

Published February 5, 2020

**NOTICE OF AVAILABILITY OF THE
DRAFT MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED
Santa Barbara Polo Villas; Case No. 20NGD-00000-00001**

PROJECT DESCRIPTION: 3250-3282 Via Real, LLC proposes the construction of a 40-unit residential subdivision, comprised of 25 single family dwellings and 15 condominium units, and associated infrastructure including open space, access drives, and onsite detention areas.

PROJECT LOCATION: The project site is located immediately north of Via Real Avenue and Highway 101, approximately 0.8 miles east of the Padaro Lane on-off ramp/Highway 101 intersection. The 11.48 acre property is addressed as 3250 – 3282 Via Real Avenue, Assessor’s Parcel Numbers (APNs) 005-270-017, 005-270-019, 005-270-029, 005-270-033, and 005-270-034, in the Carpinteria area, First Supervisorial District.

PUBLIC COMMENT: Santa Barbara County Planning and Development Department is soliciting comments on the adequacy and completeness of 20NGD-00000-00001. You may comment by submitting written comments to the project planner identified below prior to the close of public comment on March 6, 2020 at 5 p.m. Due to the non-complex nature of the project, a separate environmental hearing will not be held.

PROJECT DETAILS:

Request of Laurel Fisher Perez, agent for 3250-3282 Via Real, LLC, owner, for the following:

Vesting Tentative Tract Map: A Vesting Tentative Tract Map (TM 14,831, Case No. 17TRM-00000-00002) to subdivide the 11.48 (net and gross) acre lot into 31 lots consisting of 25 lots for single family dwellings, ranging in size from 0.15 acres to 0.65 acres; one 1.8 acre condominium lot for 15 condominiums; one 1.05 acre open space lot containing the Garrapata Creek corridor; one additional 0.28 acre open space lot; one 1.13 acre private road lot; one 0.61 acre water feature and bio-retention lot; and an additional 0.61 acre bio-retention lot. The Vesting Tentative Tract Map also includes an easement to be dedicated to the County for a multi-use public trail along the east side of Garrapata Creek.

Final Development Plan: A Final Development Plan (Case No. 17DVP-00000-0009) for the future development of approximately 106,276 gross square feet, comprised of 40 single family dwellings, including 25 market rate single family dwellings, and 15 for-sale condominiums units (ten market rate and five affordable); and associated infrastructure including open space, access drives, and onsite detention areas. Development of the tract includes associated residential accessory development within the project, a preliminary grading and drainage plan with roads and utilities, landscaping plan, lighting plan, and a public trail easement to be dedicated to the County. All of the existing on-site structures would be demolished as part of the Development Plan, including 12 apartments on the west side of Garrapata Creek, horse corrals, three residences, and an accessory structure on the east side of Garrapata Creek. The specific project elements are discussed in more detail below.

Estate Homes. One estate home is proposed along the northeast boundary of the project site. The estate home includes a mix of single-story and two-story design elements, is 6,319 gross square feet in size and also includes a 1,165 gross square foot garage.

Villas. Twenty-four villas are proposed on the east side of Garrapata Creek. The villas include a mix of single-story and two-story designs and range in size from 2,744 to 4,044 gross square feet, which includes the proposed garages on each villa lot. Two-car garages on each villa lot would be provided. Access to nine villas in the central portion of the site would be provided via a shared access and parking court.

Condominiums. The existing 12 apartment units located on the west side of Garrapata Creek would be removed and replaced with 15 new condominium units including six one-bedroom and nine two-bedroom units. Eight of the two-bedroom condominiums are proposed as two-story units with an average height of 27.8’ above existing grade, and the remaining seven condominium units are

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proposed as one-story units with an average height of 18' from existing grade. The one-bedroom units would average approximately 534 gross square feet in size and the two-bedroom units would average approximately 1,327 gross square feet in size.

Five of the one-bedroom condominium units are currently proposed as affordable for-sale units at a moderate income level under the California State Density Bonus Law.

Open Space and Amenities. The project would result in a total of 4.62 acres (40.2 percent of the net area of the property) of common open space area containing the creek corridor, the central pond and bio-retention areas, open space between each lot and the proposed private road Polo Drive, and open space extending from the south to the north end of the 12' east side setback. These common areas would be maintained by the Homeowners Association. All project residents would be allowed to utilize amenities through homeowners association (HOA) dues payment.

Landscaping. Landscaping would be provided for all common open space areas (outside of the ESH riparian buffer) including the front yard areas facing the private road. Landscaping for the backyard areas east of the creek may be provided and maintained by the individual homeowners subject to the provisions of the CC&Rs. Common area landscaping on the east side of Garrapata Creek would be irrigated with the existing permitted water well. Special landscaping restrictions for the units that back-up to Garrapata Creek would be included in the CC&Rs to prevent landscaping with non-native, invasive plants.

Grading and Drainage. Stormwater would be directed to the bio-retention basins proposed within the site, the largest of which would be located in the center of the development area on the east side of Garrapata Creek. Overflow from this central retention/detention basin would drain to a smaller basin along Via Real. The common area bio-retention basins would be maintained by the Homeowners Association. Grading for site development is estimated to require a total of 5,300 cubic yards of cut and 23,100 cubic yards of fill, including grading to achieve acceptable finished floor heights meeting Flood Control requirements, and grading to meet stormwater management requirements.

Riparian Corridor Restoration and Enhancement. The project includes a restoration plan for the Environmentally Sensitive Habitat located along Garrapata Creek. The plan would include measures to remove non-native vegetation within the creek corridor and replace it with native, riparian vegetation. The plan would also include removal of the existing dirt road that crosses the creek and the restoration of this area to allow more natural creek flow.

Multi-Use Public Trail. The project includes a multi-use public trail with a fifteen-foot wide public trail easement consistent with the Toro Canyon Community Master Trails Plan. The trail would be located along the east side of Garrapata Creek, spanning six feet in width throughout the Garrapata Creek riparian buffer and widening to eight-feet in width outside of the buffer. The trail would exit the site at the northern property line, where it may one day connect with future trail easements pursuant to the Toro Canyon Community Master Trails Plan. The trail would be a natural surface material such as decomposed granite/gravel or dirt to demarcate the trail location, and no grading is required due to the flat topography of the site.

Access. The site's existing entrance and exit points on the east side of the creek would be abandoned. A new private access road from Via Real would serve the development on the east side of Garrapata Creek. The access road loop would be 26 feet in width. The driveway from Via Real Avenue to the access road loop would be 26 feet wide with an additional four foot wide pedestrian pathway along one side. West of the creek, an ingress/egress driveway from Via Real to serve the condominiums would be developed in approximately the same location as the existing driveway. A hammerhead-style turnaround would be located at the north end of the condominium access driveway.

Parking. East of the creek, garage and driveway parking would be provided for the Villas and Estate. Additionally, the 26-foot wide access road loop would provide 17 on-street visitor parking spaces in parking pockets at a variety of locations along the road. West of the creek, a total of 29 parking spaces would be provided for the condominium units. Nine spaces would be provided in garages and 20 spaces would be provided within the entry drive court, six of which would be provided in a covered carport, and two would be accessible parking spaces.

Utilities and Service. Domestic water would be provided by the Carpinteria Valley Water District. Water for irrigation and the water feature (pond) east of the creek would be provided by an existing EHS-permitted on-site private well (Water Well Permit

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No. 9938). A new irrigation meter west of the creek would be provided to serve common area landscaping for the condominiums. Sewer service would be provided by the Carpinteria Sanitary District. The development would be served by the Carpinteria Summerland Fire Protection District.

Phasing. Project grading and infrastructure (i.e., utilities, access, detention, lot pad grading, etc.) would be constructed in a single phase along with construction of the condominium, villas, and estate lot.

Covenants, Conditions, and Restrictions. The project would include two separate Declarations of Covenants, Conditions, and Restrictions (CC&Rs): one for the single-family residences east of the creek, and one for the condominiums west of the creek. These CC&Rs would provide for the management, maintenance, and care of the common areas (e.g., roads, common area landscaping and open space, detention and biofiltration areas, etc.) within the respective developments and provide for the organization of the two homeowner's associations. The homeowner's associations would exercise the powers granted to them for the purpose of owning, operating, maintaining and managing them for the purpose of owning, operating, maintaining and managing the common area and common facilities for the benefit of the owners of the residential lots.

Density Bonus. The project includes a request for an 8% density bonus based on the provision of five affordable for-sale condominium housing units, using the State Density Bonus Law under Section 65915-65918 of the California Government Code. The base residential unit density for the property is 37 units. Three additional units are proposed with the 8% density bonus, for a total of 40 units. To achieve the 8% density bonus, the project will maintain a minimum of five affordable condominium units proposed at a moderate income level, which meets the 13% moderate unit requirement to achieve the 8% density bonus per State Density Bonus Law. With inclusion of 13% moderate income units, the project qualifies for one incentive or concession, along with a waiver(s) or reduction of development standards that would have the effect of physically precluding the construction of the development, including the affordable units.

Request for Waiver or Modification of Development Standards. The project contains elements which would require a waiver or modification of Article II development standards. These include the following:

- (1) A waiver of the requirement that uncovered parking areas be located no closer than 15 feet from the street right-of-way and 5 feet from any property line; and
- (2) A request for setbacks that are less than the requirement of 20 feet from the right-of-way line and 50-feet from centerline of any public street, and 45 feet from the centerline of any private street (i.e., Polo Drive) (front) and one-half the height of the building or structure (side and rear).

Per State Density Bonus Law, the project is granted one incentive or concession when a minimum of 10% affordable housing units, but less than 20%, are proposed at the moderate income level. A concession or incentive is defined as:

- A reduction in site development standards or a modification of zoning code or architectural design requirements, such as a reduction in setback or minimum square footage requirements; or
- Approval of mixed use zoning; or
- Other regulatory incentives or concessions which actually result in identifiable and actual cost reductions.

The street setback modification listed as Item 2 above would be permitted through the one incentive or concession granted.

Additionally, the project requires a waiver of the Toro Canyon Plan requirement for 10,000 square feet minimum parcel sizes, based on the site's land use designation of DR-3.3. Per State Density Bonus Law, a development qualifying for a density bonus can also receive a waiver of development standards, separate from the incentive or concession granted. The 10,000 square foot minimum parcel size would be waived through the waiver of development standards allowance.

Minor Conditional Use Permit: A Minor Conditional Use Permit (Case No. 17CUP-00000-00025) is required to allow for the construction of sound walls of up to 10 feet in height within the front setback along Via Real Avenue both east and west of Garrapata Creek. The walls would be concrete with stone veneer. The retaining wall/fence combination would be located along the property line of Lot 33 as shown on the grading plan.

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Road Naming: A road naming application (Case No. 17RDN-00000-00003) is required for approval of the naming of the private road located east of Garrapata Creek. The proposed road name is Polo Drive.

ENVIRONMENTAL REVIEW FINDINGS: P&D has prepared a Draft Mitigated Negative Declaration (20NGD-00000-00001) pursuant to Section 15073 of the State Guidelines for the Implementation of the California Environmental Quality Act (CEQA) and the County of Santa Barbara Guidelines for the Implementation of CEQA. P&D's issuance of a Mitigated Negative Declaration affirms our opinion that any significant adverse impacts associated with the proposed project may be reduced to a less than significant level with the adoption of mitigation measures and that the project does not require the preparation of an Environmental Impact Report (EIR). The Mitigated Negative Declaration (MND) prepared for the project identifies and discusses potential impacts, mitigation measures, residual impacts and monitoring requirements for identified subject areas. Significant but mitigable effects on the environment are anticipated in the following areas: **aesthetic/visual, air quality, coastal zone, biological resources (including wetland/riparian), geologic processes, noise, water resources/flooding, public services/facilities, traffic/circulation, land use, grading, and recreation/parks**. If the project description changes, P&D will require a reevaluation to consider the changes. This reevaluation will be subject to all regular fees and conditions. If you challenge this environmental document in court, you may be limited to raising only those issues raised by you or others in written correspondence or in hearings on the proposed project.

DOCUMENT AVAILABILITY: If a copy of the Mitigated Negative Declaration is not attached, the draft MND may be obtained and all documents referenced in the MND may be reviewed at Planning & Development offices located at 123 E. Anapamu Street, Santa Barbara and on our website at: www.sbcountyplanning.org/environmental/active.cfm. Draft documents are also available for review at the Carpinteria Public Library, 5141 Carpinteria Ave, Carpinteria, CA 93013.

HOW TO COMMENT: Please provide comments to the project planner, Kara Koenig at (805) 568-3510 (direct) or (805) 568-2030 (fax), prior to the close of public comment on March 6, 2020 at 5 p.m. Please limit comments to environmental issues such as traffic, biology, noise, etc. You will receive notice of the dates of future public hearings to consider project approval or denial.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this hearing, please contact Hearing Support Staff (805) 568-2000. Notification at least 48 hours prior to the hearing will enable Hearing Support Staff to make reasonable arrangements.