

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

ORCUTT COMMUNITY PLAN

July 22, 1997

I. PROJECT DESCRIPTION

The project consists of the adoption of the Orcutt Community Plan (OCP) through amendments to the Santa Barbara County Comprehensive Plan and Zoning Ordinance (Chapter 35, Article III of the Santa Barbara County Code). The Community Plan is intended to provide for the orderly development of the Community of Orcutt. It includes maps depicting the physical distribution of land uses and densities, and accompanying text consisting of discussion of planning issues, Goals, Objectives, Policies, Action Items and Development Standards, all of which are designed to realize the overall goals and objectives of the Orcutt community in regard to future development and community character. The Orcutt Community Plan is intended to direct and facilitate orderly development within areas that are appropriate for such development; and to prohibit, discourage or otherwise condition development within physical and/or environmentally constrained areas. Adoption of the Community Plan entails changes in existing land use designation changes, zoning amendments, amendments to the maps, and amendments to the County's Land Use Element, the Noise Element, the Circulation Element, and Article III of the Zoning Ordinance.

II. PROCEDURAL HISTORY

The Board of Supervisors finds that the Orcutt Community Plan was prepared pursuant to the following process:

- A. Land use and development in Orcutt is regulated by the Santa Barbara County Comprehensive Plan's Land Use Element, which was adopted in 1980 and has been amended periodically since then. California State Planning law requires that General Plans be kept "current" through periodic amendments; Santa Barbara County performs such updates in part through its Community Plans.
- B. In early 1994 the Santa Barbara County Board of Supervisors recognized the need to amend the Comprehensive Plan as it relates to the Orcutt area. The Board appointed an Orcutt General Plan Advisory Committee (GPAC) to assist the County in the preparation of an Orcutt Community Plan to serve as a Comprehensive Plan update for the Orcutt area.
- C. The GPAC held approximately 30 public meetings between 1994 and 1995, during which a Draft Plan was formulated.

- D. In November and December 1994, the Planning Commission held public hearings on the draft Plan and forwarded an "Initiation Draft Plan" and numerous potential alternatives to the Planning and Development Department for environmental review.
 - E. A Notice of Preparation of an Environmental Impact Report was issued on March 17, 1995, for a 30-day agency and public EIR scoping period.
 - F. A Draft Environmental Impact Report (95-EIR-1) was released for public review in July 1995.
 - G. Noticed public hearings on the Draft EIR were held on August 22, 24, and 29, 1995.
 - H. In response to public comments, revisions were made and a Proposed Final EIR was released in December 1995, including written responses to comments received on the draft document.
-
- I. Two public site visits were made by the Planning Commission on January 17 and 31, 1996, followed by 39 public hearings before the Planning Commission, all of which were held in the Orcutt-Santa Maria area. The Planning Commission considered the Initiation Draft Orcutt Community Plan, the Proposed Final EIR, staff recommendations for revisions to the Plan, and public testimony, and formulated a revised Orcutt Community Plan. On September 27, 1996 the Commission recommended that the Board of Supervisors certify the Final EIR and Addendum dated September 11, 1996, and adopt this revised Orcutt Community Plan.
 - J. The Board of Supervisors considered the Planning Commission's recommendations, the Proposed Final EIR and Addendum, and held 18 public adoption hearings in January-July 1997. The Board made further modifications to the Plan.
 - K. On July 22, 1997 the Board of Supervisors adopted the Orcutt Community Plan along with various related amendments to the Santa Barbara County Comprehensive Plan, certified the Final EIR and Addendum dated July 22, 1997, and approved a Mitigation Monitoring & Reporting Plan.

III. PLANNING FINDINGS: GENERAL

The Board of Supervisors finds that:

- A. The Santa Barbara County Comprehensive Plan has been amended regularly since its original adoption, particularly the Land Use Element which was adopted in 1980. However, growth and development under the Plan over time, as well as the changing needs and circumstances of California, Santa Barbara County and particularly the community of Orcutt, now warrant a comprehensive review and updating of the Comprehensive Plan for the area of Orcutt through the preparation and adoption of the new Orcutt Community Plan.

- B. The Orcutt Community Plan provides for the health, safety, and general welfare of the community of Orcutt and its residents through planning for orderly development.
- C. Adoption of the Orcutt Community Plan is in the best interest of the public since the new plan more clearly distinguishes between those areas where development is appropriate and may be facilitated, and those areas that are physically and/or environmentally constrained, are not appropriate for development, and should be protected and preserved for other types of uses. This new Community Plan serves to guide development to appropriate areas and reduces environmental impacts of future development, thereby reducing permitting and environmental review time and costs.
- D. The Orcutt Community Plan has been prepared pursuant to good land use planning and zoning practice, and is consistent with state planning and zoning law and the Santa Barbara County Comprehensive Plan and all of its Elements.
- E. Planning for orderly development involves numerous and sometimes competing social, land use, public service, and environmental factors. The Orcutt Community Plan has been developed in consideration of the community's circumstances, needs, and desires, including but not limited to competing factors regarding providing for population growth, providing housing for all residents, encouraging economic development and provision of jobs, ensuring availability of public services, providing environmental resource and open space protection, and mitigating environmental impacts as identified in 95-EIR-1. Various land use mixes and development rates have been analyzed and considered in order to assess the relative benefits and costs of a range of alternatives. The resultant Plan revises the development potential of some parcels throughout the planning area and in many cases provides for the avoidance and mitigation of adverse effects where determined to be feasible. In doing so, the Plan respects service, resource, and infrastructure capacities while accommodating development to a degree and in a manner which provides the greatest community welfare with the least public and private harm. Therefore, it is hereby found that the redesignation of land use and density for parcels within the planning area is justified and in the public interest considering the community's resource and infrastructure constraints, and that the Plan provides for the community's overall benefit, and is consistent with adopted County service and resource policies.
- F. The County requires project-specific mitigation of school impacts to the fullest legal extent as demonstrated by Board of Supervisors' Resolution 92-700. The County considers adequate public school services to be of high community priority. The OCP considers the community's needs, services and resources, and state law. In balancing these factors for Orcutt, the Board concludes that pacing development at a level low enough to completely eliminate any school impacts is neither desirable nor feasible. Instead, the OCP contains public financing mechanisms that should allow the schools to meet the needs of the community in a timely manner.

The OCP mitigates impacts to school resources to the maximum extent feasible, subject to accommodation of densities necessary to promote housing for all economic segments of the community, protection of the rights of property owners, and recognition of other community priorities. The OCP also provides for a new school site to serve new development allowed under the Plan. Therefore, the OCP is consistent with Land Use Development Policy #4 of the Land Use Element as it relates to schools, with Resolution 92-700, and with the interpretative statement of adopted County policy with regard to schools approved by the Board of Supervisors on 12/8/92.

State law establishes limits on the kind and amount of mitigation that local agencies may require for residential projects which adversely affect school enrollments and overcrowding but are consistent with existing General Plan designations and zoning. However, the Board may find that a reduction in density or a phasing of the project or some other action is necessary to allow school infrastructure to keep pace with the demand generated by development allowed under this Plan.

G. The Orcutt Community Plan is broad and comprehensive in scope, covering and complementing topics addressed by the previously adopted Elements of the Comprehensive Plan, including but not limited to the Land Use, Conservation, Circulation, Seismic Safety and Safety, Open Space, Housing, Scenic Highways, Agriculture, and Noise Elements. The EIR identified several potential inconsistencies between the draft Community Plan and other adopted Comprehensive Plan policies. These potential inconsistencies are explained below.

1. The EIR identified a potential inconsistency with the regional Land Use Element goal regarding "Urbanization" because the draft Plan extended the urban boundary in west Orcutt and east of Highway 101, which could result in development of rural lands prior to infill development of existing vacant and undeveloped urban lots. The Board of Supervisors finds that the Plan is consistent with this Land Use Element goal because: ¹⁾the adopted Plan does not extend the Urban Boundary east of Hwy. 101 except for 53 acres adjacent to the Elks facility to provide supporting commercial services; ²⁾extension of the urban line to the west does occur, but the land within this extension is zoned RR-20 and may not be rezoned to a more "urban" zone until the existing Urban Area is approaching buildout or for ten years, whichever occurs first (Policy KS22-2); ³⁾there is an insufficient inventory of infill parcels to accommodate anticipated residential requirements, based on growth estimates for the next 10-20 years; ⁴⁾the Plan provides that new infrastructure required for new development will be funded by that development so that services and resources will be available to support the new development; and ⁵⁾the newly added urban areas are contiguous with the prior southeastern, eastern and western Urban Boundaries, such that development in these areas can proceed as an orderly urban expansion and avoid leapfrog development.
2. The EIR identified a potential inconsistency with the regional Land Use Element goal regarding "Agriculture" because the Draft Plan extended the urban boundary into the rural area of West Orcutt, which contains cultivated agricultural lands

with both prime and non-prime soils. The Board of Supervisors finds that this potential inconsistency has been resolved through the application of the RR-20 zone and the Plan's inclusion of Policies and Development Standards which avoid and minimize conflicts between agricultural and urban uses at the Urban/Rural boundary including, but not limited to, Policy LUA-O-2 and Development Standards LUA-O-2.1 through -2.3, KS22-22, KSD-3, and KSE-3. Conflict also is minimized by the requirement that rural West Orcutt (Key Site 22) eventually be developed according to a Specific Plan: the planning of this large area as a single unit facilitates optimum use of the land, including the clustering of residential units so that development is located away from productive agricultural lands outside the Urban Boundary. The Board of Supervisors also finds that the Urban Boundary extension (Key Site 22) reflected in the adopted Plan is, on balance, the most protective of viable agricultural uses because it directs potentially needed future urban development onto lands where agricultural productivity is relatively low, and where urban services/ infrastructure are most likely to be feasible in the future. In addition, it ensures that the site remains within the Orcutt Planning Area (and is subject to the 10-year delay policy [Policy KS22-2]) and is therefore less likely to be annexed by the City of Santa Maria for urban development. The Board of Supervisors also finds that a Transfer of Development Credits (TDC) program, as envisioned in the adopted Plan, will assist in the conservation of agricultural land by making it possible for such lands subject to urban development pressures to sell their development potential to receiver sites within the urban area, thereby furthering the Land Use Element's fundamental goal regarding "Agriculture."

3. The EIR identified potential inconsistency with the Land Use Element's Land Use Development Policy #4, which requires that there be adequate public or private services and resources to serve a proposed project prior to the County's issuance of a development permit. The Board of Supervisors finds that the Plan is consistent with this policy because the Plan provides that no development will occur until mechanisms for expanding necessary public or private services are in place (see esp. Policies LU-O-3 & -5 and FSCL-O-1 & -2). These include establishing systems to adequately fund new services and infrastructure, as well as ongoing costs, for such services as park and road maintenance, school facilities, library services, and fire and police protection (the Infrastructure Financing Program). Further, the Plan provides that new development may be prohibited until additional supplies of water are acquired, water conservation measures are instituted, and additional wastewater trunk and feeder lines are constructed.
4. The EIR identified potential inconsistency with Measure A-3 of the Air Quality Supplement to the Land Use Element because the Draft Plan included extension of the urban-rural boundary, which could bring approximately 2,000 residential units and 300,000 s.f. of commercial space into the urban area prior to infill development of existing vacant parcels within the urban area, and

could create an imbalance between the provision of housing and the production of jobs. The Board of Supervisors finds the Plan consistent with this policy because the Plan provides that: ¹) development of the largest previously rural area, Key Site 22, will not be permitted until the existing Urban Area is approaching buildout or for ten years, whichever occurs first (Policy KS22-2), and will be phased in an orderly manner from east to west (Development Standard KS22-16); ²) development will not occur unless and until public or private services are secured for development in areas included within the Urban Boundary; and ³) the additional developable area will provide needed residential inventory to compensate for the infeasibility of developing certain infill parcels due to constraints such as location within flight approach zones, traffic concerns, and resistance to specific projects located within or near established neighborhoods.

5. The EIR identified potential inconsistencies with Goals 1, 2, and 3 of the Conservation Element's Groundwater Resources Section regarding adequacy of groundwater resources and elimination of prolonged overdraft, water quality, and the integration of land use planning decisions and water resources planning and supply availability. Such potential inconsistencies relate to the Draft Plan's allowance of new development which would be served through increased overdrafting of the Santa Maria groundwater basin. The Board of Supervisors finds the Plan consistent with the Groundwater Resources Section because the adopted Plan includes the following measures which specifically address regional groundwater resource adequacy, water supply planning and interagency coordination, availability of services and resources to serve new development, water quality and water conservation: Policies WAT-O-1 through -5; Program WAT-O-1.1; Actions WAT-O-1.2 & -3.1; and Development Standards WAT-O-1.3 and -2.1. The full text of all of these measures is set forth in Section V.F of these Findings. In particular, Policy WAT-O-2 will ensure that new development allowed under the Plan will not exacerbate groundwater overdraft: *"The County may approve development under the OCP as long as there are existing or permanent entitlement backed long-term supplemental water supplies (i.e. not continued overdraft of the groundwater basin) adequate to meet the water demand as determined by County staff of such development. Development beyond that which can be served by existing or permanent entitlement backed long-term water supplies shall not be approved, consistent with Land Use Element LUDP [Land Use Development Policy] 4. Long term supplemental supplies are defined as lasting as long as the defined optimal life of a project (i.e., 75 years). If the water purveyor(s) is not purchasing State Water entitlements (is in fact into a contract for water), the County retains the right to review the contract to ensure that the terms fulfill the definition of a long-term supplemental supply."*
6. The EIR identified potential inconsistency with the Housing Element's Goal 9 and related Policies/Actions because the draft Plan only identified 400 new units at densities which could be affordable to low or very low income households, as

compared to the Housing Element's total projected *regional need* of 1,000 such units within the unincorporated portion of the Santa Maria Housing Market Area (HMA). The Board of Supervisors finds that the Plan is consistent with the Housing Element because in the Orcutt area, market conditions allow low to very low income rental units to be provided at densities ranging from eight to twenty units per acre (Housing Element, Appendix A), and the adopted Plan provides for 518 new units at these densities (or 598 units, including the required on-site inclusionary affordable units on Key Site 12 at its potential higher density). Additional opportunities for low and very low income housing exist through other previously adopted programs of the Housing Element including, but not limited to, Residential Second Units, Density Bonus, Inclusionary Affordable Units, and the Homebuyer Assistance Program. Taken together, these programs would accommodate the HMA's *quantified objective* of 221 new low and very low income units (number derived from the Housing Element as a proportional allocation of Countywide quantified objectives to the unincorporated Santa Maria HMA, based upon the HMA's identified portion of total Countywide unincorporated area needs for low and very low income units). Furthermore, the OCP promotes housing which meets the needs of all economic segments of the community, as evidenced by Policies and Actions LUR-O-1 through LUR-O-8.

7. The EIR identified potential inconsistency with the Agricultural Element's Goal I, regarding the enhancement, encouragement, and feasible expansion/intensification of "agriculture as a major viable production industry" within the County, because the Plan encourages urban land uses on currently viable rural agricultural lands in west Orcutt and east of Highway 101. The Board of Supervisors finds that the Plan is consistent with the Agricultural Element because the adopted Plan maintains the area east of Hwy. 101 as agriculturally-designated land outside the Urban Boundary (except for the 53 acres of Highway Commercial land). With regard to west Orcutt, the adopted Plan:
 - ¹⁾ contains Policies and Development Standards which avoid and minimize conflicts between agricultural and urban uses at the Urban/Rural interface;
 - ²⁾ requires that rural West Orcutt eventually be developed according to a Specific Plan, thereby facilitating optimum use of the land including the clustering of residential units so that development is located away from productive agricultural lands outside the Urban Boundary (Policy KS22-2 and related Development Standards);
 - ³⁾ is, on balance, the most protective of viable agricultural uses because it directs potentially needed future urban development onto lands where agricultural productivity is relatively low, and where urban services and infrastructure are most likely to be feasible in the future; and
 - ⁴⁾ envisions a TDC program in the adopted Plan which will assist in the conservation of agricultural land by making it possible for such lands subject to urban development pressures to sell their development potential to receiver sites within the urban area.

The EIR also identified a potential inconsistency with the 1994 Clean Air Plan (CAP) because the draft Community Plan could result in more than 3,800 additional residential units by the year 2015, thereby exceeding the growth rate assumptions used by the CAP in modelling emissions and developing strategies to meet air quality objectives. The adopted Community Plan is designed to guide development over the next 10-20 year period, and it allows a total of about 3,700 units at buildout, just under the amount assumed by the CAP; the Community Plan also provisionally allows up to 3,000 additional units in west Orcutt (Key Site 22). The Board of Supervisors finds that the Plan nevertheless is consistent with the CAP because ¹⁾the Plan contains actions to implement construction-related air quality mitigation measures, as well as traffic/transit and circulation improvements which would serve to reduce transportation-related pollutant emissions, and ²⁾while it is not expected that market conditions will result in the development of more than 3,800 new units by the year 2015, the Community Plan does provide a mechanism to pace growth over time (Policy KS22-2), and the County will track proposed development following adoption of the plan and identify those projects which could cause the forecasted growth rate to be exceeded. This tracking will occur through the semi-annual reports required by the Congestion Management Plan on permitted residential, commercial and industrial development. Projects that could cause the forecasted growth rate to be exceeded must be identified as being inconsistent with the CAP, and appropriate mitigation measures recommended.

H. Except to the extent that site-specific impacts are analyzed for the Key Sites in Volume II of the EIR, the environmental review performed on the Orcutt Community Plan was done at a program level and is not intended to suffice for project-specific review. It may, however, be used for cumulative impact analysis consistent with the tiering provisions of the California Environmental Quality Act (CEQA).

I. The OCP Open Space Plan encompasses the Plan's parks, recreation, trails, and open space sections of the Plan, and attendant maps and financing programs. The Open Space Plan is the primary tool for achieving the basic planning goals of avoidance of hazards and physical constraints, and the avoidance or mitigation of adverse environmental impacts. This Plan component is designed to avoid hazards such as floodways and floodplains, steep slopes, high fire danger, and airport approach zones, to provide both active and passive recreation opportunities, to help retain the community's semi-rural character, and preserve the community's most significant natural resources and scenic values. The Open Space Plan also applies to designated sites within significant viewsheds, important vegetated areas, biologically valuable areas, and areas with a known history of community use and enjoyment.

Orcutt residents, through the Community Survey, have expressed that preservation of open space should be a primary goal of the OCP. Presently the community enjoys wide expanses of open space within the urbanized area, along creeks, and in rural areas immediately adjacent to the community. These open space areas contribute to the "semi-rural" atmosphere, the retention of which was also expressed as a primary goal in the Community Survey. Without an adequate Open Space Plan, the projected growth in

Orcutt (under the former or adopted plans) could lead to development closing in and eliminating these open space resources.

To avoid such consequences, the Board of Supervisors has adopted a Community Plan which provides broad corridors of useable open space. The Board finds that this approach to accommodating growth in Orcutt provides for reasonable development of private property, while respecting physical and environmental constraints and providing for continued open space for the existing and future residents of Orcutt.

In addition to diminishing open space, the community also lacks an adequate park system. Waller Park is a heavily used primary regional park located in the northernmost reaches of the community. As a result of overuse and its distance from the residential core of Orcutt, smaller private parks and open space areas have been developed within private projects. The primary deficit in Orcutt is neighborhood parks with playfields. The OCP also addresses this deficit through its Open Space Plan.

The Open Space Plan provides for a mix of active and passive recreational opportunities for the residents of Orcutt. Five new community parks and seven new neighborhood parks are proposed and distributed evenly throughout the community. The community park sites and two of the neighborhood park sites may be developed with ball fields and other active sports uses. The Plan also provides a contiguous open space network, primarily as open space corridors linked by trails. This network has been located in areas where potential development is constrained by hazards and resources.

The broad corridors of contiguous Open Space have been intentionally provided in the OCP to avoid the hazards and constraints identified above and to provide future residents an opportunity to enjoy nature in close proximity to their homes. Hiking, biking and equestrian trails may be developed in these open space corridors; the corridors also provide wildlife passage to minimize habitat disruption and allow community enjoyment of the deer and other animals which contribute to the semi-rural atmosphere. Public trails have been provided for so that future residents of these properties will be able to enjoy community open space. These trails are necessary to offset the cumulative pressures of new development on the existing trail system.

Where substantial density increases and up-zoning were requested by the owners, public and/or private open space has been provided by the owners to compensate for the increased recreational and open space demands associated with increased development. Planned open space areas are particularly important to provide a transition between Key Sites on the outer limits of the urban area which have been substantially up-zoned (esp. Key Sites 3, 7, 11 and 12) and the surrounding lower-intensity uses both within and outside the Urban Area.

Another important feature of the Open Space Plan will be realized during the implementation of the OCP. Presently, much of the open space in Orcutt is provided through private development projects and managed by homeowners' associations. There was substantial public testimony about the expense and inefficiency of using private homeowners'

associations to maintain and manage these open space/recreation areas and realize the goals of open space retention (including, but not limited to, fire safety, habitat protection, aesthetic enjoyment, and recreational use). Through the Open Space Plan, new mechanisms are proposed to minimize the need for open space management by individual homeowners' associations, resulting in substantial cost savings for Orcutt homeowners and the provision of public open space. A key goal of the Plan is that public open space will be managed and maintained at the community level, especially where multiple management objectives may conflict. The Board finds that a public agency would provide the most balanced management of these Open Space areas, noticeably in managing competing priorities.

In determining the open space areas within Key Sites, the Board of Supervisors has considered the need to protect community character and Orcutt's most important habitats. The Board has also considered the willingness of property owners to offer open spaces, the need to provide for reasonable development of private property, the development constraints and environmental impacts identified in the EIR, and all of the written and oral testimony presented during the hearings. The Board has balanced these factors in determining the open space areas depicted in the Key Site land use maps. The Plan requires areas which are unsuited for urban development because of various hazards, constraints, and resource values to be retained in open space, and does so in a manner which provides for rational and orderly development of individual properties, considering both the existing and planned patterns of use on surrounding properties. The boundaries of these open space areas have been subject to extensive review at both Planning Commission and Board of Supervisors hearings. Because of this extensive review and the central role these open spaces play in protecting the community character and mitigating environmental impacts, the Board finds consistent with **DevStd OS-O-5.2** that any increase in development areas must not substantially diminish open space or habitat value, and any adverse effects should be fully offset by approved mitigation (eg: provision of additional open space areas, habitat restoration, etc). The Board also finds that use of appropriate development setbacks from the edge of these open space areas along with habitat restoration and landscape screening is critical to protecting these open space areas. Site-specific findings for delineating open space, including recreational areas, trails, and bike paths, are provided in the Key Site Findings, Section VIII.

- J. Another key component of the OCP is the regional stormwater runoff collection and retention basin system, which will be implemented by the County Flood Control & Water Conservation Districts through the applicable OCP maps, Policies, Development Standards, Actions, and Programs. The complete system is described in the "Regional Detention Basin Analysis" prepared by Penfield & Smith Engineers, dated August 21, 1995, which is included as Technical Appendix M in Vol. III of the certified Community Plan EIR. This system, which expands and improves upon the area's existing runoff collection and basin network, will be implemented community-wide. The basic purpose of the system is to collect the increased stormwater runoff that results from urban development, and to retain peak flow volumes for controlled release into natural drainage courses and, in suitable areas, for increased recharge to the groundwater basin. Implementation of the regional system will: ¹⁾improve the efficiency and reduce the

site; Residential 6.0/DR-6 & Residential 14.0/DR-14, rejected because DR zoning allows but does not promote the small-lot detached housing development as does the adopted SLP zoning; Residential 8.0/DR-8 & Residential 20.0/DR-20, rejected for same reasons and due to the incompatibility of substantially higher densities with surrounding uses, and because of the greater adverse impacts disproportional to community benefits of such development on site.

KEY SITE 18: Southpoint (105-020-18, 22, 38, 41, 52, 53, 60 through 65, 68 through 70)

Planning Findings: This site is designated/zoned Residential 3.3/DR-3.3 in the northeast, General Commercial/OT-GC along Clark Avenue, and Existing Public-Private Recreation-Open Space/REC on the remainder of site. Designations allow buildout of eight residential units, about 30,000 ft² general commercial space (with potential uses including but not limited to retail shops, restaurants, banks, and medical offices), and about 8.5 acres of public recreational space (identified future park site); most of site is to remain undeveloped open space, for passive use/enjoyment and floodplain management. Given the constraints affecting this site, residential uses likely would be multiple-family dwellings located outside the Orcutt Creek floodplain and away from the steep slopes along the site's northern and eastern boundaries, clustered within an area of about 1.57 acres. APNs 105-020-18 & -22 (northeastern portion of site) are under the same ownership and both are designated/zoned for residential use. It is intended that these two parcels not be considered for separate development, and specifically that no development be located on parcel -18 due to its location within the Orcutt Creek floodway and floodplain, but rather that these parcels be planned and developed together with all development located on parcel -22 outside the flood constraint area (see Development Standards KS18-2 & -3). The site is located between existing residential neighborhoods to the north and west, the Old Town commercial area to the south, and SR 135 to the east, with existing recreational facilities and many informal trails on the site. The site is mostly comprised of the Orcutt Creek floodplain and steep slopes bordering the floodplain. Potential development would be compatible with the site's surroundings, and would respect and take advantage of the site's constraints and limited development opportunities. Adopted Development Standards for this site would help to ensure design harmony with its surroundings, including preservation of "gateway" views afforded by the site. The required new center median on Clark Ave. is necessary to help avoid turning movement conflicts from development on the site.

The site is critical to the promotion of Old Town Orcutt. Through increased commercial development at entrance to the community, and the provision of a public amenity promoting leisure activity adjacent to the Old Town, the site will contribute to revitalization.

CEQA Findings: *Class I impacts*—Water, Air Quality, & Wastewater (all cumulative); partial mitigation measures are included in the Plan as previously cited in Section V; residual significant impacts are acceptable for the overriding considerations discussed in Section IX. In addition, site-specific Class I impacts related to Traffic/Circulation and Visual/Aesthetics, as follows; residual significant impacts are acceptable for the overriding considerations discussed in Section IX.

- A. Traffic/Circulation: Turning movement conflicts and safety hazards at Clark Ave./SR 135 and Clark Ave./Foxenwood Lane; impacts partially mitigated by the general measures previously cited in Section V.I which address Mitigation CIRC-7, and by the following additional site-specific measure: ***DevStd KS18-6:** The developer of commercial uses shall construct a raised center median and planter on Clark Avenue between Foxenwood Lane and Dyer Street which includes left-hand turn pockets serving commercial development along Clark Avenue, Foxenwood Lane, Norris Street, and Twitchell Street* (addresses Mitigation KS18-CIRC-1).
- B. Visual/Aesthetics: increased night lighting, unmaintained stormwater retention basins and roadway medians/planter strips, alteration of visual character of Old Town and potential incompatible development within Old Town, loss of Orcutt Creek view corridor from westbound Clark Ave., change in visual character of site; impacts partially mitigated by the general measures previously cited in Section V.R which address Mitigations VIS-3, -4, & -8, and by the following additional site-specific measures: ***DevStd KS18-7:** Development on the eastern portions and the Clark Avenue frontage of this site shall adhere to the "gateway" policies found in the Visual Resources section of this Plan. This gateway treatment shall include landscaping on the perimeter of parcel 105-020-41 sufficient to screen any development on this parcel from the westbound travel lanes along Clark Avenue at the Hwy 135 off-ramp* (addresses Mitigation KS18-VIS-1); ***DevStd KS18-8:** The area on the north-facing slope immediately south and east of the park access road and parking area shall be landscaped with native shrubs of sufficient height to block views of the paved area from the north* (addresses Mitigation KS18-VIS-2).
-

Class II impacts—Biology, Geology/Soils, Flooding/Drainage, Noise, and Solid Waste, with mitigation measures included as follows; incorporation of these measures reduces impacts to insignificance.

- A. Biology: impacts related to trail construction and use, paved bike paths, creek maintenance & emergency work, oak tree removal, weed invasion, habitat reduction, loss of significant vegetation, and wildlife disturbance. Impacts are mitigated by the general measures previously cited in Section V.B which address Mitigations BIO-2, -3, -9, -26, & -28; Development Standards BIO-O-2.1 & -5.3 (address Mitigation KS18-BIO-2.1); Policy BIO-O-3 (addresses Mitigation KS18-BIO-2.2); Development Standards BIO-O-5.2 through -5.4 and LUC-O-5.3 (address Mitigation KS18-BIO-3); and by the following site-specific Development Standards: ***DevStd KS18-1:** The entire site, with exception of the residential and commercial areas noted in Policy KS18-1 above, shall remain in natural, undeveloped Open Space. On parcel 105-020-22, the Open Space shall include the area extending 50 feet from the top of the northern bank of Orcutt Creek. No development other than the proposed park, retention basin, and Class I bikepath/multi-use trail shall be permitted within the Open Space* (addresses Mitigation KS18-BIO-1.1); ***DevStd KS18-2:***

All development allowed on APN's 105-020-18 and -22 shall occur only on APN 105-020-22; an Open Space easement shall be placed on APN 105-020-18 for the benefit of the residents of APN 105-020-22 to ensure that no development will be allowed on this parcel in the future" (addresses Mitigation FLD-2); "DevStd KS18-3: All residential development shall be clustered on the northern half of APN 105-020-22 to avoid the Orcutt Creek corridor, slopes, and access constraints on the southern portion" (addresses Mitigation KS18-BIO-1.1); "DevStd KS18-4: The route for the multi-use public trail/bikepath shall be sited south of Orcutt Creek and designed to minimize the loss of significant vegetation. The northern side of the path should be revegetated with appropriate riparian vegetation and the southern side shall be planted with oaks throughout the segment which crosses the proposed park" (addresses Mitigation KS18-BIO-1.2); "DevStd KS18-5: The retention basin onsite shall be modified, if necessary, to serve as a regional retention basin based upon SBCFCD criteria and the flood control policies of this Plan. Any such modification shall be designed to minimize the extent of future disturbance to the site from maintenance activities. Excavated material from the retention basin shall be stored in a manner which avoids covering riparian vegetation" (addresses Mitigation KS18-BIO-2.3); and DevStd KS18-10, previously cited.

- B. Geology/Soils: blowing sand and soil during site development, potentially unstable cut slopes, siltation of Orcutt Creek. Impacts are mitigated by the general measures previously cited in Section V.D which address Mitigations GEO-6 & -9; DevStds KS18-3 & -9, previously cited (addresses Mitigation KS18-1); Development Standard FLD-O-3.2 (addresses Mitigation KS18-GEO-2); and, Mitigation KS18-GEO-3 is addressed by standard development review practices and conditions of project approval and Policy AQ-O-2.
- C. Flooding/Drainage: potential development within 100-year floodway and floodplain, increased storm flows from impervious surfaces, increased channel erosion/sedimentation, increased overall flooding hazard with increased injury and damage potential. Impacts are mitigated by the general measures previously cited in Section V.E which address Mitigations FLD-1 through -4 & -8 through -10; Mitigation KS18-FLD-1 is addressed by standard development review practices and conditions of project approval; Mitigation KS18-FLD-2 is addressed by DevStd KS18-5, previously cited, and by Development Standard FLD-O-4.2; Mitigation KS18-FLD-3 is addressed by Development Standards FLD-O-1.4 & -3.1; Mitigation KS18-FLD-4 is addressed by Development Standard FLD-O-3.3; and additional mitigation is provided by DevStds KS18-2 & -3, previously cited.
- D. Noise: construction-related noise, exposure of people to traffic noise. Impacts are mitigated by the general measures previously cited in Section V.J which address Mitigation NSE-5, and by Development Standard NSE-O-1.2 (addresses Mitigation KS18-NSE-1).

- E. Solid Waste: Increased regional generation of waste with hastened need for new regional landfill. Impacts are mitigated by the general measures previously cited in Section V.P which address Mitigations SW-1 through -4 & -6.

Alternatives Findings: Alternatives considered but rejected: Residential 3.3 & Scenic Buffer/10-R-1 & REC, Highway Commercial/CH, and General Commercial/OT-LC (former designations/zoning), rejected because designations do not account for site constraints and provide unrealistic expectations of actual development potential; Residential 1.8/DR-1.8 with other designations same as adopted, rejected because lower residential density is not needed to respect constraints and makes less efficient use of land; realign Foxenwood Lane to west and correspondingly expand area designated General Commercial/OT-GC while reducing areas designated Residential 3.3/DR-3.3 & Recreation-Open Space/REC, rejected due to greater impacts to biology, geology and flooding, air quality, traffic, and solid waste while involving significantly greater public infrastructure costs, all disproportionate to offsetting community benefits.

KEY SITE 19: Toy (105-010-16)

Planning Findings: This site is designated/zoned Planned Development 1.0/PRD, similar to previous land use designation/zoning of Residential 1.0/1-E-1. The site is located adjacent to low-density residential neighborhoods; moderate constraints include significant riparian/wetland habitat areas. Site is suitable for low-density planned development which avoids constraint areas, which is why the more flexible Planned Development/PRD combination has been applied to replace the former single-family zoning.

CEQA Findings: *Class I impacts*—Biology, related to trail construction and use, paved bike paths, Dutard/Solomon sewer line, creek maintenance and emergency work, loss of vegetation and habitat, impacts to wildlife, and contamination of creek from urban runoff; impacts are partially mitigated by the general measures previously cited in Section V.B which address Mitigations BIO-2, -3, -9, -10, -14, & 17a through -18; Development Standard BIO-O-5.6 (addresses Mitigation KS19-BIO-1.2); Development Standards BIO-O-2.1 & -5.2 through -5.4 (address Mitigation KS19-BIO-2); BIO-O-2.1 & FLD-O-3.1 (address Mitigation KS19-FLD-3); and by the following site-specific measure: “**DevStd KS19-1:** The area shown in Figure KS19-1 shall remain as natural, undeveloped Open Space. No structures shall be permitted within the Open Space, and development shall be limited to bikepaths, hiking/equestrian trails, the access road, and sewer lines. Prior to development in the area of potential wetland as identified on Figure KS19-1, the County shall determine the wetland status of this area. If it is a wetland, no development shall occur” (addresses Mitigation KS19-BIO-1.1). Residual significant impacts are acceptable for the overriding considerations discussed in Section IX.

Class II impacts—Flooding/Drainage, related to development within floodway and floodplain, increased storm flows from impervious surfaces, decreased channel capacity from increased