

## 1.0 INTRODUCTION

This document is an Environmental Impact Report (EIR) that examines the potential effects of implementing the proposed Orcutt Area Seniors in Service (OASIS) Center meeting facility project (Project) on a 5.28-acre site, known as the “OASIS property”, within Orcutt Community Plan (OCP) Key Site 18 (KS18) in northern Santa Barbara County; see Figures 2-1 and 2-2. . The proposed project is described in detail in Section 2.0, *Project Description*.

This section describes: (1) the project background; (2) the purpose of and legal authority for the EIR; (3) the general scope and content of the EIR; (4) lead, responsible and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA). Additional information regarding the Project and the project site history is available on the County of Santa Barbara Planning & Development Department project webpage at <http://www.countyofsb.org/plndev/projects/oasiscenter.sbc> and by contacting the project planner, Natasha Campbell, at 805-570-4871 or 805-934-6250 (Santa Barbara County Planning & Development, North County reception), [ncampbell@co.santa-barbara.ca.us](mailto:ncampbell@co.santa-barbara.ca.us), 624 W. Foster Road, Santa Maria, CA 93455-3623.

### 1.1 PROJECT BACKGROUND

#### 1.1.1 SUMMARY OF PROPOSED PROJECT

The proposed project involves amendments to the Orcutt Community Plan (OCP) of the Santa Barbara County Comprehensive Plan, modifications to the Southpoint Estates (TM 12,679/78-RZ-19 and TM 13,345) conditions of approval and recorded final tract maps, a Lot Line Adjustment, a Development Plan and Conditional Use Permit for the proposed OASIS development and use, a Conditional Use Permit for an off-site sign, and a Government Code Consistency Determination to allow the development of a “private meeting facility” on 5.28-acre OASIS property portion of OCP KS18. Each of these components of the project is described in detail in Section 2, Project Description.

OCP KS18 is approximately 39.73 acres and is composed of 15 parcels including: Assessor’s Parcel Numbers (APNs) 105-020-018, -022, -038, -041, -052, -060, -061, -062, -063, -064, -065, -068, -069, and -070. The OASIS property includes APNs 105-020-063 and 105-020-064, and the proposed access driveway from Foxenwood Lane would cross APN 105-020-041(see Figure 2-4 KS18 Assessor’s Parcel Numbers). The Southpoint Estates subdivision is located immediately north of KS18 and includes the following APNs: 105-180-001 to -055; 105-200-001 to -039; 105-250-001 to -043; and 105-280-004 to -029.

The OCP and existing recorded tract maps for the Southpoint Estates subdivision restrict the land use of approximately 35 acres of KS18, including the OASIS property, to open space and non-commercial recreational uses. The Southpoint Estates conditions of approval further required the development rights for the opens space to be deeded to the County and for the open space to be labeled as “Not a Building Site” on recorded tract maps for the subdivision. Excerpts of the recorded maps with this label are included in Section 2 (*Project Description*) and copies of the recorded maps<sup>1</sup> are included in Appendix B (*Southpoint Estates Background*).

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<sup>1</sup> TM 13345 Unit- 1 Book 125, page 8, TM13345 Unit 2- Book 128 page 93

Given the existing land use restrictions affecting the OASIS property, in order to approve the proposed OASIS Center project identified in the Development Plan and Conditional Use Permit requests, the Board of Supervisors must also approve the necessary amendments to the OCP, modify conditions of approval and recorded maps for the Southpoint Estates subdivision, and determine that OASIS' acquisition of the County-held development rights to the property would be consistent with General Plan.

### 1.1.2 HISTORY OF ENVIRONMENTAL REVIEW FOR OASIS PROPERTY

#### **Orcutt Community Plan (OCP) EIR**

The OCP provides a blueprint for the overall development of the community of Orcutt. In 1997, the County of Santa Barbara Board of Supervisors certified the OCP Program Environmental Impact Report EIR (95-EIR-01), which analyzed the general environmental effects of the proposed Community Plan and evaluated the specific impacts of developing 45 "key sites" that were identified in the OCP. The 5.28-acre OASIS property is located in the southern portion of OCP KS18 (see Figures 2-4 and 2-5). KS18 totals approximately 39.73 acres, of which approximately 35 acres<sup>2</sup> (including the OASIS property) are identified for open space, recreation, and public park uses. An approximately 8.5-acre park<sup>3</sup> (Orcutt Creek Park) is identified for the southern portion of KS18. The OASIS property (5.28 acres) comprises approximately 62 percent of the area designated for a future public park.

OCP EIR Volume II includes Mini-EIRs for a number of the OCP "Key Sites", including KS18. The KS18 Mini EIR identifies general and site-specific impacts that could occur if the site were developed as envisioned in the OCP. Buildout of KS18 under the OCP assumed:

- ~ 2.77 acres - Residential (up to 8 units) in the northeast corner of KS18, north of Orcutt Creek;
- ~ 1.85 acres - Commercial (30,000 square feet) adjacent to Clark Avenue; and
- ~35.00 acres – Open Space, Orcutt Creek Trail/Class I Bikeway, future 8.5 acre public park with 2 acres of adjacent creek restoration

The KS18 Mini-EIR also includes general and site specific mitigation measures to reduce identified potential impacts. The KS18 Mini-EIR does not include a specific park plan, but identifies potential park amenities (See Appendix C, KS18 Mini-EIR). The KS18 Mini-EIR includes varied levels of detail in the analysis of impacts for different issue areas. For example, the KS18 Mini-EIR identifies significant visual impacts that would result from changing views from existing open space to a proposed park. However, the OCP EIR does not include specific discussion or assignment of traffic for the 35-acre open space part of KS18.

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<sup>2</sup> Current APN #s 105-020-060, -061, -062, -063, -064, 065, -068, -069, and -070.

<sup>3</sup> Orcutt Creek Park is sometimes referred to in the OCP as an approximately 10.5-acre park. This larger figure includes approximately two acres of Orcutt Creek, including the riparian corridor, which is proposed for restoration.

## **EIRs for Southpoint Estates**

### **79-EIR-1: Orcutt 13**

This EIR addressed the regional and project specific effects of 13 proposed development projects, in Orcutt, including the original Southpoint Estates subdivision and rezone project, TM 12,679 and 78-RZ-19 (applicant: San Clemente Group). Open Space Lot #165 of TM 12,679/78-RZ-19 is the area within current KS18 that is designated for open space and future park uses. The Executive Summary and Southpoint Estates section of 79-EIR-1 are included in Appendix B. The full EIR is available for review online on the Santa Barbara County Planning and Development OASIS project webpage (<https://www.countyofsb.org/plndev/projects/oasiscenter.sbc>) or by contacting the project planner (Natasha Campbell, [ncampbell@co.santa-barbara.ca.us](mailto:ncampbell@co.santa-barbara.ca.us), 805-570-4871 or 805-934-6250).

### **82-EIR-18 Southpoint Estates**

Only Units I and II of the original subdivision map for the Southpoint Estates (TM 12,679) were recorded before that tentative tract map approval expired. Therefore, the developer submitted a subsequent subdivision application (TM 13,345), which was evaluated in a new EIR, 82-EIR-13. The required open space areas in approved TM 12,679 were proposed as open space lots in the TM 13,345 project description.

#### **1.1.3 AREAS OF KNOWN PUBLIC CONTROVERSY**

Section 15123 of the *CEQA Guidelines* states that an EIR shall identify areas of controversy known to the lead agency, including issues raised by the agency and the public. In accordance with the *CEQA Guidelines*, a Notice of Preparation (NOP) and Environmental Scoping Document (Scoping Paper) for this EIR was distributed for review by affected agencies and the public on October 12, 2018. The NOP/Scoping document is included in Appendix A. Based on comments received during the public hearing and NOP comment period, the following issues are known to be of concern and may be controversial. These issues, plus additional issues, are further evaluated in the EIR.

- Aesthetics/Visual Resources
- Biological Resources
- Consistency of Proposed Use/Location with General Plan and Zoning Ordinance
- Loss of Open Space and Recreational Opportunities
- Noise
- Runoff, Drainage, and Flooding
- Safety Hazards from Increased Demand on Police and Fire Services and Only One Access
- Traffic, Circulation, and Access
- Water Supply and Groundwater Resources

## 1.2 PURPOSE AND LEGAL AUTHORITY

The project requests are discretionary actions. Therefore, the proposed project is subject to the requirements of CEQA. In accordance with Section 15121 of the *State CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

*...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.*

The process will culminate with County decision-maker hearings to consider certification of the Final EIR and action on the proposed project. The County's Inland Area Land Use and Development Code (LUDC) requires that when two or more discretionary applications are submitted that relate to the same development project and the individual applications are under the separate jurisdiction of more than one review authority, all applications for the project shall be under the jurisdiction of the review authority with the highest jurisdiction (LUDC Section 35.80.020.B.1). Because the General Plan Amendment and Recorded Map Modification requests require approval by the Board of Supervisors, each of the project requests will first be considered by the County Planning Commission (PC) for a recommendation to the Board of Supervisors. The PC's recommendation will be automatically forwarded to the Board of Supervisors (Board) for a final decision on the project requests.

## 1.3 SCOPE AND CONTENT

In accordance with the State CEQA Guidelines Section 15082, the County of Santa Barbara Planning and Development (P&D) released and distributed an NOP/EIR Scoping document for a 30+ day review and comment period. The NOP/EIR Scoping Document was circulated for agency and public comment from October 12, 2018 to November 15, 2018, and a public meeting was held on October 25, 2018 at 5:30 PM at the Betteravia Government Center in Santa Maria to discuss the scope of the OASIS EIR. Notice of the NOP and EIR Scoping meeting was published in the local Santa Maria Times newspaper and sent to various local agencies, special interest groups, and project neighbors. The NOP was also posted in the Santa Barbara County Clerk's office for 30 days and was sent to the State Clearinghouse (SCH). As a division of the Governor's Office of Planning and Research (OPR), the SCH coordinates state agency review of CEQA documents pursuant to the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000-15387). The NOP, EIR Scoping Document, and comments received on the NOP for this EIR are included in Appendix A.

The EIR Scoping Document includes the original Mitigated Negative Declaration (MND) prepared for the OASIS project. The original MND was not adopted by the County, but served to inform the public of the project and identify potential environmental effects resulting from implementation of the proposed project. During the public review and comment period, the County received numerous comments from interested parties. Based on the information in the MND and public comments received, the County determined that an EIR would be the appropriate CEQA document for the project. In addition, in response to comments received on the Draft MND, the applicant incorporated several revisions into their project description. The revised project description included in Section 2 is the project analyzed in this EIR.

Through the NOP and EIR Scoping process, the County of Santa Barbara determined that there was no substantial evidence that the proposed project would cause or otherwise result in significant environmental effects in the areas of agricultural resources, airport hazards, energy, hazardous materials, and schools (see Section 5, Effects Found Not to be Significant). CEQA Guidelines Section 15128, Effects Not Found to be Significant, repeats the statutory requirement from Public Resources Code (PRC) Section 21100 for an EIR to contain a brief statement explaining why various effects of the project were found not to be significant.

The environmental issues addressed in impact sections in this EIR include:

- *Aesthetics/Visual Resources*
- *Air Quality*
- *Biological Resources*
- *Cultural Resources*
- *Fire Protection/Police Services*
- *Geology*
- *Greenhouse Gas Emissions*
- *Land Use/Planning/Quality of Life*
- *Noise*
- *Public Services*
- *Recreation/Open Space*
- *Transportation and Circulation*
- *Water Resources/Flooding/Drainage*
- *Growth-Inducing Effects*

This EIR addresses the issues referenced above and identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project in accordance with the provisions set forth in CEQA and the *State CEQA Guidelines*. In addition, the EIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects.

Consistent with CEQA requirements, the EIR includes a reasonable range of alternatives to minimize environmental impacts while achieving most of the project objectives. These include the following:

1. The “No Project” Alternative - No amendments to the OCP, no modifications to Southpoint Estates conditions or recorded final tract maps, no structural development or commercial use onsite, and no change in the OASIS property lines
2. Off-Site Project Alternative A (Existing OASIS Location/Key Site 17)
3. Off-Site Project Alternative B (Aqua Center Location)
4. Reduced OASIS Facility with Public Park Alternative and Wider Trail Easement
5. Alternative Access Route from Clark Avenue at Norris Street
6. Alternative Access Route from Broadway/California Boulevard
7. Alternative Access Route from Park Avenue
8. Alternative Access Route from Foxenwood Lane, north of proposed driveway
9. Previously Considered Foster Road Site

Numerous reference documents were used in preparation of this EIR including but not limited to County and other agency maps, photos, reports and guidance documents as well as project plans, reports and other materials submitted by the project applicant. A list of references is contained in Section 8.0 (References) of this EIR.

The level of detail contained throughout the EIR is consistent with the requirements of CEQA and applicable court decisions, including CEQA Guidelines Section 15151, which states:

*An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.*

## 1.4 LEAD, RESPONSIBLE, TRUSTEE AGENCIES

The *State CEQA Guidelines* define “lead,” “responsible” and “trustee” agencies. The County of Santa Barbara is the lead agency for the project because the County has the principal responsibility for approving the proposed project. The NOP/EIR Scoping document was also sent to responsible agencies and trustee agencies. Responsible agencies are agencies that would potentially require discretionary approval over the project (e.g., Caltrans if road improvements involve the Clark Avenue/Highway 135 southbound ramps intersection, Regional Water Quality Control Board (RWQCB) for National Pollutant Discharge Elimination System (NPDES) permits, etc.). Trustee agencies have jurisdiction over natural resources that are held in trust for the people of the state, which may be impacted by a project. Trustee agencies include the California Department of Fish and Wildlife (CDFW), which has jurisdiction over biological resources, although CDFW would also be a responsible agency if it is determined that a CDFW Streambed Alteration Permit is required to implement the OASIS project. The NOP/EIR Scoping document was also sent to “interested” agencies, including the Native American Heritage Commission (NAHC).

## 1.5 ENVIRONMENTAL REVIEW PROCESS

The environmental impact review process, as required under CEQA, is outlined below. The steps are presented in sequential order.

- 1. Initial Study:** An Initial Study is prepared to provide the Lead Agency with information regarding the project’s potential to result in significant environmental impacts and to determine whether to prepare an EIR or Negative Declaration (ND).
- 2. Notice of Preparation (NOP):** Once the lead agency determines that an EIR is required, the lead agency must file a NOP requesting input on the scope of the EIR from “responsible,” “trustee,” and involved federal agencies; to the State Clearinghouse, when a state agency is a responsible or trustee agency; and to parties previously requesting notice in writing (*State CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must also be posted in the County Clerk's office for 30 days.
- 3. Draft Environmental Impact Report.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) irreversible changes.

- 4. Public Notice and Review.** A lead agency must prepare a Notice of Availability of an EIR. The Notice must be placed in the County Clerk's office for 30 days (Public Resources Code Section 21092). The lead agency must send a copy of its Notice to anyone requesting it (*State CEQA Guidelines* Section 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: (a) publication in a newspaper of general circulation; (b) posting on and off of the project site; or (c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the Draft EIR from responsible and trustee agencies, and adjacent cities and counties (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a DEIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091).
- 5. Final EIR.** A Final EIR must include: (a) the DEIR; (b) copies of comments received during public review; (c) a list of persons and entities commenting; and (d) responses to comments.
- 6. Final EIR Certification.** Prior to approving a project, the lead agency must certify that: (a) the Final EIR has been completed in compliance with CEQA; (b) the Final EIR was presented to the decision-making body of the lead agency and that the lead agency considered the information in the Final EIR; and (c) the Final EIR reflects the lead agency's independent judgment and analysis (*State CEQA Guidelines* Section 15090).
- 7. Lead Agency Decision.** A lead agency may: (a) disapprove a project because of its significant environmental effects; (b) require changes to a project to reduce or avoid significant environmental effects; or (c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*State CEQA Guidelines* Sections 15042 and 15043).
- 8. Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*State CEQA Guidelines* Section 15091). If an agency approves a project with unavoidably significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic or other reasons supporting the agency's decision.
- 9. Mitigation Monitoring/Reporting Program.** When a lead agency makes findings on significant effects identified in a Final EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.

**10. Notice of Determination.** The lead agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*State CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30- day statute of limitations on CEQA challenges (Public Resources Code Section 21167[c]).