures shall be taken to avoid impacts to emergency services with alternate routes made available for use during construction. During all temporary closures, detour routes will be provided for vehicles, pedestrians, and bicycles. Caltrans plans to work closely with County Public Works with regard to a construction traffic management plan for neighborhood streets surrounding the Sheffield Drive interchange and with City of Santa Barbara Public Works with regard to a construction traffic management plan for neighborhood streets surrounding the Cabrillo Boulevard interchange. At the completion stage of the project, Caltrans will evaluate local streets to determine to what extent repair or repaving is necessary and to ensure that the project meets the ADA requirements. The plan shall consider phasing and scheduling associated with other construction projects in the corridor to minimize delays to the driving public.
- b. The Traffic Management Plan for this project shall include the following items:
 - (1) Public Awareness Campaign—Flyers, brochures, press releases, web site, and advertising as required informing travelers of the project.
 - (2) Construction Zone Enhanced Enforcement Plan (COZEED)—Additional California Highway Patrol officers shall be assigned to the construction zone during peak travel times to ensure construction zone safety.
 - (3) Temporary facilities—Changeable message signs and ramp-detour notices shall alert travelers to road closures, detours and other pertinent information.
 - (4) Temporary access—Access shall be provided to residences and businesses as necessary.
 - (5) Emergency services—Emergency services shall be notified before any required roadway or highway lane closures.
 - (6) Maintenance schedule—The maintenance of traffic and sequencing of construction shall be planned and scheduled to minimize traffic delays.
 - (7) Detour signs—When ramps are closed, detour signs shall direct traffic to the nearest available ramp.

10. Utilities/Service System.

- a. Coordination between Caltrans and service providers shall strive to ensure that utility services are not disrupted. Preconstruction utility location shall be required in conjunction with service providers to avoid disruption of any utility service. Before and during construction, all utilities in conflict with the Project shall be relocated, avoided, or protected in place. The design team shall continue to minimize the need for utility relocations and reconstruction.

E. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.

1. **Public Works Department.**

- a. **Dedications.** Easements, as shown on the approved site plan. However, some work may occur outside dedication areas, prior to completion of dedications.
- b. **Right of Way Improvements.** The Owner shall submit C-1 public improvement or Public Works plans for construction of improvements within the City ROW and along the frontage of 1295 Coast Village Road, 1298 Coast Village Road, and 110 Olive Mill Road. Plans shall be submitted separately from plans submitted for a Building Permit, and shall be prepared by a licensed civil engineer registered in the State of California. As determined by the Public Works Department, the improvements shall be designed and constructed per City standard details including all new sidewalk, driveways (including the driveway at 1295 Coast Village Road and 110 & 112 Olive Mill Road), curb and gutter, access ramps, and asphalt concrete. Driveway aprons shall be reconstructed to also meet Title 24 requirements. The improvements shall include reconstruction of asphalt concrete to the centerline of the street along entire subject property frontage and slurry seal a minimum of 20 feet beyond the limits of all trenching, connection to and/or relocation or extension of public/private water and sewer mains, laterals and utilities, relocation of new residential/commercial fire hydrant(s), public drainage improvements with supporting drainage calculations and/or hydrology report for installation of drainage pipe or connection to existing City or County storm drain, supply and install Type B and C City standard Dome Style street lights, coordinate with Public Works staff and Edison to retire light standard from existing utility pole, preserve and/or reset survey monuments, supply and install directional/regulatory traffic control signs per the CA MUTCD during construction, supply and install new street name sign(s) "Old Santa Barbara Style" with white lettering on a brown background, storm drain stenciling, relocation of the MTD bus stops, benches, poles, and signs on Coast Village Road and Olive Mill Road. New street trees as approved by the Parks and Recreation Commission shall be installed, and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.
- c. **Haul Routes Require Separate Permit.** Apply for a Public Works permit to establish the haul routes for all construction-related trucks with a gross vehicle weight rating of three tons or more entering or exiting the site.

- d. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways.
- e. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way or easements shall be obtained by the Owner.
- f. **Landscape Maintenance.** A Memorandum of Understanding between the City, County, SBCAG and Caltrans that outlines the long-term funding agreement for landscaping within the project area shall be approved prior to issuance of a permit.
- g. **Temporary Construction Easements.** Obtain temporary construction easements from property owners.

2. **Community Development Department.**

- a. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the Storm Water BMP Guidance Manual, pursuant to Santa Barbara Municipal Code Chapter 22.87 (treatment, rate and volume). The Applicant shall submit a hydrology report and worksheets from the Storm Water BMP Guidance Manual for Post Construction Practices prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City's Storm Water BMP Guidance Manual. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City's Creeks Division and the Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no unpermitted construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants will result from the project.

Any elements added after Design Review may affect stormwater compliance determinations, and may trigger additional treatment requirements and stormwater hydrology calculations. This includes any additional work in the public right-of-way.

- b. **Closure Plan.** Prior to permit issuance, Caltrans shall provide the City with a Closure Plan that identifies the timing and duration of ramp closures; the location of alternative access points; methods to protect access to businesses, destinations, and points of interest; proposed signage; and any other methods to mitigate the impacts of the closure. Public Works staff shall approve the Closure Plan such that, to the extent feasible, there is minimal disturbance to, and maximum protection of, the residences and businesses in the affected area.
- c. **Construction/Traffic Management Plan.** A Final Construction/Traffic Management Plan shall be provided to the City identifying construction phasing, staging, detours and road/ramp closures. Public Works staff shall ensure that the

Construction/Traffic Management Plan considers and, to the maximum extent feasible, minimizes disruption to residences and businesses in the affected area.

- d. **Traffic Management Plan.** As provided for, and in conjunction with, condition D.9.b.(4), vehicular and pedestrian access shall be provided to residences and businesses to the maximum extent feasible, with notice of any closure being provided in advance to the property owner and tenant.
- e. **Mitigation Monitoring and Reporting Requirement.** The Owner shall implement a Mitigation Monitoring and Reporting Program (MMRP) for the project's conditions of approval, which include applicable mitigation measures as outlined in the July 22, 2020 Addendum. The MMRP shall include, but not be limited to the following:
 - (1) Each of the project's mitigation measures and conditions of approval.
 - (2) Timing and specific responsible party for implementation of each mitigation measure and condition of approval.
 - (3) Timing and party responsible for monitoring each mitigation measure and condition of approval and a list of monitors to be retained.
 - (4) Procedures, timing, and responsible party for reporting to Planning staff on project mitigation/condition compliance and monitoring.
 - (5) Specification of a qualified representative for the applicant to be designated as the coordinator responsible for ensuring full compliance with the provisions of the Plan. The designated coordinator shall have authority over all other monitors.

The MMRP shall be submitted to the Planning Division for review and approval prior to Public Works Permit issuance. The resident engineer/ Public Works inspector will conduct intermittent field inspections and respond to complaints.

- f. **Project Environmental Coordinator Required.** Submit to the Planning Division a contract with a qualified independent consultant to act as the Project Environmental Coordinator (PEC). Both the PEC and the contract are subject to approval by the City's Environmental Analyst. The PEC shall be responsible for assuring full compliance with the provisions of the Mitigation Monitoring and Reporting Program (MMRP) to the City. The contract shall include the following, at a minimum:
 - (1) The frequency and/or schedule of the monitoring of the mitigation measures and conditions of approval.
 - (2) A method for monitoring the mitigation measures and conditions of approval.
 - (3) A list of reporting procedures, including the responsible party, and frequency.
 - (4) A list of other monitors to be hired, if applicable, and their qualifications.

- (5) Submittal of biweekly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP compliance by the PEC to the Community Development Department/Case Planner.
- (6) Submittal of a Final Mitigation Monitoring Report.
- (7) The PEC shall return calls to the PEC hotline within 24 hours.
- (8) The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in the MMRP and conditions of approval, including the authority to stop work, if necessary, to achieve compliance with mitigation measures.

- g. **Archaeological Monitoring Contract.** Submit a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during all ground-disturbing activities in the areas identified in the Treatment and Data Recovery Plan for the South Coast 101 HOV Project; prepared by Joslin and Hildebrandt, June 2013, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance. The contract shall be subject to the review and approval of the Environmental Analyst.

The archaeologist's monitoring contract shall include the provisions identified in condition E.2.h "Requirement for Archaeological Resources" below.

- h. **Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division and City's Public Works Department shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

- i. **Arborist's Monitoring.** Submit to the Planning Division an executed contract with a qualified arborist for monitoring of all tree removal, demolition, and grading activities. The contract shall include a schedule for the arborist's presence, and is subject to the review and approval of the Planning Division. The City Arborist shall be notified of all street tree removals, demolition and grading activities that may affect street trees, and on-site delivery of new street trees. The City Arborist shall inspect and approve the location of the proposed street trees prior to installation.
- j. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a draft copy of the notice to the Planning Division and Public Works Department for review and approval. The Owner shall obtain and submit a signed acknowledgement of the receipt of the site rules, restrictions, and Conditions of Approval from all contractors and subcontractors prior to the start of construction activities.
- k. **Letter of Commitment for Neighborhood Notification Prior to Construction.** The Owner shall submit to the Planning Division a letter of commitment to provide the written notice specified in condition F.1 "Neighborhood Notification Prior to Construction" below. The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division.
- l. **Letter of Commitment for Pre-Construction Conference.** The Owner shall submit to the Planning Division a letter of commitment to hold the Pre-Construction Conference identified in condition F.2 "Pre-Construction Conference" prior to disturbing any part of the project site for any reason.
- m. **Hazardous Materials.** Prior to Issuance of Public Works Permit provide a copy to the Planning Division of a report documenting the results of sampling and testing of the project site for lead, hydrocarbon and the soils along the natural gas pipeline for review and acceptance determination.
- n. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section C "Design Review," and all elements/specifications shall be implemented on-site.
- o. **Emergency Evacuation Plan.** Provide an emergency evacuation plan subject to approval by the Fire Department.
- p. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. The following statement shall be signed prior to issuance of and permits: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

| | |
|------------------------------------|------|
| City of Santa Barbara Public Works | Date |
|------------------------------------|------|

| | |
|--------------------------------------|------|
| County of Santa Barbara Public Works | Date |
|--------------------------------------|------|

| | |
|---|------|
| Santa Barbara County Association of Governments | Date |
|---|------|

| | | |
|----------|------|-------------|
| Caltrans | Date | License No. |
|----------|------|-------------|

| | | |
|------------|------|-------------|
| Contractor | Date | License No. |
|------------|------|-------------|

| | | |
|----------|------|-------------|
| Engineer | Date | License No. |
|----------|------|-------------|

- F. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.
1. **Community and Neighborhood Notification Program Prior to Construction.** The Public Works Department shall provide a Community and Neighborhood Notification Program for approval by the Planning Division at least (45) days prior to commencement of construction. Prior to start of the Community and Neighborhood Notification Program, Public Works Department shall designate a Public Liaison individual to be on-site on a daily basis and continuously available by telephone. At a minimum, the Program shall include written mailed notices to property owners, businesses, tenants and residents with addresses on Cabrillo Boulevard, Los Patos, and Coast Village Road from Milpas Street to Olive Mill Road and along Olive Mill Road from Channel Drive and Hot Springs Road to Coast Village Road. Santa Barbara and Montecito public agencies as well as the Montecito Association and Coast Village Association shall also be provided with written mailed notices. Publications in area newspapers, media releases, on-line information on City website, an open house prior to construction, and information tables at events in the Santa Barbara and Montecito areas shall be included in the Program. Information shall contain a description of the project, the construction schedule, including days and hours of construction, road closures and duration, detour plans, the name and phone number of the Public Works Project Manager and Public Liaison, site rules, Conditions of Approval pertaining to construction activities, and any additional information that will assist Inspectors, Police Officers and the public in addressing problems that may arise during construction. The Community and Neighborhood Notification Program shall begin 30 days before project construction.
2. **Pre-Construction Conference.** Not less than 10 days or more than 20 days prior to commencement of construction, a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements, shall be held by the General Contractor. The conference shall include representatives from Caltrans, Santa Barbara County Association of Governments, County Public Works

Department and Planning Department, City Public Works Department Engineering and Transportation Divisions, City Community Development Department Building & Safety and Planning Divisions, Archaeologist, Arborist, Landscape Architect, Biologist, Geologist, Project Engineer, Resident Engineer, Project Environmental Coordinator, Mitigation Monitors, Contractor and each Subcontractor.

3. **Construction Contact.**

- a. Immediately after Public Works permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) and Project Environmental Coordinator's (PEC's) name, contractor(s) and PEC's telephone number(s), construction work hours, site rules, and construction-related conditions, to assist Public Works Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. Sign shall not exceed 24 square feet.
- b. The PEC shall respond to any comments or complaints within 24 hours.

4. **Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:30 a.m. and 4:30 p.m., excluding the following holidays:

| | |
|-----------------------------|-----------------------------------|
| New Year's Day | January 1st* |
| Martin Luther King, Jr. Day | 3rd Monday in January |
| Presidents' Day | 3rd Monday in February |
| Memorial Day | Last Monday in May |
| Independence Day | July 4th* |
| Labor Day | 1st Monday in September |
| Thanksgiving Day | 4th Thursday in November |
| Following Thanksgiving Day | Friday following Thanksgiving Day |
| Christmas Day | December 25th* |

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

Non-noise generating construction activities are not subject to these restrictions. When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the City to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

5. **Equipment Mufflers and Maintenance.** All construction equipment powered by internal combustion engines shall be properly muffled and maintained in tune. No internal combustion engine shall be operated on the site without a muffler. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers.

6. **Monitoring.** Upon commencement of grading and truck hauling activities, the applicant shall have noise measurements conducted at the closest residential property line to confirm noise levels, and submit the results and average daily CNEL calculation to the Planning Division. If daily average noise levels will exceed 60 dBA CNEL at the closest residential property line, the applicant shall identify and institute additional noise reduction measures at the direction of the City
7. **Acoustical Shelters.** Air compressors and generators used for construction shall be surrounded by temporary acoustical shelters. Whenever feasible, electrical power shall be used to run air compressors and similar power tools.
8. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site within the project area. No parking or storage shall be permitted within the public right-of-way outside of the designated project area, unless specifically permitted by the Public Works Director with a Public Works permit.
9. **Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Public Works Director.
10. **Air Quality and Dust Control.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:
 - a. Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
 - b. All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units shall be used whenever possible.
11. **Mitigation Monitoring Compliance Reports.** The PEC shall submit biweekly reports to the Community Development Department, Planning Division, and the Public Works Department during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP compliance.
12. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop

appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

G. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Complete Public Improvements.** Public improvements, as shown in the public improvement plans or building plans, shall be completed and document in Record Drawings. The Record Drawings shall be submitted to the City Engineer for review and approval prior to deeming the project complete.
3. **Archaeological Monitoring Report.** A final report on the results of the archaeological monitoring shall be submitted to the Planning Division within 180 days of completion of the monitoring or prior to the issuance of the Certificate of Occupancy / Final Inspection, whichever is earlier.
4. **Mitigation Monitoring Report.** Submit a final construction report for mitigation monitoring.

H. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the City of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species

Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.

2. **Approval Limitations.**

- a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
- b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
- c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

3. **Site Maintenance.** The existing site/structure(s) shall be maintained and secured. Any landscaping shall be watered and maintained until demolition occurs.

4. **Uninterrupted Water Flow.** The Owner (City Public Works Department and Caltrans) shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

5. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.

6. **Tree Protection and Replacement.** The existing tree shown on the Tree Protection and Replacement Plan shall be preserved, protected, and maintained in accordance with the recommendations contained in the plan. A copy of Tree Protection and Replacement Plan shall be attached to the recorded conditions as an exhibit.

7. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner (City Public Works Department, and Caltrans) shall maintain the drainage system and storm water pollution control devices in a functioning state and in accordance with the Storm Water BMP Guidance Manual and Operations and Maintenance Procedure Plan approved by the Creeks Division. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Public Works Permit and Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a

manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

8. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

III. Said approval is subject to the following time Limits:

A. NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission action approving the Coastal Development Permit shall expire eight (8) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Public Works or Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.

This motion was passed and adopted on the 20th day of August, 2020 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Higgins)

PLANNING COMMISSION RESOLUTION No. 007-20

INTERSECTION OF OLIVE MILL ROAD, COAST VILLAGE ROAD, NORTH JAMESON LANE

AUGUST 20, 2020

PAGE 25

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

Heidi Reidel
Heidi Reidel, Commission Secretary

8/20/2020
Date

PLEASE BE ADVISED:

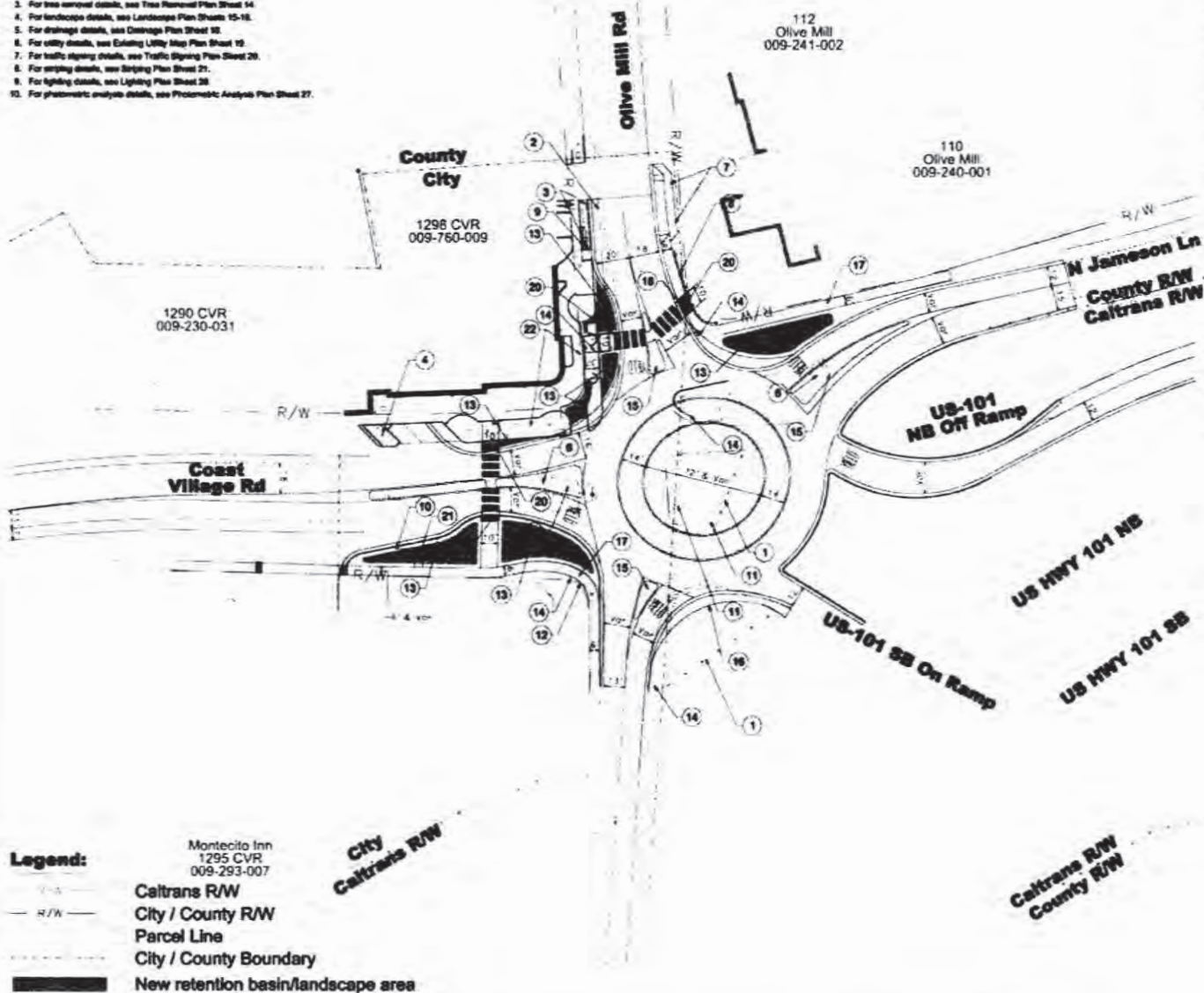
THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

Notes:

1. For improvements at 1296 Coast Village Road, see improvements to SW Corner of Roundabout Plan Sheet 6.
2. For improvements at 110 & 112 Olive Mill, see improvements to NE Corner of Roundabout Plan Sheet 7.
3. For tree removal details, see Tree Removal Plan Sheet 54.
4. For landscape details, see Landscape Plan Sheets 15-18.
5. For drainage details, see Drainage Plan Sheet 19.
6. For utility details, see Existing Utility Map Plan Sheet 19.
7. For traffic signing details, see Traffic Signing Plan Sheet 20.
8. For striping details, see Striping Plan Sheet 21.
9. For lighting details, see Lighting Plan Sheet 26.
10. For photometric analysis details, see Photometric Analysis Plan Sheet 27.

Construction Notes:

1. Relocate Caltrans fence.
2. Relocate bus stop slightly north from existing.
3. Relocate trash ramp.
4. Remove acacia tree and add one parking spot.
5. Relocate "Bliss" sign in coordination with the Four Seasons Resort "The Blissett" Santa Barbara.
6. Relocate residential driveway to 110 Olive Mill and 112 Olive Mill.
7. New 8' fence and trees for 110 Olive Mill.
8. Modify utility lots to be ADA compliant; bus loading area.
9. Relocate bus stop slightly west from existing.
10. Relocate highway sign.
11. Fire hydrant to be protected in place.
12. Construct new retention landscape area to address right of way encroachment.
13. Remove stop sign.
14. New splitter island.
15. New guardrail.
16. New concrete sidewalk 8'.
17. Relocate fire hydrant.
18. Construct curb ramps and boulevard corners.
19. New bus stop post.
20. Storm water retention plan area to be provided in place, which handles 1296 CVR stormwater.



TYLIN
INTERNATIONAL

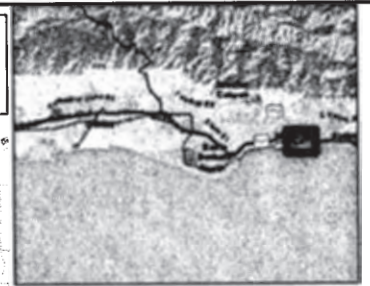
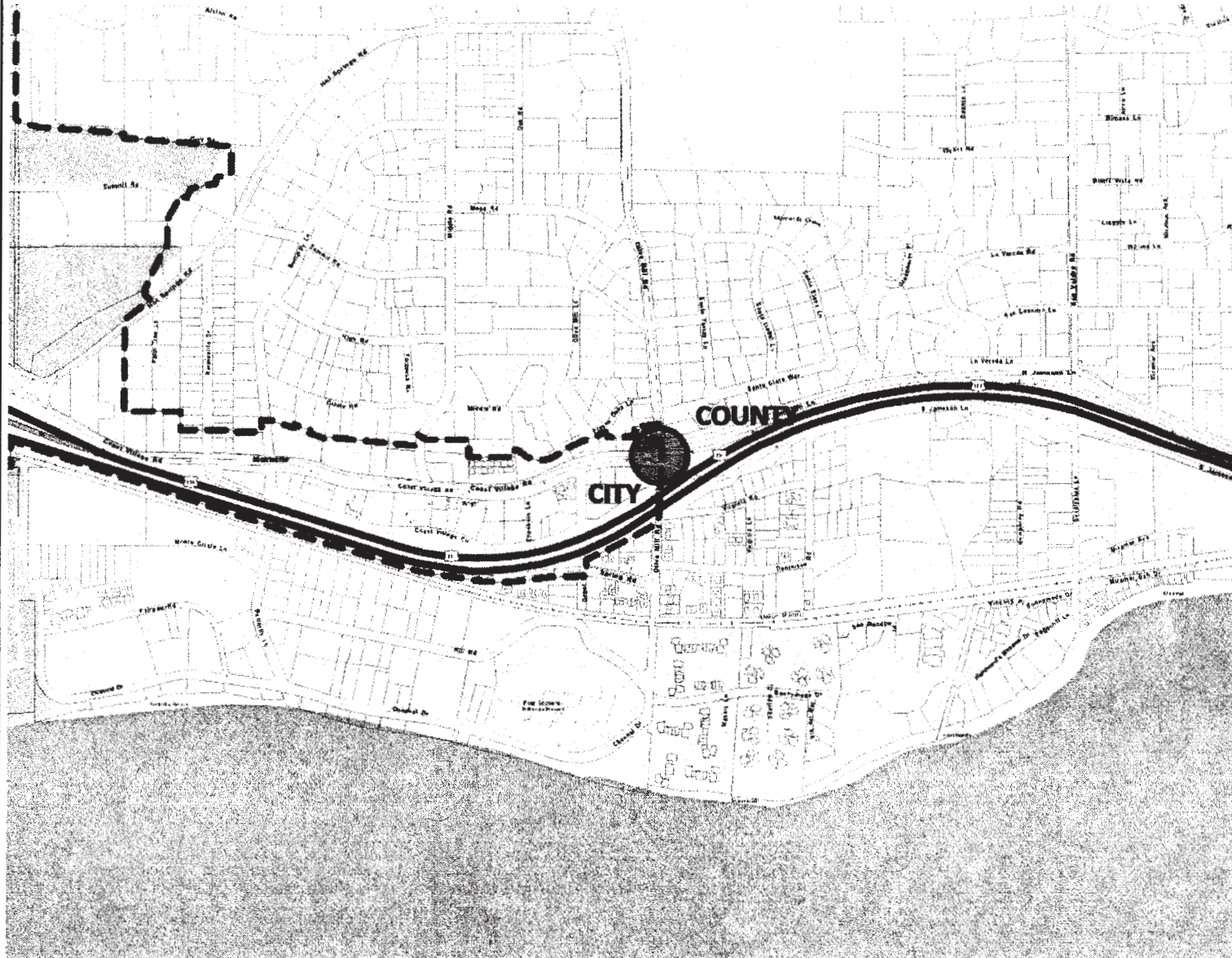
PROJECT: OLIVE MILL ROAD INTERSECTION ROUNDABOUT PROJECT
SHEET: SITE PLAN: PROPOSED LAYOUT
DATE: 10/1/2010
DRAWN BY: J. J. JENSEN
CHECKED BY: J. J. JENSEN
SCALE: 1" = 40'

30%
DRAFT

OLIVE MILL ROAD INTERSECTION ROUNDABOUT PROJECT
SITE PLAN:
PROPOSED LAYOUT

1000X S-3
C-1-1000X
4 of 28

Vicinity Map - Olive Mill Roundabout Project



Legend

- City Limits
- Assessor's Parcels - City
- World Street Map

1: 13,103



2,183.787 0 1,091.894 2,183.787 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City of Santa Barbara

Reported on 10/20/2020 02:38 PM

MAP DISCLAIMER

This service has been provided to allow a visual display of City information. Every effort has been made to ensure the accuracy of the map and data. The City of Santa Barbara assumes no responsibility arising from the use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT A WARRANTY OF ANY KIND. This map was created using the City of Santa Barbara's Mapping Analysis and Printing System application.

Notes

Montecito Area, Santa Barbara, CA - Intersection of Olive Mill Road, Coast Village Road, North Jameson Lane and Highway 101

ATTACHMENT 3



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 13, 2020

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of The Planning Commission's Approval Of A Coastal Development Permit For The Olive Mill Roundabout Project

RECOMMENDATION: That Council:

- A. Consider Scott Wenz and Cars Are Basic's appeal of the Planning Commission's approval of a roundabout at the Olive Mill Road/Jameson Lane/Highway 101 intersection; and
- B. Deny the appeal and make the necessary findings, including findings required by Sections 15162 and 15164 of the CEQA Guidelines, to uphold the Planning Commission's decision approving a Coastal Development Permit for the Olive Mill Roundabout Project.

EXECUTIVE SUMMARY:

On August 20, 2020, the Planning Commission approved the application for a roundabout at the Olive Mill Road/Jameson Lane/Highway 101 intersection. On August 28, 2020, Scott Wenz of Cars Are Basic, filed an appeal of the City Planning Commission's approval of the project, asserting that the project fails to minimize Vehicle Miles Traveled (VMT) and failed to evaluate VMT impacts associated with the project (Attachment 1).

DISCUSSION:

Project Description

The proposed Olive Mill Roundabout Project (Project) consists of reconfiguring the six-legged intersection at the Olive Mill Road, Coast Village Road, Jameson Lane, Highway 101 northbound off-ramp, and Highway 101 southbound on-ramp to a single lane roundabout. The approaches to the intersection at each of the legs would be modified to include new road curvature (to slow traffic), pedestrian refuge islands, sidewalks, street lighting, signage, crosswalks, landscaping, and drainage facilities as shown in Attachment 2.

A more complete project description, including bicycle and pedestrian improvements, grading, and construction information is provided in the Planning Commission staff report (Attachment 3).

The discretionary approval required for the project is a Coastal Development Permit (CDP2019-00008) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (Santa Barbara Municipal Code §28.44.060). Council's action on the Coastal Development Permit is appealable to the California Coastal Commission per Public Resources Code §30603(a)(5).

Background

The Project is located partly within the jurisdiction of the City of Santa Barbara and partly within the jurisdiction of Santa Barbara County. The Olive Mill Road/Jameson Lane/Highway 101 intersection was included for analysis in the 2017 South Coast 101 High Occupancy Vehicle (HOV) Lanes Project Revised Environmental Impact Report (EIR)/Environmental Assessment ("101 HOV Revised Final EIR"), which analyzed environmental impacts relating to the addition of a "high occupancy vehicle lane" (i.e. carpool lane) to Highway 101 in each direction. Installation of a roundabout at the Olive Mill Road/Jameson Lane/Highway 101 intersection was identified as a mitigation project (among other mitigation projects requiring intersection improvements) for intersection impacts that would occur as a result of the increased traffic from the Highway 101 HOV ("carpool lane") project. The Olive Mill roundabout is expected to reduce traffic delay and improve the Level of Service (LOS) at the intersection from LOS F (extreme congestion or considerable delays) to LOS C (minimal delays) (Traffic Operations Analysis Report, Omni Means, November 2019).

The Project was officially submitted to the City Land Development Team on March 7, 2019.

On August 12, 2019 and November 18, 2019, the Project received conceptual review comments at the joint design review meetings with the City's Architectural Board of Review and the Montecito Board of Architectural Review.

On August 20, 2020, the City Planning Commission and Montecito Planning Commission held a special joint meeting to review the project. The City Planning Commission voted 6/0 to approve the project and made the required findings in support of the 101 HOV Revised Final EIR Addendum and Coastal Development Permit (Attachment 4 – Planning Commission Minutes and Resolution). The Montecito Planning Commission continued their review of the project to September 16, 2020, at which time they voted 5/0 to approve the project for portions within the County jurisdiction.

Appeal Issues

On August 28, 2020, Scott Wenz of Cars Are Basic, filed an appeal of the City Planning Commission's approval of the Project, asserting that the project fails to minimize Vehicle Miles Traveled (VMT) and failed to evaluate VMT impacts associated with the project (Attachment 1).

1. No environmental study analyzed VMT impacts associated with the project

State legislation adopted in 2013 (Senate Bill 743 (Steinberg)) revised the method for analyzing transportation impacts of projects under the California Environmental Quality Act (CEQA). The new criteria for analyzing transportation impacts are included in State CEQA Guidelines Section 15064.3, adopted in 2018. Under the new criteria, travel delay or traffic congestion effects measured by intersection LOS standards are not considered a significant impact on the environment under CEQA. Instead, vehicle miles traveled (VMT) is identified as the most appropriate measure of the transportation impacts of a project. VMT refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of a project on transit or non-motorized travel. The new criteria applied statewide on July 1, 2020.

The HOV EIR was prepared in 2014 and was revised in 2017, prior to the VMT criteria being in place. Therefore, the 101 HOV Revised Final EIR did not include a discussion of VMT. However, the EIR Addendum prepared for the Olive Mill Roundabout, and considered by the Planning Commission, did address VMT (Attachment 5 – EIR Addendum, refer to page 32).

Many transportation projects change travel patterns. A transportation project that leads to additional VMT, commonly referred to as "induced vehicle travel," needs to quantify the amount of additional VMT in order to assess air quality impacts, greenhouse gas emissions impacts, energy impacts, and noise impacts. The 101 HOV Revised Final EIR concluded that the addition of a new carpool lane to Highway 101, with the HOV Lanes Project, would result in additional traffic. This conclusion is what resulted in the mitigation measure to improve the subject intersection with a roundabout—because a single-lane roundabout was identified as the only long term solution to alleviate congestion at the subject intersection. However, the application before the City is not for the HOV Lanes Project, but rather the roundabout project alone. The HOV Lanes project will require a separate Coastal Development Permit application and review process.

Projects that would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require a VMT analysis, include many transportation projects that do not involve roadway expansion, safety and maintenance projects of existing infrastructure, and "active transportation projects" (self-propelled, human-powered mode of transportation, such as walking or bicycling).

Installations of roundabouts or traffic circles are included on the list of projects that do not require VMT analysis (Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA – December 2018). The roundabout project itself would not induce vehicle travel, and would thus not result in a significant impact to VMT under CEQA or additional traffic/circulation impacts beyond those identified in the 101 HOV Revised Final EIR.

2. Project violates Coastal Act Section 30253(d)

Public Resources Code Section 30253(d) of the Coastal Act provides in part that new development shall minimize energy consumption and vehicle miles traveled.

The roundabout was identified as a mitigation measure to reduce congestion and traffic inefficiency as a result of the HOV Lanes Project. When balancing energy used during construction and operation of the roundabout against energy saved by relieving congestion and other transportation efficiencies, the roundabout project would serve to minimize long-term energy consumption (101 HOV Revised Final EIR Addendum dated July 22, 2020).

As discussed in the first appeal issue above, projects that do not involve roadway expansion and/or involve maintenance of existing infrastructure typically do not induce VMT. The roundabout project would reconfigure the existing six-legged intersection into a six-legged roundabout. No additional lanes are proposed and the roadway would be narrowed, rather than expanded, to reduce vehicle speeds upon entering the roundabout. The roundabout was designed to move traffic through the intersection in a more efficient manner; as established by the OPR Guidelines, it is an improvement that does not create a substantial increase in VMT.

Beyond improving traffic efficiency for vehicles, the proposed roundabout also improves pedestrian and bicycling conditions within the intersection, which serves to reduce VMT. The roundabout project would improve the pedestrian and bicycle facilities by: 1) slowing the vehicular traffic approaching the roundabout; 2) improving vehicular stopping sight distance; 3) designating right of way to the pedestrians and bicyclists using the crosswalks; 4) providing refuge islands for the crossing pedestrians; 5) providing new curb and gutter; and 6) providing some missing sidewalk/bike lanes where incomplete infrastructure exists. These features improve the safety and usability of the intersection for pedestrians and cyclists, thus encouraging active transportation options within the Coast Village Road commercial area and coastal access routes to Butterfly Beach.

3. Project violates City Land Use Policy 3.1-26

The appellant contends that the Project violates the City's Local Coastal Program Coastal Land Use Plan Policy 3.1-26, which also provides that new development and substantial redevelopment shall minimize energy consumption and vehicle miles

traveled. This argument can be rejected for the same reasons stated in the response to number 2 above.

STANDARD FOR REVIEW:

Coastal Development Permit

If the City Council chooses to uphold the Planning Commission's approval of the project and deny the appeal, staff recommends making the following findings:

1. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because the project will improve the efficiency of the intersection, with a design that is sensitive to the character of the area including historic resources, as described in Section VI.B of the Planning Commission Staff Report dated August 13, 2020.
2. The project is consistent with the policies of the California Coastal Act, because the project will enhance and restore the overall quality of the coastal zone, assure orderly utilization of the intersection, maximize public access to and along the coast, and improve recreational facilities, as described in Section VI.B of the Planning Commission Staff Report dated August 13, 2020.

The Planning Commission Resolution included as Attachment 4, outlines the Planning Commission's findings in support of the CDP.

If City Council cannot make the above findings then Council may uphold the appeal and state the reasons why the findings cannot be made.

Environmental Review

Action on the roundabout project requires consideration and acceptance of the 101 HOV Revised Final EIR Addendum pursuant to CEQA Guidelines §15162 and §15164. If the City Council chooses to uphold the PC approval and deny the appeal, the following findings are required:

The City Council has considered the 101 HOV Revised Final Addendum dated July 22, 2020 together with the previously certified 101 HOV Revised Final EIR dated August 26, 2014 (2014 EIR), and Revised EIR dated October 27, 2017 (2017 EIR), and finds that the July 22, 2020 Addendum reflects the independent judgment of the City Council and has been completed in compliance with CEQA. Therefore, the Addendum, together with the previously certified 2014 EIR and 2017 EIR, is adequate for this project. On the basis of the whole record, including the July 22, 2020 Addendum, the previously certified CEQA

documents, and any public comments received, the City Council finds that the project changes described in the July 22, 2020 Addendum will neither create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment, nor present new information of substantial importance pursuant to CEQA Guidelines §15162.

If City Council upholds the appeal and denies the Project, then CEQA findings are not required pursuant to CEQA Guidelines Section 15270 (Projects Which Are Disapproved).

BUDGET/FINANCIAL INFORMATION:

The Project's construction will be funded with Regional Surface Transportation Funds. A construction date has not been identified yet.

- ATTACHMENTS:**
1. Appellant Letter, Dated August 28, 2020
 2. Project Plans
 3. Planning Commission Staff Report, Dated August 13, 2020
 4. Planning Commission Minutes and Resolution, Dated August 20, 2020
 5. 101 HOV Revised Final EIR Addendum dated July 22, 2020

PREPARED BY: Megan Arciniega, Project Planner

SUBMITTED BY: Rebecca Bjork, Interim Community Development Director

APPROVED BY: City Administrator's Office

4-STB-20-0984
County of Santa Barbara
Planning and Development



Lisa Plowman, Director

Jeff Wilson, Assistant Director

Steve Mason, Assistant Director

NOTICE OF FINAL ACTION

Received

December 1, 2020

DEC 07 2020

California Coastal Commission
Steve Hudson, District Manager
89 South California Street, Suite 200
Ventura, California 93001

California Coastal Commission
North Central Coast District

Dear Mr. Hudson,

On November 17, 2020 Santa Barbara County took final action on the development described below:

- X Appealable Development Plan 19DVP-00000-00024
- X Coastal Development Permit 19CDP-00000-00048

Project Applicant/Owner:

Morgan Jones
123 E. Anapamu St.
Santa Barbara CA 93101
(805) 681-5694

Project Applicant/Owner:

Laura Yanez
630 Garden Street
Santa Barbara, CA 93101
(805) 897-2615

Project Description: Development Plan and Coastal Development Permit to reconfigure the intersection at Coast Village Road, North Jameson Lane, Olive Mill Road, and Highway 101 from a stop controlled intersection to a roundabout. The project would include new sidewalks, landscaping, lighting, signage, and drainage facilities. Grading would include 1,400 cubic yards of cut and 2,000 cubic yards of fill. The project would require the removal of 50 trees and replacement of those trees at a 3:1 ratio.

Location: This project site is located at the intersection of Coast Village Road, North Jameson Lane, Olive Mill Road, and Highway 101 in the Montecito Community Plan Area and City of Santa Barbara, First Supervisorial District.

Coastal Commission Appeal Procedure: The receipt of this letter and the attached materials start the 10 working day Coastal Commission appeal period during which the County's final action on this Coastal Development Permit may be appealed to the Coastal Commission. Appeals must be in writing and must be submitted to the appropriate Coastal Commission district office on the

123 E. Anapamu Street, Santa Barbara, CA 93101 • Phone: (805) 568-2000 • FAX: (805) 568-2030
624 W. Foster Road, Santa Maria, CA 93455 • Phone: (805) 934-6250 • FAX: (805) 934-6258
www.sbcountyplanning.org

Exhibit 10.
Final Local Action Notice for CDP
No. 19CDP-00000-00048
Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079

appropriate form and with the required filing fee. See the following for further information:
<http://www.coastal.ca.gov/cdp/cdp-forms.html>

Please contact Nicole Lieu at nlieu@countyofsb.org if you have any questions regarding the County's action or this notice.

Nicole Lieu

Nicole Lieu, Project Planner

12/1/2020

Attachments:

Signed Final BOS Action Letter (including Findings and Conditions of Approval)

PC Staff Report Available Online:

<https://cosantabarbara.app.box.com/s/o4z9jfjqpg3h2gp4h9u3zfjicvz4qcld/folder/120299673901>

XC:

Morgan Jones, 123 E, Anapamu St., Santa Barbara CA 93101

Tom Becker, 453 Kendale Road, Buellton CA 93427

Hearing Support



County of Santa Barbara Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

Steve Mason, Assistant Director

November 25, 2020

SB County Public Works
Morgan Jones
123 E. Anapamu St.
Santa Barbara CA 93101

BOARD OF SUPERVISORS
HEARING OF NOVEMBER 17, 2020

RE: *Becker Appeal of the Montecito Planning Commission Approval of the Olive Mill Roundabout*

Hearing on the request of Tom Becker, appellant, to consider Case No. 20APL-00000-00025 [application filed on September 22, 2020] to appeal the Montecito Planning Commission's September 16, 2020 approval of the Olive Mill Roundabout project (19DVP-00000-00024 and 19CDP-00000-00048). The project site is located at the intersection of Coast Village Road, North Jameson Lane, Olive Mill Road, and Highway 101 in the Montecito Community Plan Area and City of Santa Barbara, First Supervisorial District. The Addendum and all documents may be reviewed online at <https://santabarbara.legistar.com/LegislationDetail.aspx?ID=4693101&GUID=8C160075-7DDA-41A4-A540-07DDEB268C1D>

Dear Mr. Jones:

At the Board of Supervisors hearing of November 17, 2020, Supervisor Williams moved, seconded by Supervisor Hartmann and carried by a vote of 5 to 0 to:

- a) Deny the appeal, Case Number 20APL-00000-00025;
- b) Make the required findings for approval of the project specified in Attachment 1, including CEQA findings;
- c) After considering the July 2020 Addendum (Attachment 2) to the previously certified EIR dated August 26, 2014, the Revised EIR dated October 27, 2017, and the EIR Addendum dated June 1, 2018 (available on file with P&D), determine that as reflected in the CEQA findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project.

- d) Grant *de novo* approval of the project, Case Nos. 19DVP-00000-00024 and 19CDP-00000-00048, subject to the conditions of approval included as Attachments 3 and 4, as revised by Planning Developments six PowerPoint slides titled Olive Mill Revised Conditions (as presented at the Board of Supervisors hearing of November 17, 2020);

The conditions of approval were modified as follows:

19. Per LU-M-2.1.1 and VIS M 1-3, the highest area(s) of the roundabout, including the plantings, shall not reduce the view corridors ~~as shown in the Applicant's September 16, 2020 presentation depicting the view~~ looking north on Olive Mill Road toward the Santa Ynez Mountains except as required by design standards. Trees planted within the center roundabout shall be fruitless field grown olive trees. Prior to the Coastal Development Permit issuance, the landscape plan shall be revised to include specific notation that the trees within the center roundabout shall be fruitless field grown olive trees. Prior to Coastal Development Permit issuance, P&D shall confirm notations on plans. During construction, the Resident Engineer shall ensure installation of the trees.

20. Per LU-M-2.2, the lighting levels shall not exceed the minimum requirement of any applicable legal standard, and dimmers shall be installed and maintained to attain the minimum lighting levels. Additionally, the "decorative lighting" shall all be "Mission Bell Style" Type B and C City standard Domas Style.

21. Per CIRC.M.1.1 and M-3.6, the establishment period for all plants shall be at least (5) five years. Additionally, County of Santa Barbara ~~Public Works Department~~ and/or the City of Santa Barbara (or their successor(s) in interest) shall enter into a ~~recorded, long-term (with an initial term of thirty years), renewable maintenance agreement with, subject to County Board of Supervisors approval, if required, with adequate funding, the State. This agreement will assign responsibilities to each party for maintenance as agreed upon by all parties.~~

22. Per CIRC-M 3.7, except as may be required by the Americans with Disabilities Act or any similar law, or within the State right of way, the hardscape surfaces of the pedestrian paths shall be decomposed granite and conform in color and type to the decomposed granite on the pathways on North Jameson Lane.

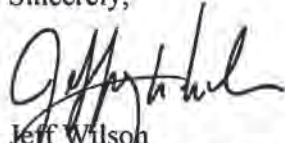
23. Per GOAL F-M-2 and Policy F-M-2.3, all of the plants for landscaping shall be fire-resistant, desirable plants listed at the Montecito Fire Protection District's web site <https://www.montecitofire.com/fire-prevention>; last visited May 26, 2020] or approved by MFPD. Additionally, ~~none of them shall be its list of undesirable plants and deciduous.~~

26. Per CIRC-M-1.6, with reference to the traffic management plan dated May 28, 2020, and any later such plan, San Ysidro Road shall not be used as an alternative vehicle route ~~and further~~

~~diminish the acceptable level of service, unless there is no other alternative. Additionally, no vehicular traffic shall be routed on any residential street.~~ the traffic management plan shall only use residential streets as a last resort except for use of bicycles and pedestrians detours.

The attached findings and conditions reflect the Board of Supervisors actions of November 17, 2020.

Sincerely,



Jeff Wilson
Secretary to the Planning Commission

cc: Case File: 20APL-00000-00025
Clerk of the Board
Appellant: Tom Becker, 453 Kendale Road, Buellton CA 93427
County Chief Appraiser
Das Williams, First District Supervisor
Montecito Planning Commissioners

Attachments:

Attachment 1 – Findings

Attachment 2 – Conditions of Approval

JW/dmv

ATTACHMENT 1: FINDINGS

1.0 CEQA FINDINGS

1.1 ADDENDA TO ENVIRONMENTAL IMPACT REPORT OR NEGATIVE DECLARATION

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15162 and 15164:

1.1.1 CONSIDERATION OF THE ADDENDUM AND FULL DISCLOSURE

The Board of Supervisors has considered the Addendum dated July 2020 together with the previously certified EIR dated August 26, 2014 (2014 EIR), Revised EIR dated October 27, 2017 (2017 EIR), and EIR Addendum dated June 1, 2018, and finds that the Addendum reflects the independent judgment of the Board of Supervisors and has been completed in compliance with CEQA, and that the Addendum, together with the previously certified 2014 EIR, 2017 EIR, and EIR Addendum dated June 1, 2018, is adequate for this project. On the basis of the whole record, including the Addendum, the previously certified CEQA documents, and any public comments received, the Board of Supervisors finds that the proposed project, as described in the Addendum, does not involve any substantial changes to the previously-analyzed project or the circumstances under which it will be undertaken, and there is not new information of substantial importance showing any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment pursuant to State CEQA Guidelines Section 15162.

1.1.2 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Montecito Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.1.3 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

1.1.4 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS

The Addendum prepared for the project addressed the following issues: Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gas Emissions, Hazards, Hydrology and Water Quality, Land Use, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, and Wildfire.

2.0 ADMINISTRATIVE FINDINGS

2.1.1 DEVELOPMENT PLAN FINDINGS

A. Findings required for all Preliminary and Final Development Plans. In compliance with Section 35-174.7.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the decision-maker shall first make all of the following findings:

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 Board of Supervisors finds that the site is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed. The proposed project would be located within County and Caltrans right-of-way in an area that already serves as a developed intersection. The proposed roundabout will not add Peak Hour Trips (PHTs), will improve the Level of Service (LOS) at area intersections, and improve overall vehicular circulation. The roundabout has been designed to meet County and Caltrans geometric requirements and the project site will accommodate adequate vehicular site distance and turning movements as well as pedestrian and bicyclist circulation, landscaping, and stormwater management.

2. That adverse impacts are mitigated to the maximum extent feasible.

The Board of Supervisors finds that adverse impacts are mitigated to the maximum extent feasible as discussed in Attachment 2 (CEQA Addendum) and in the Montecito Planning Commission Staff Report dated July 28, 2020, and incorporated herein by reference (Attachment 6). The proposed roundabout will not create new significant impacts. Significant environmental impacts will continue to be mitigated to the maximum extent feasible by the mitigation measures identified in the Caltrans HWY 101 2014 EIR as modified by the 2017 Revised EIR and the July 2020 Addendum. All environmental impacts originally identified will continue to be mitigated to less than significant levels with implementation of the identified mitigation measures, which are incorporated through Condition 18 of Attachment 3, which requires the preparation of a Mitigation Compliance, Monitoring and

Reporting Plan (MMRP). In addition to the mitigation measures, additional conditions of approval have been imposed to ensure the project complies with applicable County policies, as discussed in Section 6.2 of the July 28, 2020 Montecito Planning Commission staff report and herein incorporated by reference. These conditions, including Condition 3 (Board of Architectural Review), Conditions 4-6 (tree protection), and Conditions 7-8 (cultural resource protection) of Attachment 3 would further ensure that adverse impacts are reduced to the maximum extent feasible.

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

The Board of Supervisors finds that streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. The project is designed to improve traffic operations at the Olive Mill Road, Coast Village Road, Jameson Lane, the HWY 101 northbound off-ramp, and HWY 101 southbound on-ramps by converting the intersection from a six-legged stop-control intersection to a single lane roundabout. The project will improve traffic flow through the intersection, in part by simplifying the right-of-way for motorists approaching the roundabout, where currently determining which vehicle has the right-of-way is challenging due to its current configuration. The project would not add Peak Hour Trips (PHTs) and would improve the Level of Service (LOS) at the project intersection. With implementation of the proposed project, LOS would improve at all intersections and traffic through the area would be better accommodated.

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.

The Board of Supervisors finds that there are adequate services to serve the project. No sewer services are required to serve the proposed project. Water to support landscaping associated with the project will be provided by the Montecito Water District. Fire service in the project area is provided by the Montecito Fire Protection District, and the layout of the roundabout has been designed to meet access requirements for their engines. Police protection is provided by the Santa Barbara County Sheriff and California Highway Patrol.

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 Board of Supervisors finds 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 project is designed to improve traffic operations at the Olive Mill Road, Coast Village Road, Jameson Lane, the HWY 101 northbound off-ramp, and HWY 101 southbound on-ramps by converting the intersection from a six-legged stop-control intersection to a single lane roundabout. The project will improve the Level of Service at the intersection and has been designed to accommodate adequate vehicular site distance and turning movements as well as pedestrian and bicyclist circulation, landscaping, and stormwater management. Reconfiguration of the existing intersection to a roundabout will maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials. Hardscape and landscape elements have been designed to be visually compatible with the surrounding area and include Santa Barbara sandstone, cobble paving, integral-colored concrete paving, and a mix of low-water use native and Mediterranean plant species. These hardscape and landscape elements are consistent with landscape and hardscape materials found throughout the Montecito community and along nearby Coast Village Road; and are compatible with the semi-rural character of the community. Proposed lighting includes five 10-foot tall pedestrian lights and six 23-foot tall street lights which have been designed to minimize lighting, while also providing sufficient lighting for safety purposes. Measures from the 2014 HWY 101 EIR (as amended by the 2017 Revised EIR and 2018 Addendum) (on file with P&D) and included in the July 2020 Addendum (Attachment 2 incorporated herein by reference) to reduce temporary construction impacts would continue to apply to the proposed project. Measures include a Traffic Management Plan, dust control measures, noise minimization measures (such as limits on construction hours adjacent to sensitive receptors and sound control devices for construction equipment), use of low-vibration construction methods, and implementation of erosion and stormwater control best management practices. These measures will help to minimize short term construction impacts to the area and to preserve the health, safety, and comfort of the area.

6. **That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article II and/or the project falls with the limited exception allowed under Section 35-161.7.**

The Board of Supervisors finds that the project is in conformance with the Comprehensive Plan and with the applicable provisions of Article II. As discussed in Section 6.2 and 6.3 of the Montecito Planning Commission staff report dated July 28, 2020 (Attachment 6) and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, and with all requirements of the Article II Coastal Zoning Ordinance. The project does not fall within the limited exception allowed under Section 35-161.7.

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

The proposed project is not located within a rural area. Therefore, this finding does not apply.

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

The Board of Supervisors finds that the project will not conflict with any easements required for public access through, or public use of a portion of the property. The proposed project will occur within County and Caltrans right-of-way areas and will not conflict with any easements required for public access through, or public use of a portion of the property. The roundabout will provide for pedestrian access through the intersection, including cyclists, and will improve vehicular flow through the intersection. During all temporary construction-related closures, detour routes will be provided for vehicles, pedestrians, and bicycles.

B. Additional findings required for sites within the Montecito Community Plan area.

- 1. All Preliminary and Final Development Plans.** In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan on sites within the Montecito Community Plan area the decision-maker shall first make all of the following findings:

- a. That the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.**

The Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated July 28, 2020 (Attachment 6) and incorporated herein by reference, the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

- b. That the development will not adversely impact recreational facilities and uses.**

The Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated July 28, 2020 (Attachment 6) and in Finding 2.1.2.B.6, incorporated herein by reference,

the proposed project will not adversely impact recreational facilities and uses.

2.1.2 COASTAL DEVELOPMENT PERMIT FINDINGS

- A. Findings required for all Coastal Development Permits.** In compliance with Section 35-60.5 of the Article II Coastal Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

The Board of Supervisors finds that, as discussed in Finding 2.1.1A.4, and incorporated herein by reference, adequate public services, including but not limited to fire protection, water supply, and police protection are available to serve the project. As discussed in Finding 2.1.1A.3, and incorporated herein by reference, streets and highways are adequate to carry the type and quantity of traffic generated by the proposed use.

- B. Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission.**

In compliance with Section 35-169.5.3 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission the decision-maker shall first make all of the following findings:

1. The proposed development conforms:

- a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;**
- b. The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).**

The Board of Supervisors finds that, as discussed in Section 6.2 and 6.3 of the Montecito Planning Commission staff report dated July 28, 2020 (Attachment 6) and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, and with all requirements of the Article II Coastal Zoning Ordinance. The project does not fall with the limited exception allowed under Section 35-161.7.

2. The proposed development is located on a legally created lot.

The Board of Supervisors finds that the proposed development is located on legally created property. The proposed project would be located within County, City, and

Caltrans right-of-way areas and not within an individual lot. Pursuant to Division 1, Chapter 1, Article 3 (Department of Transportation) of the Streets and Highways Code, *"The department [of transportation] shall have full possession and control of all state highways and all property and rights in property acquired for state highway purposes. The department is authorized and directed to lay out and construct all state highways between the termini designated by law and on the locations as determined by the commission."*

- 3. The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).**

The Board of Supervisors finds that, as discussed in Section 6.3 of the Montecito Planning Commission staff report dated July 28, 2020 (Attachment 6) and incorporated herein by reference, the proposed project would conform to all applicable laws, rules, and regulations pertaining to the TC zone. There are no current violations associated with the subject property and all processing fees have been paid to date.

- 4. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.**

The Board of Supervisors finds that development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast. No mountain, ocean or other scenic views would be significantly obstructed by the proposed project. Reconfiguration of the existing intersection to a roundabout would maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials visually compatible with the surrounding area. No element of the proposed upgrades would significantly obstruct public views to or along the coast.

- 5. The proposed development will be compatible with the established physical scale of the area.**

The Board of Supervisors finds that the proposed development will be compatible with the established physical scale of the area. No mountain, ocean or other scenic views would be significantly obstructed by the proposed project. Reconfiguration of the existing intersection to a roundabout would maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials. Hardscape and landscape elements have been designed to be visually compatible with

the surrounding area. These hardscape and landscape elements are consistent with landscape and hardscape materials found throughout the Montecito community and along nearby Coast Village Road; and is compatible with the semi-rural character of the community. Proposed lighting includes five 10-foot tall pedestrian lights and six 23-foot tall street lights that are dark-sky complaint. The style of the proposed street lights is similar to existing street lights on Coast Village Road. Trees removed as a part of the project would be replaced at a ratio of 3:1 with replacement trees of minimum 15-gallon size. Use of larger-sized trees will ensure that the proposed landscaping is compatible with existing mature vegetation within the surrounding area.

6. The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

The Board of Supervisors finds that the development will comply with the public access and recreation policies of the Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan. The project would be consistent with applicable recreation policies as it would not interfere with public access or existing recreational facilities. In addition, the proposed project includes dedicated pedestrian paths together with pedestrian friendly lighting, landscape design, and safety signage for bicyclists to facilitate pedestrian and bicyclist safety, access, and circulation through the roundabout. The project is consistent with Coastal Land Use Plan (CLUP) Policy 7-32, as the project implements the Olive Mill roundabout identified for completion under CLUP Policy 7-32. The proposed project would not interfere with the public's right of access to the sea and no elements of the proposed project would block access to the coast. During all temporary construction-related closures, detour routes would be provided for vehicles, pedestrians, and bicycles.

C. Additional findings required for sites within the Montecito Community Plan area.

1. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to approval or conditional approval of an application for a Coastal Development Permit on sites with the Montecito Community Plan area, the decision-maker shall first find for all development projects (as development is defined in the Coastal Land Use Plan) that the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

The Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated July 28, 2020 (Attachment 6) and incorporated herein by reference, the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

- 2. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit on sites within the Montecito Community Plan area the decision-maker shall first find for projects subject to discretionary review that the development will not adversely impact recreational facilities and uses.**

The Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated July 28, 2020 (Attachment 6) and in Finding 2.1.2.B.6, incorporated herein by reference, the proposed project will not adversely impact recreational facilities and uses.

Olive Mill Roundabout

Case No. 19DVP-00000-00024, 19CDP-00000-00048

Page 1-10

ATTACHMENT 2
DEVELOPMENT PLAN CONDITIONS, 19DVP-00000-00024

- 1. Proj Des-01 Project Description:** This Development Plan is based upon and limited to compliance with the project description, project plans, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows: 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 proposed project is request for a Development Plan to reconfigure a six-legged intersection at the Olive Mill Road, Coast Village Road, Jameson Lane, the HWY 101 northbound off-ramp, and HWY 101 southbound on-ramp to a single lane roundabout. The approaches to the intersection at each of the legs would be modified to include new road curvature (to slow traffic), pedestrian refuge islands, sidewalks, street lighting, signage, crosswalks, landscaping, and drainage facilities).

Pedestrian access would continue to be provided on the west and north legs of the intersection and discouraged on the eastern legs near the highway on-ramps and off-ramps (aligning with the recently-repaired Olive Mill Road highway overcrossing, which intentionally eliminated sidewalk on the east side of Olive Mill Road to concentrate pedestrian movement along the west side of Olive Mill Road). Pedestrian crossings would be improved with the addition of a crosswalk along the northern leg (Olive Mill Road North), shortened crossing lengths, refuge islands, and lighting.

The existing Class II bike lanes along Coast Village Road, Olive Mill Road (North), and North Jameson Lane would be maintained up to the roundabout approaches. The roundabout approaches would be narrowed to slow traffic and merge the vehicle lane and bike lane into a shared roadway facility. Once cyclists reach the roundabout, they would queue for their right to enter the roundabout in the same manner as vehicles. Upon exiting the roundabout, cyclists would be diverted back into the dedicated bike lanes along Coast Village Road, Olive Mill Road (North), and North Jameson Lane. Bikes would continue to share the lane on Olive Mill Road (South) because a dedicated bike lane does not exist. Cyclists wishing to not ride through the roundabout could dismount their bike and cross the west and north legs of the roundabout as pedestrians.

The 87,392-square-foot project footprint would extend beyond the existing road improvements; however, all improvements would be accommodated within existing Caltrans, City, and County right-of-way; no permanent property fee take acquisitions

are needed. Temporary construction easements may be needed from the Montecito Inn at 1295 Coast Village Road. To accommodate the project footprint, existing vegetation within the right-of-way would need to be removed. Up to 50 trees would be removed or substantially impacted by the project. Coast live oaks and sycamores will be replaced on a 3:1 basis with 15-gallon container oaks and sycamores. Non-native trees will be also replaced on a 3:1 basis with 15-gallon container trees. The project includes approximately 30,000 square feet of landscaping using low water use native and Mediterranean plant species. Water for proposed landscaping would be provided by the Montecito Water District.

Demolition of approximately 36,200 square feet of pavement would be required to construct the roundabout. The material removed from the site (road base, concrete, and soil if necessary) would be sampled, tested, handled and transported to a licensed disposal site per State and Federal regulations, including Caltrans Standard Specifications Sections 14-11.08 and 14-11.09). Grading would include approximately 1,400 cubic yards of cut and 2,000 cubic yards of fill (600 cubic yards of which would be imported fill). Proposed storm water bioretention basins would be constructed with imported engineered soils suitable for drainage and compliance with State and Regional Water Quality Control Board standards and the Clean Water Act. Relocation of some utility infrastructure would also be required to accommodate the project improvements. Utility infrastructure within the project area includes fire service facilities (fire hydrants), and telephone and cable television (CATV) services. The majority of construction activities would not have ground disturbance below 18 inches in depth. However, the bioretention basins located in five planter areas on the northwest, northeast and southeast legs of the roundabout would require disturbance to approximately 6 feet in depth, and larger tree plantings would require an estimated 4 feet depth of disturbance.

Construction is anticipated to be approximately one year in duration. Although some portions of construction would require full closure of the intersection, it is anticipated that the majority of the construction can be completed with only partial closures. Based upon the circulation conditions and local/regional roadway configurations, traffic rerouting assumptions have been made and are shown on the Olive Mill Roundabout Traffic Management Plan, City of Santa Barbara, May 2020; this plan is inclusive of emergency response vehicle access requirements, as well as pedestrian and bicycle circulation during construction. Construction staging would be located onsite and on the southeast quadrant of the existing Union Pacific Bridge at Cabrillo Boulevard.

2. **Proj Des-02 Project Conformity:** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the

project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

3. **Aest-04 BAR Required:** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Coastal Development Permit. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing. **MONITORING:** The Owner/Applicant shall demonstrate to the resident engineer that the project has been built consistent with approved BAR design and landscape plans prior to completion of construction.
4. **Bio-01a Tree Protection Plan-Site Plan Component:** The Owner/Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site trees. The Owner/Applicant shall comply with and depict the following on the TPP exhibit and Grading and Building Plans.
 - a. No grading shall take place within the dripline of trees unless otherwise approved by P&D staff.
 - b. Depict equipment storage (including construction materials, equipment, fill soil or rocks) and construction staging and parking areas outside of the protection area.
 - c. Depict the type & location of protective fencing (see below) or other barriers to be in place to protect trees in protection areas during construction.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) Submit the TPP; (2) Include all applicable components in Tree Replacement Plan and Landscape and Irrigation Plans; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: The Owner/Applicant shall comply with this measure prior to Coastal Development Permit issuance. Plan components shall be included on all plans prior to Coastal Development Permit issuance. The Owner/Applicant shall install tree protection measures onsite prior to construction. **MONITORING:** The Owner/Applicant shall demonstrate to the resident engineer that trees identified for protection were not damaged or removed or if damage, or removal occurred, that correction is completed as required by the TPP prior to project completion.

5. Bio-01b Tree Protection Plan–Construction Component: The Owner / Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site trees. The Owner Applicant shall comply with and specify the following as notes on the TPP and Grading and Building Plans.

- a. Fencing of all trees to be protected at least six feet outside the dripline with fencing satisfactory to P&D. Fencing shall be at least 3 ft high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-ft intervals on the fencing.
- b. Fencing/staking/signage shall be maintained throughout all grading and construction activities.
- c. No irrigation is permitted within 6 ft of the dripline of any protected tree unless specifically authorized.
- d. The following shall be completed only by hand and under the direction of a P&D approved arborist/biologist:
 - i. Any trenching required within the dripline or sensitive root zone of any specimen.
 - ii. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction.
 - iii. Tree removal and trimming.
 - iv. Special equipment: If the use of hand tools is deemed infeasible by P&D, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff and under the direction of a P&D approved biologist.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. **TIMING:** The Owner/Applicant shall comply with this measure prior to CDP issuance. Plan components shall be included on final grading/building plans. The Owner/Applicant shall install tree protection measures onsite prior to issuance of grading/building permits. **MONITORING:** The Owner/Applicant shall demonstrate to the resident engineer that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to project completion.

6. Bio-02 Tree Replacement:

1. The replacement trees shall be as follows: Each protected tree removed shall be replaced using the following ratio: 3:1 with 15-gallon container trees.

a. The final proposed size and quantity of replacement trees shall be detailed and delineated in the San Ysidro Road Roundabout Tree Protection and Replacement Plan. This Plan shall be reviewed and approved by P&D staff prior to Coastal Development Permit issuance.

2. Where feasible, species shall be from locally obtained plants and seed stock.

3. The trees shall be gopher fenced with root protectors.

4. The trees shall be irrigated with a low volume, water efficient, fully automatic remote irrigation system. Long term maintenance efforts of the system will provide supplemental water as necessary to keep plants in a healthy and vigorous condition.

5. Trees shall be watered during the three-year plant establishment period while reducing the water use each year. Once under the care of Public Works and/or Caltrans maintenance control, the watering times will be further reduced each year so that the plants adapt to the natural rainfall and climatic conditions.

6. If replacement trees cannot all be accommodated on site, the Owner/Applicant shall submit a plan for P&D approval for replacement trees to be planted off site.

7. All new and replanted 1-gallon trees shall be protected from predation by wild and domestic animals by the use of foliage protectors.

PLAN REQUIREMENTS: Show planting location, size quantities, species method of irrigation and provide details for root and foliage protection. TIMING: Plans shall be submitted prior to Coastal Development Permit issuance. MONITORING: The Owner/Applicant shall demonstrate to the resident engineer that all required components of the approved plan(s) are in place as required prior to project completion.

7. **CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant. PLAN REQUIREMENTS: This condition shall be printed on all plans. MONITORING: P&D permit processing planner shall check plans prior to CDP issuance and the resident engineer shall spot check in the field throughout grading and construction.

8. **Noise-02 Construction Hours:** The Owner /Applicant, including all contractors and subcontractors, shall limit construction activity, including equipment maintenance and site

preparation, to the hours between 7:30 a.m. and 4:30 p.m., Monday through Friday, with the exception that limited work after hours is permitted under limited circumstances, and with at least two business days' prior notice to affected property owners, where required in order to avoid major traffic disruption associated with full closure of the intersection, as determined by the resident engineer. To the maximum extent feasible, noisier construction tasks exceeding 87dBA within 50 feet of residential areas shall be limited to weekdays from 7:30 a.m. to 4:30 p.m. Non-noise generating construction activities are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein. The resident engineer shall notify the Caltrans District 5 Public Information Officer (PIO) to place notice of the proposed project in local news media in advance of construction. The notice will give estimated dates of construction and mention potential noise impacts. As directed by the resident engineer, the contractor will notify adjacent residents in advance of construction work. The Caltrans PIO telephone number to receive noise complaints shall be publicized in local newspapers, and by letter to residences near the construction area. In the case of construction noise complaints by the public, the construction manager would be notified and the specific noise-producing activity may be changed, altered, or temporarily suspended. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries. Notation of these construction requirements shall be included on final project plans prior to Coastal Development Permit issuance. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction. **MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to initiation of construction. The resident engineer shall spot check and respond to complaints. The resident engineer shall retain proof of notice to the local news media and measures undertaken to respond to complaints.

9. **WatConv-07 SWPPP:** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to CDP issuance the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D permit processing planner shall review the documentation prior to CDP issuance. The resident engineer shall site inspect during construction for compliance with the SWPPP.
10. **Rules-02 Effective Date-Appealable to CCC:** This Development Plan shall become effective upon the expiration of the applicable appeal period provided an appeal

has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].

11. **Rules-05 Acceptance of Conditions:** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the owner/applicant.
12. **Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
 - a. Air Pollution Control District dated April 26, 2019
 - b. Flood Control/Project Cleanwater dated June 3, 2019
 - c. Montecito Fire Department dated May 14, 2019
13. **Rules-07 DP Conformance:** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan.
14. **Rules-14 Final DVP Expiration:** Final Development Plans shall expire five years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.
15. **Rules-18 CUP and DVP Revisions:** The approval by the Montecito Planning Commission of a revised Development Plan shall automatically supersede any previously approved Development Plan upon the effective date of the revised permit.
16. **Rules-33 Indemnity and Separation:** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or 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 this project. In the event that the County fails promptly to notify the Owner / 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.
17. **Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time

extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit 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.

- 18. Mitigation Compliance and Monitoring:** The project applicant and designees shall comply with all applicable mitigation, minimization and avoidance measures specified in the July 2020 Addendum. The applicant shall prepare a Mitigation Compliance, Monitoring, and Reporting Plan for all mitigation measures identified in the July 2020 Addendum. **PLAN REQUIREMENTS:** The Plan shall include, but not be limited to the following:
- a. Each of the projects mitigation measures.
 - b. Timing and specific responsible party for implementation of each mitigation measure.
 - c. Timing and party responsible for monitoring each mitigation measure and a list of monitors to be retained.
 - d. Procedures, timing, and responsible party for reporting to P&D Permit Compliance staff on project mitigation compliance and monitoring.
 - e. Specification of a qualified representative for the applicant to be designated as the coordinator responsible for ensuring full compliance with the provisions of the Plan. The designated coordinator shall have authority over all other monitors.
- TIMING:** The Plan shall be submitted to P&D staff for review and approval prior to Coastal Development Permit issuance. **MONITORING:** P&D staff will review the Mitigation Compliance, Monitoring, and Reporting Plan prior to Coastal Development Permit issuance. The resident engineer will conduct intermittent field inspections and respond to complaints.
- 19.** Per LU-M-2.1.1 and VIS M 1-3, the highest area(s) of the roundabout, including the plantings, shall not reduce the view corridors looking north on Olive Mill Road toward the Santa Ynez Mountains except as required by design standards. Trees planted within the center roundabout shall be fruitless field grown olive trees. Prior to the Coastal Development Permit issuance, the landscape plan shall be revised to include specific notation that the trees within the center roundabout shall be fruitless field grown olive trees. Prior to Coastal Development Permit issuance, P&D shall confirm notations on plans. During construction, the Resident Engineer shall ensure installation of the trees.
- 20.** Per LU-M-2.2, the lighting levels shall not exceed the minimum requirement of any applicable legal standard, and dimmers shall be installed and maintained to attain the minimum lighting levels. Additionally, the “decorative lighting” shall all Type B and C City

standard Domas Style.

21. Per CIRC.M.1.1 and M-3.6, the establishment period for all plants shall be at least (5) five years. Additionally, County of Santa Barbara and/or the City of Santa Barbara (or their successor(s) in interest) shall enter into a long-term, renewable maintenance agreement with the State. This agreement will assign responsibilities to each party for maintenance as agreed upon by all parties.
22. Per CIRC-M 3.7, except as may be required by the Americans with Disabilities Act or any similar law, or within the State right of way, the hardscape surfaces of the pedestrian paths shall be decomposed granite and conform in color and type to the decomposed granite on the pathways on North Jameson Lane.
23. Per GOAL F-M-2 and Policy F-M-2.3, all of the plants for landscaping shall be fire-resistant, desirable plants listed at the Montecito Fire Protection District's web site <https://www.montecitofire.com/fire-prevention>; last visited May 26, 2020] or approved by MFPD.
24. Per BIO M-1.1, the use of glyphosate and any other chemical herbicide is prohibited at all times, whether during construction, maintenance or otherwise.
25. Per WAT-M-1.2.1, the landscape irrigation system shall be drip or water-saving.
26. Per CIRC-M-1.6, with reference to the traffic management plan dated May 28, 2020, and any later such plan, San Ysidro Road shall not be used as an alternative vehicle route unless there is no other alternative. Additionally, the traffic management plan shall only use residential streets as a last resort except for use of bicycles and pedestrians detours.
27. The Director shall report to the to the Montecito Planning Commission at its next scheduled public hearing, immediately following final approval by the Montecito Board of Architectural Review, on the compliance of additional conditions nineteen (19) through twenty six (26) above. Thereafter, the Director shall report at least annually to the Montecito Planning Commission at a public hearing, on the compliance status of all of the then outstanding additional conditions of approval. The first report shall be within six (6) months after the completion of construction.
28. If there is any difference between any condition of approval herein and a condition of approval of the City of Santa Barbara, the more restrictive condition shall apply.

29. The driveway material for 110 Olive Mill, as noted on Sheet 7 of the project plans, shall be concrete pavers.



air pollution control district
SANTA BARBARA COUNTY

RECEIVED

APR 29 2019

S B COUNTY
PLANNING & DEVELOPMENT

April 26, 2019

Tess Harris
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: APCD Suggested Conditions on Olive Mill Road Roundabout, 19DVP-00000-00024

Dear Ms. Harris:

The Air Pollution Control District (APCD) has reviewed the referenced project, which consists of the replacement of the existing five-way stop controlled, five-legged intersection with a six-legged roundabout. The project will include the removal of 36,100 SF of existing pavement and the subsequent replacement of 35,100 square feet (SF) of pavement. Grading is estimated at 1,400 cubic yards (CY) of cut, 2,000 CY of fill, and 600 CY of export. The subject property is located at Olive Mill Road in the unincorporated area of Montecito.

Air Pollution Control District staff offers the following suggested conditions:

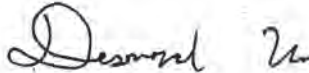
1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to grading/building permit issuance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. Please see www.ourair.org/wp-content/uploads/rule345.pdf.
3. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible.
4. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
5. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:

Aeron Arlin Genet, Air Pollution Control Officer

- Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
 - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - See www.arb.ca.gov/noidle for more information.
6. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8873 or via email at HoD@sbcapcd.org.

Sincerely,



Desmond Ho
Air Quality Specialist
Planning Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Planning Chron File



air pollution control district
SANTA BARBARA COUNTY

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required when sustained wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to prevent transport of dust offsite. 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 grading/building permit issuance and/or map clearance.

PLAN REQUIREMENTS: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



air pollution control district
SANTA BARBARA COUNTY

ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is a list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO_x), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO_x and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, limiting engine idling time. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO_x idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. Electric auxiliary power units should be used to the maximum extent feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

PLAN REQUIREMENTS AND TIMING: Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



**Santa Barbara County Public Works Department
Water Resources Division**

Flood Control • Water Agency • Project Clean Water
130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101
PH (805) 568-3440 FAX (805) 568-3434
<http://cosb.countyofsb.org/pwd/pwwater.aspx?id=2956>

SCOTT D. MCGOLPIN
Director Public Works

THOMAS D. FAYRAM
Deputy Director Water Resources

June 03, 2019

Nicole Lieu, Planner
County of Santa Barbara
Planning & Development Department
123 E. Anapamu Street
Santa Barbara, CA 93101

**Re: 19DVP-00000-00024; Olive Mill Road Roundabout
APN: Various; Montecito**

Dear Ms. Lieu:

The Public Works Department, Water Resources Division has no conditions for the project to reconfigure the intersection of Coast Village Road, Olive Mill Road, and North Jameson Lane into a roundabout adding sidewalks, directional crosswalk and connections to existing bike paths.

A. Flood Control & Water Conservation District

Flood Control has no conditions on the above referenced project as the impervious surface has decreased by 339 sf per preliminary stormwater management & BMP implementation report dated May 23, 2019. In addition, the project is partially located outside County jurisdiction, within the City of Santa Barbara.

B. Project Clean Water

Project Clean Water has no conditions on the above referenced project because it is being reviewed and approved under the City of Santa Barbara's post-construction program. The City's program is approved by the Central Coast Regional Water Quality Control Board to be equally protective of watershed processes.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: Y. Thierumaran
Yoganathan Thierumaran, P.E., CFM
Development Review Engineer

19DVP-00000-00024, Nicole Lieu

June 03, 2019

Page 2 of 2

Cc: County of Santa Barbara Public Works Department – Transportation, c/o Morgan Jones, 123 E
Anapamu St, Santa Barbara, CA 93101
T.Y. International, c/o James Faber, 20 Pacifica #350, Irvine, CA 92618



MONTECITO FIRE DEPARTMENT

An Independent Fire District

DATE: May 14, 2019
TO: Laura Yanez, P.E.
CC: Walter Rubalcava, County Public Works
FROM: Aaron Briner, Fire Marshal - Montecito Fire Department
RE: Olive Mill Intersection Roundabout

Based on review of the Olive Mill Intersection Roundabout project and the proposed roundabout renderings provided, the Montecito Fire District (District) believes that the proposed development provides acceptable fire access and service for the District.

Further, the District acknowledges that larger fire vehicles traveling on northbound 101 and exiting on Olive Mill Road will be required to complete a full circle of the roundabout in order to head east on North Jameson Lane. Circling the roundabout in this circumstance is acceptable to the District.

The District believes that the installation of a roundabout will improve the navigation of the current intersection and is welcome based on positive experiences with the use of the current roundabout at the west end of Coast Village Rd.

Sincerely,

A handwritten signature in black ink, appearing to read "A Briner", with a horizontal line extending to the right.

Aaron Briner
Battalion Chief - Fire Marshal
Montecito Fire Department



4-STB-20-0983
County of Santa Barbara
Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

Steve Mason, Assistant Director

NOTICE OF FINAL ACTION

December 1, 2020

California Coastal Commission
Steve Hudson, District Manager
89 South California Street, Suite 200
Ventura, California 93001

Received

DEC 07 2020

California Coastal Commission
with Central Coast District

Dear Mr. Hudson,

On November 17, 2020 Santa Barbara County took final action on the development described below:

- X Appealable Development Plan 19DVP-00000-00030
- X Coastal Development Permit 19CDP-00000-00098

Project Applicant/Owner:

Morgan Jones
123 E. Anapamu St.
Santa Barbara CA 93101
(805) 681-5694

Project Description: Development Plan and Coastal Development Permit to reconfigure the intersection at San Ysidro Road, North Jameson Lane, and the northbound Highway 101 on- and off-ramps from two stop-controlled intersections to a roundabout. The project would include new sidewalks, roadway pavement, curb and gutter, median islands, landscaping, stormwater improvements/bioretenion areas, lighting, signage, and fencing. One retaining wall of 110 feet long and 3.8 to 20.9 feet high is proposed. Grading would include approximately 650 cubic yards of cut and 1,400 cubic yards of fill. The project would require the removal of 38 trees, including 8 coast live oak trees. A total of 114 replacement trees are proposed;

Location: The project site is located at the intersection of San Ysidro Road, North Jameson Lane, and the northbound Highway 101 on- and off-ramps in the Montecito Community Plan Area, First Supervisorial District.

Coastal Commission Appeal Procedure: The receipt of this letter and the attached materials start the 10 working day Coastal Commission appeal period during which the County's final action on this Coastal Development Permit may be appealed to the Coastal Commission. Appeals must be

123 E. Anapamu Street, Santa Barbara, CA 93101 • Phone: (805) 568-2000 • FAX: (805) 568-2030
624 W. Foster Road, Santa Maria, CA 93455 • Phone: (805) 934-6250 • FAX: (805) 934-6258
www.sbcountyplanning.org

Exhibit 11.
Final Local Action Notice for CDP
No. 19CDP-00000-00098
Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079

in writing and must be submitted to the appropriate Coastal Commission district office on the appropriate form and with the required filing fee. See the following for further information: <http://www.coastal.ca.gov/cdp/cdp-forms.html>

Please contact Nicole Lieu at nlieu@countyofsb.org if you have any questions regarding the County's action or this notice.

Nicole Lieu

12/1/2020

Nicole Lieu, Project Planner

Attachments:

Signed Final BOS Action Letter (including Findings and Conditions of Approval)

PC Staff Report Available Online:

<https://cosantabarbara.app.box.com/s/o4z9jfjqpg3h2gp4h9u3zfjicvz4qcld/folder/110514491650>

xc:

Morgan Jones, 123 E, Anapamu St., Santa Barbara CA 93101

Tom Becker, 453 Kendale Road, Buellton CA 93427

Hearing Support

G:\GROUP\PERMITTING\Case Files\APL\2020s\20 cases\20APL-00000-00015 Becker Appeal of San Ysidro Roundabout\NOFA San Ysidro Final.docx



County of Santa Barbara Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

Steve Mason, Assistant Director

November 24, 2020

SB County Public Works
Morgan Jones
123 E. Anapamu St.
Santa Barbara CA 93101

BOARD OF SUPERVISORS
HEARING OF NOVEMBER 17, 2020

RE: Becker Appeal of the Montecito Planning Commission Approval of the San Ysidro Roundabout

Hearing on the request of Tom Becker, appellant, to consider Case No. 20APL-00000-00015 [application filed June 22, 2020] to appeal the Montecito Planning Commission's June 10, 2020 approval of the San Ysidro Roundabout project (19DVP-00000-00030 and 19CDP-00000-00098). The project site is located at the intersection of San Ysidro Road, North Jameson Lane, and the northbound Highway 101 on- and off-ramps in the Montecito Community Plan Area, First Supervisorial District. The Addendum and all documents may be reviewed online at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=4693099&GUID=8EE5D88C-0192-47FC-B4C8-DC22C6FB7698>

Dear Mr. Jones:

At the Board of Supervisors hearing of November 17, 2020, Supervisor Williams moved, seconded by Supervisor Hartmann and carried by a vote of 5 to 0 to:

- a) Deny the appeal, Case Number 20APL-00000-00015;
- b) Make the required findings for approval of the project specified in Attachment 1, including CEQA findings;
- c) After considering the March 2020 Addendum to the previously certified EIR dated August 26, 2014, the Revised EIR dated October 27, 2017, and the EIR Addendum dated June 1, 2018 (on file with P&D), determine that as reflected in the CEQA findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project.
- d) Grant *de novo* approval of the project, Case Nos. 19DVP-00000-00030 and 19CDP-00000-00098, subject to the conditions of approval included as Attachments 3 and 4, as revised by Planning Developments five PowerPoint slides titled San Ysidro Revised Conditions (as presented at the Board of Supervisors hearing of November 17, 2020).

The conditions of approval were modified as follows:

19. Per LU-M-2.1.1, and VIS M 1-3, the highest area(s) of the roundabout, including the plantings, shall not reduce the present view corridors except as required by the design standards, shown in the photographs at the June 3, 2020 May 20, 2020 hearing, of San Ysidro Road looking North (of the Santa Ynez Mountains) and South (of the Pacific Ocean).

21. Per LU-M-2.3, the ~~two~~ existing utility poles on North Jameson (immediately ~~East and West~~ of San Ysidro Road) shall be removed and the utilities undergrounded if feasible.

22. Per CIRC-M.1.1 and 3.7, any road signage shall be "Old Santa Barbara Style" wooden signs with white lettering and a brown background like the existing signage in the community where feasible (e.g., the street signs of North Jameson and San Ysidro Roads).

23. Per CIRC.M.1.1 and M-3.6, the establishment period for all plants shall be at least five (5) years. Additionally the County Public Works (or its successor(s) in interest) shall enter into a long-term, renewable, maintenance agreement, with the State covering adequate funding for the irrigation and maintenance of the landscape. This agreement shall be recorded and for an initial term as long as the longest maintenance agreement presently in force in Santa Barbara County. This agreement will assign responsibilities to each party for these items as agreed upon by both parties.

25. Per GOAL F-M-2 and Policy F-M-2.3, all of the plants for landscaping shall be fire-resistant, desirable plants listed at the Montecito Fire Protection District's web site [<https://www.montecitofire.com/fire-prevention>; last visited May 26, 2020] or approved by the MFPD. ~~Additionally, none of them shall be on its list of undesirable plants.~~

The attached findings and conditions reflect the Board of Supervisors actions of November 17, 2020.

Sincerely,



Jeff Wilson
Secretary to the Montecito Planning Commission

cc: Case File: 20APL-00000-00015
Clerk of the Board
Appellant: Tom Becker, 453 Kendale Road, Buellton CA 93427
County Chief Appraiser
Das Williams, First District Supervisor
Montecito Planning Commissioners

Attachments: **Attachment 1 – Findings**
 Attachment 2 – Conditions of Approval

JW/dmv

ATTACHMENT 1: FINDINGS

1.0 CEQA FINDINGS

1.1 ADDENDA TO ENVIRONMENTAL IMPACT REPORT OR NEGATIVE DECLARATION

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15162 and 15164:

1.1.1 CONSIDERATION OF THE ADDENDUM AND FULL DISCLOSURE

The Board of Supervisors has considered the Addendum dated March 2020 together with the previously certified EIR dated August 26, 2014 (2014 EIR), Revised EIR dated October 27, 2017 (2017 EIR), and EIR Addendum dated June 1, 2018, and finds that the Addendum reflects the independent judgment of the Board of Supervisors and has been completed in compliance with CEQA, and therefore the Addendum, together with the previously certified 2014 EIR, 2017 EIR, and EIR Addendum dated June 1, 2018, is adequate for this project. On the basis of the whole record, including the Addendum, the previously certified CEQA documents, and any public comments received, the Board of Supervisors finds that the project changes described in the Addendum will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment nor present new information of substantial importance pursuant to CEQA Guideline 15162.

1.1.2 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Montecito Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.1.3 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

1.1.4 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS

The Addendum prepared for the project addressed the following issues: Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gas Emissions, Hazards, Hydrology and Water Quality, Land Use, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities, and Wildfire.

2.0 ADMINISTRATIVE FINDINGS

2.1.1 DEVELOPMENT PLAN FINDINGS

A. Findings required for all Preliminary and Final Development Plans. In compliance with Section 35-174.7.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the decision-maker shall first make all of the following findings:

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 Board of Supervisors finds that the site is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed. The proposed project would be located within County and Caltrans right-of-way in an area that already serves as an intersection. The proposed roundabout will not add Peak Hour Trips (PHTs), will improve the Level of Service (LOS) at area intersections, and improve overall vehicular circulation. The roundabout has been designed to meet County and Caltrans geometric requirements and the project site will accommodate adequate vehicular site distance and turning movements as well as pedestrian and bicyclist circulation, landscaping, and stormwater management.

2. That adverse impacts are mitigated to the maximum extent feasible.

The Board of Supervisors finds that adverse impacts are mitigated to the maximum extent feasible as discussed in Attachment 2 (CEQA Addendum) and incorporated herein by reference. The proposed revisions will not create new significant impacts. Significant environmental impacts will continue to be mitigated to the maximum extent feasible by the mitigation measures identified in the Caltrans HWY 101 2014 EIR as modified by the 2017 Revised EIR (on file with P&D). All environmental impacts originally identified will continue to be mitigated to less than significant levels with implementation of the identified mitigation measures, which are incorporated through Condition 19 of Attachment 3, which requires the preparation of a Mitigation Compliance, Monitoring and Reporting Plan (MMRP). In addition to the mitigation measures, additional conditions of approval have been imposed to ensure the project complies with applicable County policies, as discussed in Section

6.2 of the Montecito Planning Commission staff report dated April 2, 2020 and herein incorporated by reference. These conditions, including condition 3 (Board of Architectural Review), 4-6 (tree protection), and 7-8 (cultural resource protection) of Attachment 3 would further ensure that adverse impacts are reduced to the maximum extent feasible.

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

The Board of Supervisors finds that streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. The project is designed to improve traffic operations at the San Ysidro Road, North Jameson Lane, and the northbound Highway 101 on- and off-ramps by converting two stop-controlled intersections to a roundabout. The project would not add Peak Hour Trips (PHTs) and would improve the Level of Service (LOS) at the project intersections. With implementation of the proposed project, LOS would improve at all intersections and traffic through the area would be better accommodated.

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.

The Montecito Planning Commission finds that there are adequate services to serve the project. No sewer services are required to serve the proposed project. Water to support landscaping associated with the project will be provided by the Montecito Water District. Fire service in the project area is provided by the Montecito Fire Protection District, and the layout of the roundabout has been designed to meet access requirements for their engines. Police protection is provided by the Santa Barbara County Sheriff and California Highway Patrol.

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 Board of Supervisors finds 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 project is designed to improve intersection operations at the intersection at San Ysidro Road, North Jameson Lane, and the northbound Highway 101 on- and off-ramps by converting the intersection from two stop-controlled intersections to a roundabout. The project will improve the Level of Service at the intersection and has been designed to accommodate adequate vehicular site distance and turning movements as well as pedestrian and bicyclist

circulation, landscaping, and stormwater management. Reconfiguration of the existing intersection to a roundabout will maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials. Hardscape and landscape elements have been designed to be visually compatible with the surrounding area and include sandstone grouted cobble paving, integral-colored concrete paving, sandstone planter walls, and a mix of low-water use native and Mediterranean plant species. These hardscape and landscape elements are consistent with landscape and hardscape materials found throughout the Montecito community and along nearby Coast Village Road; and are compatible with the semi-rural character of the community. Proposed lighting includes nine 25-foot tall light standards (poles) which have been designed to minimize lighting, while also providing sufficient lighting for safety purposes. Measures identified in the 2014 EIR (as amended by the 2017 Revised EIR; on file with P&D, incorporated herein by reference) to reduce temporary construction impacts would continue to apply to the proposed project. Measures include a Traffic Management Plan, dust control measures, noise minimization measures (such as limits on construction hours adjacent to sensitive receptors and sound control devices for construction equipment), use of low-vibration construction methods, and implementation of erosion and stormwater control best management practices. These measures will help to minimize short term construction impacts to the area and to preserve the health, safety, and comfort of the area.

- 6. That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article II and/or the project falls with the limited exception allowed under Section 35-161.7.**

The Board of Supervisors finds that the project is in conformance with the Comprehensive Plan and with the applicable provisions of Article II. As discussed in Section 6.2 and 6.3 of the Montecito Planning Commission staff report dated April 2, 2020, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, and with all requirements of the Article II Coastal Zoning Ordinance. The project does not fall within the limited exception allowed under Section 35-161.7.

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

The proposed project is not located within a rural area. Therefore, this finding does not apply.

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

The Board of Supervisors finds that the project will not conflict with any easements required for public access through, or public use of a portion of the property. The proposed project will occur within County and Caltrans right-of-way areas and will not conflict with any easements required for public access through, or public use of a portion of the property. The roundabout will provide for pedestrian access through the intersection, including cyclists, and will improve vehicular flow through the intersection. During all temporary construction-related closures, detour routes will be provided for vehicles, pedestrians, and bicycles.

B. Additional findings required for sites within the Montecito Community Plan area.

1. All Preliminary and Final Development Plans. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan on sites within the Montecito Community Plan area the decision-maker shall first make all of the following findings:

a. That the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

The Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated April 2, 2020, and incorporated herein by reference, the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

b. That the development will not adversely impact recreational facilities and uses.

The Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated April 2, 2020, and in Finding 2.1.2.B.6, incorporated herein by reference, the proposed project will not adversely impact recreational facilities and uses.

2.1.2 COASTAL DEVELOPMENT PERMIT FINDINGS

- A. Findings required for all Coastal Development Permits.** In compliance with Section 35-60.5 of the Article II Coastal Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

The Board of Supervisors finds that, as discussed in Finding 2.1.1A.4, and incorporated herein by reference, adequate public services, including but not limited to fire protection, water supply, and police protection are available to serve the project. As discussed in Finding 2.1.1.A.3, and incorporated herein by reference, streets and highways are adequate to carry the type and quantity of traffic generated by the proposed use.

- B. Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission.**

In compliance with Section 35-169.5.3 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission the decision-maker shall first make all of the following findings:

1. The proposed development conforms:

- a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;**
- b. The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).**

The Board of Supervisors finds that, as discussed in Section 6.2 and 6.3 of the Montecito Planning Commission staff report dated April 2, 2020, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, and with all requirements of the Article II Coastal Zoning Ordinance. The project does not fall with the limited exception allowed under Section 35-161.7.

2. The proposed development is located on a legally created lot.

The Board of Supervisors finds that the proposed development is located on legally created property. The proposed project would be located within County and Caltrans

right-of-way areas and not within an individual lot. Pursuant to Division 1, Chapter 1, Article 3 (Department of Transportation) of the Streets and Highways Code, *"The department [of transportation] shall have full possession and control of all state highways and all property and rights in property acquired for state highway purposes. The department is authorized and directed to lay out and construct all state highways between the termini designated by law and on the locations as determined by the commission."*

- 3. The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).**

The Board of Supervisors finds that, as discussed in Section 6.3 of the Montecito Planning Commission staff report dated April 2, 2020, and incorporated herein by reference, the proposed project would conform to all applicable laws, rules, and regulations pertaining to the TC zone. There are no current violations associated with the subject property and all processing fees have been paid to date.

- 4. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.**

The Montecito Planning Commission finds that development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast. No mountain, ocean or other scenic views would be obstructed by the proposed project. Reconfiguration of the existing intersection to a roundabout would maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials visually compatible with the surrounding area. No element of the proposed upgrades would obstruct public views to or along the coast.

- 5. The proposed development will be compatible with the established physical scale of the area.**

The Board of Supervisors finds that the proposed development will be compatible with the established physical scale of the area. No mountain, ocean or other scenic views would be obstructed by the proposed project. Reconfiguration of the existing intersection to a roundabout would maintain the overall visual character of the intersection while providing upgraded landscape and hardscape materials. Hardscape

and landscape elements have been designed to be visually compatible with the surrounding area. These hardscape and landscape elements are consistent with landscape and hardscape materials found throughout the Montecito community and along nearby Coast Village Road; and is compatible with the semi-rural character of the community. Proposed lighting includes nine 25-foot tall light standards (poles) which are similar in scale to existing light poles in the area. Trees removed as a part of the project would be replaced at a ratio of 3:1 with replacement trees will be a variety of sizes, including 5-gallon, 15-gallon, and 24-inch box sized trees. Use of a mix of tree sizes, including mature trees will ensure that the proposed landscaping is compatible with existing mature vegetation within the surrounding area.

6. The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

The Board of Supervisors finds that the development will comply with the public access and recreation policies of the Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan. The project would be consistent with applicable recreation policies as it would not interfere with public access or existing recreational facilities. In addition, the proposed project includes dedicated pedestrian paths together with pedestrian friendly lighting, landscape design, and safety signage for bicyclists to facilitate pedestrian and bicyclist safety, access, and circulation through the roundabout. The project is consistent with Coastal Land Use Plan (CLUP) Policy 7-32, as the project implements the San Ysidro roundabout identified for completion under CLUP Policy 7-32. The proposed project would not interfere with the public's right of access to the sea and no elements of the proposed project would block access to the coast. During all temporary construction-related closures, detour routes would be provided for vehicles, pedestrians, and bicycles.

C. Additional findings required for sites within the Montecito Community Plan area.

1. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to approval or conditional approval of an application for a Coastal Development Permit on sites with the Montecito Community Plan area, the decision-maker shall first find for all development projects (as development is defined in the Coastal Land Use Plan) that the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

The Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated April 2, 2020, and incorporated herein by

reference, the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.

- 2. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit on sites within the Montecito Community Plan area the decision-maker shall first find for projects subject to discretionary review that the development will not adversely impact recreational facilities and uses.**

The Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated April 2, 2020, and in Finding 2.1.2.B.6, incorporated herein by reference, the proposed project will not adversely impact recreational facilities and uses.

San Ysidro Roundabout

Case No. 19DVP-00000-00030, 19CDP-00000-00098

Page 1-10

Attachment 2: Development Plan Conditions

Project Description

1. **Proj Des-01 Project Description:** This Development Plan is based upon and limited to compliance with the project description, project plans, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The proposed project is for a Development Plan to reconfigure the intersection at San Ysidro Road, North Jameson Lane, and the northbound Highway 101 on- and off-ramps from two stop-controlled intersections to a single lane roundabout. The roundabout will consist of a single lane roadway 21 feet in width and varies in diameter from 110 feet to 180 feet. The project would include new sidewalks, roadway pavement, curb and gutter, median islands, landscaping, stormwater improvements/bioretention areas, lighting, signage, and fencing. Class 2 bike lanes at San Ysidro Road and North Jameson Lane would terminate at the entrance to the roundabout and bicyclists would merge with motorists to travel through the roundabout. Pedestrian access would be provided by a new eight foot wide sidewalk and crosswalk. One retaining wall of 110 feet long and 3.8 to 20.9 feet high is proposed. Nine new light standards (poles) of approximately 25 feet in height would be installed. Road safety signs would be installed at each of the roundabout legs and crosswalks. Grading would include approximately 650 cubic yards of cut and 1,400 cubic yards of fill. The project would require the removal of 38 trees, including 8 coast live oak trees. A total of 114 replacement trees are proposed, including 25 coast live oak (*Quercus agrifolia*) trees, 3 Western Sycamore trees and 87 Strawberry trees. The project includes approximately 54,000 square feet of landscaping using low water use native and Mediterranean plant species. Design elements include sandstone grouted cobble paving, integral colored concrete paving, sandstone planter walls and natural wood split rail fencing. Water for proposed landscaping would be provided by the Montecito Water District.

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.

2. **Proj Des-02 Project Conformity:** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the

approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Conditions By Issue Area

3. **Aest-04 BAR Required:** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Coastal Development Permit. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to the resident engineer that the project has been built consistent with approved BAR design and landscape plans prior to completion of construction.

4. **Bio-01a Tree Protection Plan-Site Plan Component:** The Owner/Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site trees. The plan shall include the following site plan components:

1. The Owner/Applicant shall comply with and depict the following on the TPP exhibit and Grading and Building Plans.

a. No grading shall take place within the dripline of trees unless otherwise approved by P&D staff.

b. Depict equipment storage (including construction materials, equipment, fill soil or rocks) and construction staging and parking areas outside of the protection area.

c. Depict the type & location of protective fencing (see below) or other barriers to be in place to protect trees in protection areas during construction.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) Submit the TPP; (2) Include all applicable components in Tree Replacement Plan and Landscape and Irrigation Plans; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: The Owner/Applicant shall comply with this measure prior to Coastal Development Permit issuance. Plan components shall be included on all plans prior to Coastal Development Permit issuance. The Owner/Applicant shall install tree protection measures onsite prior to construction. **MONITORING:** The

Owner/Applicant shall demonstrate to the resident engineer that trees identified for protection were not damaged or removed or if damage, or removal occurred, that correction is completed as required by the TPP prior to project completion.

5. **Bio-01b Tree Protection Plan-Construction Component:** The Owner / Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site trees. The Owner Applicant shall comply with and specify the following as notes on the TPP and Grading and

Building Plans.

1. Fencing of all trees to be protected at least six feet outside the dripline with fencing satisfactory to P&D. Fencing shall be at least 3 ft high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-ft intervals on the fencing.
2. Fencing/staking/signage shall be maintained throughout all grading and construction activities.
4. No irrigation is permitted within 6 ft of the dripline of any protected tree unless specifically authorized.
5. The following shall be completed only by hand and under the direction of a P&D approved arborist/biologist:
 - a. Any trenching required within the dripline or sensitive root zone of any specimen.
 - b. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction.
 - c. Tree removal and trimming.
6. Special equipment: If the use of hand tools is deemed infeasible by P&D, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff and under the direction of a P&D approved biologist.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: The Owner/Applicant shall comply with this measure prior to CDP issuance. Plan components shall be included on final grading/building plans. The Owner/Applicant shall install tree protection measures onsite prior to issuance of grading/building permits.

MONITORING: The Owner/Applicant shall demonstrate to the resident engineer that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to project completion.

6. **Bio-02 Tree Replacement:**
 1. The replacement trees shall be as follows:
 - a. Each coast live oak tree removed shall be replaced using the following ratio: 3:1 with 15-gallon container trees.
 - b. All other native trees shall be replaced at a minimum 3:1 ratio with 5-gallon containers trees.
 - c. Each specimen or non-native tree removed shall be replaced at a minimum 3:1 ratio with one 24" box tree and three 5-gallon container trees.
 - d. The final proposed size and quantity of replacement trees shall be detailed and delineated in the San Ysidro Road Roundabout Tree Protection and Replacement

Plan. This Plan shall be reviewed and approved by P&D staff prior to Coastal Development Permit issuance.

2. Where feasible, species shall be from locally obtained plants and seed stock.

3. The trees shall be gopher fenced with root protectors.

4. The trees shall be irrigated with a low volume, water efficient, fully automatic remote irrigation system. Long term maintenance efforts of the system will provide supplemental water as necessary to keep plants in a healthy and vigorous condition.

5. Trees shall be watered during the three-year plant establishment period while reducing the water use each year. Once under the care of Public Works and/or Caltrans maintenance control, the watering times will be further reduced each year so that the plants adapt to the natural rainfall and climatic conditions.

6. If replacement trees cannot all be accommodated on site, the Owner/Applicant shall submit a plan for P&D approval for replacement trees to be planted off site.

7. All new and replanted 1-gallon trees shall be protected from predation by wild and domestic animals by the use of foliage protectors.

PLAN REQUIREMENTS: Show planting location, size quantities, species method of irrigation and provide details for root and foliage protection.

TIMING: Plans shall be submitted prior to Coastal Development Permit issuance.

MONITORING: The Owner/Applicant shall demonstrate to the resident engineer that all required components of the approved plan(s) are in place as required prior to project completion.

7. **CulRes-07 Cultural Resource Monitor:** The Owner/Applicant shall have all earth disturbances including scarification and placement of fill within the archaeological site area monitored by a P&D approved archaeologist and a Native American consultant in compliance with the provisions of the County Archaeological Guidelines.

TIMING: Prior to CDP issuance, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract.

MONITORING: The Owner/Applicant shall provide P&D staff and the resident engineer with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. The resident engineer shall confirm monitoring by archaeologist and Native American consultant and shall spot check field work.

8. **CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant. PLAN REQUIREMENTS: This condition shall be printed on all plans. MONITORING: P&D permit processing

planner shall check plans prior to CDP issuance and the resident engineer shall spot check in the field throughout grading and construction.

9. **WatConv-07 SWPPP:** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.

TIMING: Prior to CDP issuance the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to CDP issuance. The resident engineer shall site inspect during construction for compliance with the SWPPP.

County Rules and Regulations

10. **Rules-02 Effective Date-Appealable to CCC:** This Development Plan shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
11. **Rules-05 Acceptance of Conditions:** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the owner/applicant.

12. **Rules-07 DP Conformance:** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan.
13. **Rules-14 Final DVP Expiration:** Final Development Plans shall expire five years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.
14. **Rules-18 CUP and DVP Revisions:** The approval by the Montecito Planning Commission of a revised Development Plan shall automatically supersede any previously approved Development Plan upon the effective date of the revised permit.
15. **Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
 1. Air Pollution Control District dated August 13, 2019
 2. Montecito Fire Department dated May 14, 2019
16. **Rules-33 Indemnity and Separation:** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or 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 this project. In the event that the County fails promptly to notify the Owner / 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.
17. **Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit 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.

Other

18. **Mitigation Compliance and Monitoring:** The project applicant and designees shall comply with all applicable mitigation, minimization and avoidance measures specified in the 2014 Caltrans EIR (as modified by the 2017 Revised EIR, 2018 Addendum, and 2020 Addendum). The applicant shall prepare a Mitigation Compliance, Monitoring, and Reporting Plan for all mitigation measures identified

in the 2014 Caltrans EIR (as modified by the 2017 Revised EIR, 2018 Addendum, and 2020 Addendum) that are applicable to the San Ysidro Roundabout project.

PLAN REQUIREMENTS: The Plan shall include, but not be limited to the following:

- a. Each of the projects mitigation measures.
- b. Timing and specific responsible party for implementation of each mitigation measure.
- c. Timing and party responsible for monitoring each mitigation measure and a list of monitors to be retained.
- d. Procedures, timing, and responsible party for reporting to P&D Permit Compliance staff on project mitigation compliance and monitoring.
- e. Specification of a qualified representative for the applicant to be designated as the coordinator responsible for ensuring full compliance with the provisions of the Plan. The designated coordinator shall have authority over all other monitors.

TIMING: The Plan shall be submitted to P&D staff for review and approval prior to Coastal Development Permit issuance. MONITORING: P&D staff will review the Mitigation Compliance, Monitoring, and Reporting Plan prior to Coastal Development Permit issuance. The resident engineer will conduct intermittent field inspections and respond to complaints.

19. Per LU-M-2.1.1, and VIS M 1-3, the highest area(s) of the roundabout, including the plantings, shall not reduce the present view corridors except as required by the design standards of San Ysidro Road looking North (of the Santa Ynez Mountains) and South (of the Pacific Ocean).
20. Per LU M 2.2, the lighting levels shall not exceed the minimum requirement of any applicable legal standard and dimmers shall be installed and maintained to attain the minimum lighting levels. Additionally, the “decorative lighting” shall all be “Mission Bell Style”.
21. Per LU-M-2.3, the two existing utility poles on North Jameson (immediately West of San Ysidro Road) shall be removed and the utilities undergrounded, if feasible.
22. Per CIRC-M.1.1 and 3.7, any road signage shall be “Old Santa Barbara Style” wooden signs with white lettering and a brown background like the existing signage in the community where feasible (e.g., the street signs of North Jameson and San Ysidro Roads).
23. Per CIRC.M.1.1 and M-3.6, the establishment period for all plants shall be at least five (5) years. Additionally the County (or its successor(s) in interest) shall enter into a long-term, renewable, maintenance agreement, with the State covering irrigation and maintenance of the landscape. This agreement will assign responsibilities to each party for these items as agreed upon by both parties.
24. Per CIRC-M 3.7, the hardscape surfaces of the pedestrian paths of the northwest corner of the roundabout and wherever feasible shall be decomposed granite and conform in color and type to the decomposed granite on the pathways on North Jameson and San Ysidro Roads.
25. Per GOAL F-M-2 and Policy F-M-2.3, all of the plants for landscaping shall be fire-resistant, desirable plants listed at the Montecito Fire Protection District’s web site [<https://www.montecitofire.com/fire-prevention>; last visited May 26, 2020] or approved by the MFPD.

26. Per BIO M-1.1, the use of glyphosate and any other chemical herbicide is prohibited at all times, whether during construction, maintenance or otherwise.
27. Per WAT-M-1.2.1, the landscape irrigation system shall be drip or water-saving.
28. The Director shall report to the to the Montecito Planning Commission at its next scheduled public hearing, immediately following final approval by the Montecito Board of Architectural Review, on the compliance of additional conditions one (1) through nine (10) above. At least annually, the Director shall report to the Montecito Planning Commission at a public hearing, on the compliance status of all of the then outstanding additional conditions of approval. The first report shall be within six (6) months after the completion of construction.
29. Per GOAL N-M-1, Policy N-M-1,1 and Development Standard N-M-1.1.2: the construction activity shall be limited to 7:00 a.m. to 4:30 p.m. on Monday through Friday excluding holidays observed by the County of Santa Barbara. On an exception basis, and with at least two business days' prior notice to affected property owners, construction may occur after 4:30 p.m. to avoid major traffic disruption caused by full closure of the intersection, as determined by the resident engineer, but only if this exceptional construction does not cause any noise greater than 87 dB.-The resident engineer shall notify the Caltrans District 5 Public Information Officer (PIO) to place notice of the proposed project in local news media in advance of construction. The notice will give estimated dates of construction and mention potential noise impacts. As directed by the resident engineer, the contractor will notify adjacent residents in advance of construction work. The Caltrans PIO telephone number to receive noise complaints shall be publicized in local newspapers, and by letter to residences near the construction area. In the case of construction noise complaints by the public, the construction manager would be notified and the specific noise-producing activity may be changed, altered, or temporarily suspended. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries. Notation of these construction requirements shall be included on final project plans prior to Coastal Development Permit issuance. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction. **MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to initiation of construction. The resident engineer shall spot check and respond to complaints. The resident engineer shall retain proof of notice to the local news media and measures undertaken to respond to complaints.



air pollution control district
SANTA BARBARA COUNTY

RECEIVED

AUG 14 2019

S B COUNTY
PLANNING & DEVELOPMENT

August 13, 2019

Joseph Dargel
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: Air Pollution Control District Suggested Conditions on San Ysidro Road Intersection Improvements, 19DVP-00000-00030

Dear Mr. Dargel:

The Air Pollution Control District (District) has reviewed the referenced project, which consists of the reconfiguration of the existing five-way stop controlled intersection to a six-legged roundabout, the addition of sidewalks, the addition of improved directional crosswalks, and a connection to the existing bicycle paths. The project will include 49,800 square feet of pavement and the removal of 62,200 square feet of existing pavement. Grading is estimated at approximately 1,950 cubic yards of fill. The subject property, identified in the Assessor Parcel Map Book as APN 111-111-111, is located at San Ysidro Road and North Jameson Lane intersection in the unincorporated area of Montecito.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the District prior to grading/building permit issuance.
2. District Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. Please see www.ourair.org/wp-content/uploads/rule345.pdf.
3. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible.
4. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or District permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from District permit, provided they will be on-site for less than 12 months.

Aeron Arlin Genet, Air Pollution Control Officer

805.961.8800

260 N. San Antonio Rd., Ste. A Santa Barbara, CA 93110

ourair.org

[@OurAirSBC](https://twitter.com/OurAirSBC)

August 13, 2019

Page 2

5. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:
 - Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
 - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - See www.arb.ca.gov/noidle for more information.
6. The application of architectural coatings, such as paints, primers, and sealers that are applied to buildings or stationary structures, shall comply with District Rule 323.1, *Architectural Coatings* that places limits on the VOC-content of coating products.
7. Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8873 or via email at HoD@sbcapcd.org.

Sincerely,



Desmond Ho
Air Quality Specialist
Planning Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Planning Chron File



air pollution control district
SANTA BARBARA COUNTY

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required when sustained wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to prevent transport of dust offsite. 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 grading/building permit issuance and/or map clearance.

PLAN REQUIREMENTS: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



air pollution control district
SANTA BARBARA COUNTY

ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is a list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO_x), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO_x and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, limiting engine idling time. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO_x idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. Electric auxiliary power units should be used to the maximum extent feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

PLAN REQUIREMENTS AND TIMING: Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



MONTECITO FIRE DEPARTMENT

An Independent Fire District

DATE: May 14, 2019
TO: Walter Rubalcava, P.E.
FROM: Aaron Briner, Fire Marshal - Montecito Fire Department
RE: San Ysidro Intersection Roundabout

Based on review of the San Ysidro Intersection Roundabout project and the proposed roundabout renderings provided, the Montecito Fire District (District) believes that the proposed development provides acceptable fire access and service for the District.

Further, the District acknowledges that larger fire vehicles traveling on northbound 101 and exiting on San Ysidro Road will be required to complete a full circle of the roundabout in order to head east on North Jameson Lane. Circling the roundabout in this circumstance is acceptable to the District.

Sincerely,

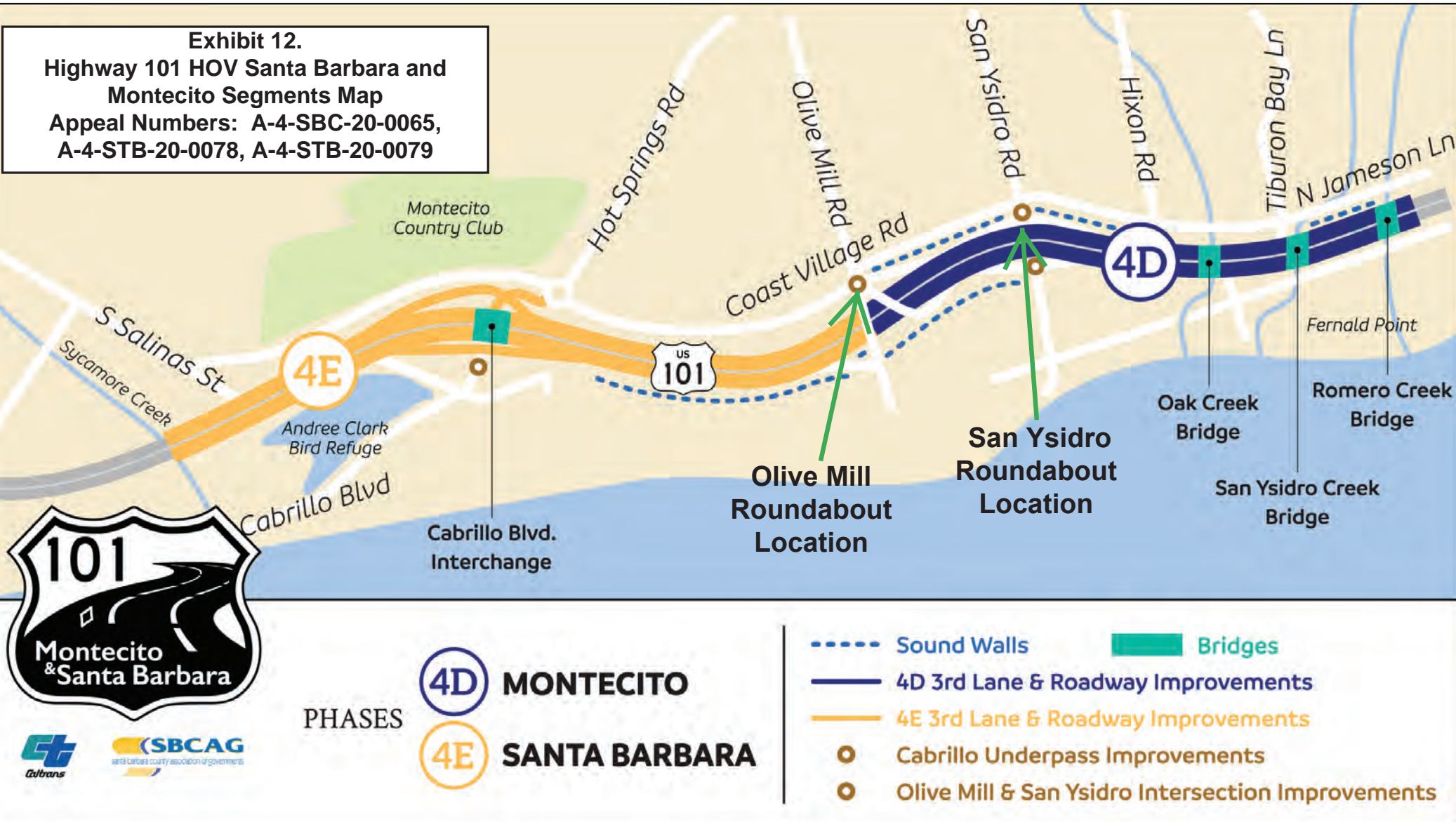
A handwritten signature in black ink, appearing to read "A Briner", with a long horizontal line extending to the right.

Aaron Briner
Battalion Chief - Fire Marshal
Montecito Fire Department

Exhibit 12.

**Highway 101 HOV Santa Barbara and
Montecito Segments Map**

**Appeal Numbers: A-4-SBC-20-0065,
A-4-STB-20-0078, A-4-STB-20-0079**



Qi, Isabel@Coastal

From: S T <tsbecker069@gmail.com>
Sent: Wednesday, March 24, 2021 6:24 PM
To: Qi, Isabel@Coastal
Subject: Appeal
Attachments: US 101 Interchange.pdf

Please see attached additional documents for my appeal. I also wish to refer you to the Santa Barbara City Council meeting of March 21, 2017, agenda item 7, which you can view on City Council archives.

Thank you
Tom Becker



Agenda Item No. 7

File Code No. 530.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 21, 2017

TO: Mayor and Councilmembers

FROM: Transportation Planning and Parking Division, Public Works Department

SUBJECT: Olive Mill Road And San Ysidro Road Interchange Memorandum Of Understanding With The Santa Barbara County Association Of Governments

RECOMMENDATION:

That Council authorize the City Administrator to enter into a Memorandum of Understanding between the City of Santa Barbara, the County of Santa Barbara, and the Santa Barbara County Association of Governments, to develop freeway interchange capacity improvements at Olive Mill and San Ysidro Roads.

DISCUSSION:

In January 2014, the Santa Barbara County Association of Governments' (SBCAG) Board directed its staff to work with local agencies to advance three projects on the local system adjacent to and affected by the US 101 corridor. The adopted SBCAG Board policy on these projects states that staff and the US 101 Corridor Advisor shall, "Concurrently, simultaneously and on a parallel path [to the US 101 HOV Project Phase 4] work with the affected jurisdictions on the San Ysidro, Olive Mill and Cabrillo Railroad Bridge Projects on design, planning and identification of needed funding." Based on that Board direction, SBCAG staff has coordinated with City staff and the staff of Santa Barbara County to develop ways to proceed with these projects, including staff participation and funding for design.

In April 2016, Council approved execution of a Memorandum of Understanding (MOU) with SBCAG for the Cabrillo Railroad Bridge Project. Since then, City staff has retained a consultant and is making good progress toward preliminary engineering and environmental studies.

In order to expedite the process for the Olive Mill Interchange, Public Works initiated and completed an Intersection Control Evaluation (ICE) study in coordination with Caltrans. The County also initiated and has completed an ICE for the San Ysidro Interchange. Both studies show that the existing interchanges will experience vehicle queuing onto the mainline freeway once the 101 HOV Project is completed if

**Exhibit 13. Correspondence with Appellant Thomas Becker
Appeal Numbers: A-4-SBC-20-0065, A-4-STB-20-0078,
A-4-STB-20-0079 (2 of 8)**

Council Agenda Report

**Olive Mill Road And San Ysidro Road Interchange Memorandum Of Understanding With
The Santa Barbara County Association Of Governments**

March 21, 2017

Page 2

improvements are not constructed to enable the interchanges to handle the increased traffic flows created by freeway expansion. The study demonstrates that this safety issue at the Olive Mill Interchange can be avoided with the installation of a roundabout, which Caltrans has acknowledged as the most viable solution.

With the completion of Caltrans' ICE process, the next step is to conduct a preliminary design and environmental approval process. The purpose of the MOU with SBCAG and the County (Attached) is to outline these next steps, the roles of each agency, and the funding for this phase of the project. SBCAG staff has identified a funding source left over from a US 101 Operational Improvements federal earmark.

BUDGET/FINANCIAL INFORMATION:

A total of approximately \$850,000, including up to \$50,000 for local agency management, would be available to fund the next phase of work for both the Olive Mill and San Ysidro Interchanges to begin preliminary engineering and environmental studies. The cost of local agency management in excess of \$50,000 is not covered by the MOU. SBCAG would reimburse the City and County for each of the two projects per the table below:

| BUDGET CATEGORY | CITY OF SANTA BARBARA (OLIVE MILL PROJECT) | COUNTY OF SANTA BARBARA (SAN YSIDRO PROJECT) | TOTAL |
|----------------------------|---|---|--------------|
| CONSULTANT FEES | \$400,000 | \$400,000 | \$800,000 |
| AGENCY MGT | \$25,000 | \$25,000 | \$50,000 |
| TOTAL | \$425,000 | \$425,000 | \$850,000 |
| BUDGET SHARE % | 50% | 50% | 100% |

While staff is concerned that this amount of money may not be adequate to fund this phase of the work for both projects, we support moving forward. Once City and County staff advertise for the work, the consultant's cost proposals will confirm if the amount of funding is adequate. If the funding is not adequate, City and County staff will meet with SBCAG staff to inform and discuss the need for additional funding.

ATTACHMENT: Memorandum of Understanding

PREPARED BY: Robert J. Dayton, Transportation Planning and Parking
Manager/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

**Exhibit 13. Correspondence with Appellant Thomas Becker
Appeal Numbers: A-4-SBC-20-0065, A-4-STB-20-0078,
A-4-STB-20-0079 (3 of 8)**

Council Agenda Report

**Olive Mill Road And San Ysidro Road Interchange Memorandum Of Understanding With
The Santa Barbara County Association Of Governments**

March 21, 2017

Page 3

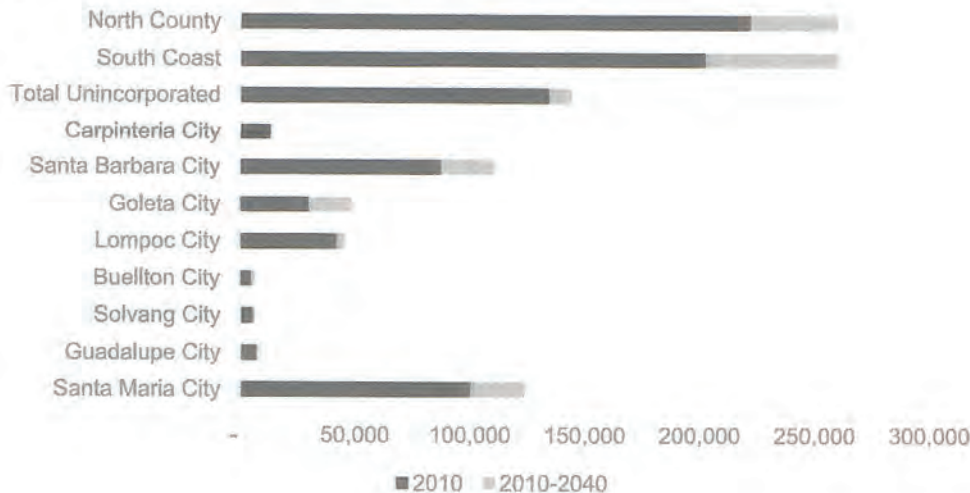
APPROVED BY: **City Administrator's Office**

Fast Forward 2040 RTP

Regional Growth

A central focus of the regional transportation plan is accommodating forecast growth. The sustainable communities strategy requires that forecast growth is accommodated in a manner that considers the environmental impact – namely, greenhouse gas emissions targets. In 2012, SBCAG developed the current Regional Growth Forecast which covers the period 2010 through 2040. Over the course of the 2010-2040 forecast period, the county-wide population is forecast to increase by 96,100 persons from 423,895 to 520,000 or 23 percent. The following figure highlights the forecasted growth consistent with the sustainable communities strategy.

Figure 2: 2010-2040 Preferred Scenario Population Growth



Demographic characteristics and forecasted growth are presented in greater detail in Chapter 4.

Performance Measures

Since MAP-21 became law in 2012, SBCAG has been following a **performance-based approach** to transportation decision-making to support the national goals.

SBCAG has organized its transportation planning policies to fit the RTP-SCS goal framework and crafted explicit, quantifiable performance measures that are also keyed to the plan goals. The goal framework and the performance measures follow the mandated performance-based approach.

SBCAG applied the performance measures in Fast Forward 2040 scenario development and analysis and in the selection of the preferred land use and transportation scenario. These performance measures are explicitly keyed to the five RTP-SCS goals, listed above, as well as to the plan objectives.

Ultimately, the preferred scenario balances competing considerations in a way that maximizes region-wide benefits and minimizes detrimental effects. Compared to the future baseline scenario in 2040, the preferred scenario:

- Reduces overall vehicle miles traveled by 19 percent, vehicle hours traveled by 16 percent, and average daily traffic (ADT) volumes by eight percent.
- Reduces overall congestion (as measured by congested vehicle miles traveled) by 35 percent compared to the future baseline scenario.

Intersection Control Evaluation (ICE) Screening Evaluation

Olive Mill Road / Coast Village Road / US 101 Interchange

Santa Barbara, California

*San Ysidro in
C1 Part 2 appendix J
4/20/20 MPC folder*

April 2016



KITTELSON & ASSOCIATES, INC.
TRANSPORTATION ENGINEERING/PLANNING

Exhibit 13. Correspondence with Appellant Thomas Becker
Appeal Numbers: A-4-SBC-20-0065, A-4-STB-20-0078,
A-4-STB-20-0079 (6 of 8)



Olive Mill Road / Coast Village Road / US 101 Interchange INTERSECTION CONTROL EVALUATION: SCREENING SUMMARY

Kittelson & Associates, Inc. (KAI) conducted an Intersection Control Evaluation (ICE) to objectively evaluate and screen intersection control and access alternatives at the following intersection(s):

- US 101 Northbound Off-Ramp Terminal / US 101 Southbound On-Ramp Terminal / Olive Mill Road / Coast Village Road / North Jameson Road

The control options include:

- Traffic signal control
- Roundabouts
- All-way Stop control (existing)

The City of Santa Barbara, County of Santa Barbara, and Caltrans jointly own and operate the intersection. Operationally, the roundabout configuration is the most likely, viable alternative to serve forecast traffic. The existing stop-control or, no project alternative, is a feasible traffic control alternative for the near term but will degrade over time. Additional analysis is needed to determine queue lengths for the 2040 all-way stop control design year scenario, and whether or not spillback would affect freeway mainline operations. Signal control is not a viable alternative considering the project constraints given for this evaluation. There may be other considerations, constraints, and project factors identified in future design evaluations that could affect the prioritization of a specific configuration.

The intersection evaluation considered year 2040 "build" condition traffic operations, geometrics, constraints, and other design considerations.

KEY FINDINGS:

Key findings for this review include the following:

- The Caltrans District 5 ICE coordinator has reviewed the initial roundabout concept and agrees the project is viable to move forward

into further analysis. No fatal flaws have been identified in this phase.

- The roundabout alternative would provide superior AM/PM peak hour operations over either the stop-controlled or the signal-controlled alternatives.
- The roundabout alternative preserves the existing Olive Mill Road/US 101 overpass bridge, and the southbound US 101 on-ramp bridge
- The roundabout alternative would simplify the existing intersection and reduce the number of decision points.
- Traffic signal operations would likely require 5-way split phasing, due to the existing intersection geometry, that would result in long cycle lengths and delays. To reduce the number of phases, intersection and ramp realignment would be necessary.
- Traffic signal operations would not be acceptable for the existing nor 2040 design year. Stop-control operations would not be acceptable for the 2040 design year.
- Additional analysis is needed to determine queue lengths for the 2040 all-way stop design year scenario, and whether or not spillback would affect freeway mainline operations.
- The roundabout alternative would require minimal right-of-way acquisition; primarily to address design vehicle needs. The signal alternative is fatally flawed given the project constraints.

TRAFFIC CONTROL STRATEGIES, CONSIDERATIONS, AND PERFORMANCE ANALYSES

Traffic control alternatives evaluated as part of this ICE include:

- Retaining the existing intersection control and geometry. This alternative would retain all-way stop control (AWSC) at the intersection.
- Converting the intersection to signal control.
- Converting the intersection to a roundabout.

AWSC and signal alternatives with new geometric configurations are not identified in this study. Geometric modifications for AWSC and signal control are not considered feasible due to the intersection and ramp realignments that would be necessary to create an intersection with better entry/receiving lane alignment and a smaller intersection footprint that is more conducive to AWSC and signal control.

Using operations methodologies consistent with the *SC 101 HOV PA-ED* (dated December 2011) described in Appendix B, KAI evaluated the traffic control alternatives. The analysis results for each intersection are presented below. Supporting material, including more detailed operations results and the operations analysis worksheets can also be found in Appendix C.

ANALYSES RESULTS

All-Way Stop Control with Existing Geometry

Results for AWSC were extracted from the SC 101 HOV EIR Traffic study. In that study, a static analysis using SYNCHRO was applied which analyzed the Olive Mill interchange as three distinct and separate intersections (NB Off-Ramp/Olive Mill Road; North Jameson Lane/Olive Mill Road; and SB On-Ramp/Olive Mill Road). This analysis determined that the northbound Olive Mill Road approach of the interchange will fail (56s delay, LOS F) during the year 2040 AM peak,

and the eastbound Coast Village Road approach will fail (60s delay, LOS F), during the 2040 PM peak. Detailed existing conditions results as documented in the SC 101 HOV traffic report is Appendix C.

The AWSC with existing geometry alternative assumes the existing lane configuration remains the same under year 2040 conditions. SC 101 HOV traffic study determined that under year 2040 conditions with Modified F alternative at the Cabrillo Boulevard interchange, the intersection is projected to operate at or over capacity

Further analysis is needed to quantify the queue lengths for the design year (2040), and to determine if spillback from the intersection will affect 101 mainline operations.

Signal Control with Existing Geometry

The signal control alternative with existing geometry alternative assumes the existing lane configuration remains the same under year 2040 conditions. Due to the existing intersection geometry, a traffic signal would likely require 5-way split phasing to serve the five approaches. This would result in long cycle lengths and long queues. Under year 2040 conditions, the intersection is projected to operate over capacity with significant queuing during the weekday a.m. and p.m. peak hours.

Roundabout Control

Under existing conditions, roundabout would operate well below capacity and at acceptable LOS. A roundabout configuration was evaluated to determine lane configurations needed to support the 2040 design year conditions. The proposed roundabout lane configuration is shown in Figure 7. The proposed roundabout is projected to operate with a volume to capacity (v/c) ratio of 0.77 or less on all approaches for year 2040 build conditions, with the US 101 Northbound Off-Ramp as the critical approach during the p.m. peak hour.