

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING MUNICIPAL CODE TITLE 28 BY AMENDING CHAPTER 28.50 THE "VERONICA MEADOWS SPECIFIC PLAN"

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA does hereby ordain as follows:

SECTION ONE. Findings

The City Council makes the following findings in accordance with the City Charter and Santa Barbara Municipal Code to amend the Veronica Meadows Specific Plan:

1. A duly noticed public hearing before the City Council was held to receive and consider public testimony regarding the proposed changes to Chapter 28.50 of the zoning ordinance.
2. An environmental impact report ("2008 Final EIR") was prepared and certified in compliance with the California Environmental Quality Act. The 2008 Final EIR certified on June 17, 2008 by the City Council (Resolution No. 08-049) is adequate to address the modifications suggested by the California Coastal Commission, and no further analysis or documentation is required under Sections 15162 or 15164 of the CEQA Guidelines. The findings adopted as part of the City Council's prior certification are hereby included as part of this action.
3. The Veronica Meadows Specific Plan meets all provisions of Article 8, Chapter 3, of Division 1 of Title 7 of the California Planning and Zoning Law (Government Code Sections 65450 through 65457).
4. The Veronica Meadows Specific Plan is consistent with the General Plan and Local Coastal Plan in that the Veronica Meadows Specific Plan creates a single-family residential zone district where specific development standards are established to cluster development, maintain a semi-rural setting, restore a section of a degraded creek and riparian corridor, and, protect the natural environment.

SECTION TWO. Zoning Code Amendment

Chapter 28.50 of Title 28 of the Santa Barbara Municipal Code is hereby amended to read as follows:

Section 28.50.005. Legislative Intent.

It is the purpose of the SP-9 Zone to establish a single-family residence district where specific development standards are established to cluster development, maintain a semi-rural setting, restore a section of degraded creek and riparian corridor, and protect the natural environment.

Section 28.50.030. Uses Permitted.

The uses permitted in the SP-9 Zone as depicted on revised Map A (attached as an Exhibit to the Chapter) shall be as follows:

A. Area 1 – Residential Development: Uses permitted in Area 1 (as depicted on revised Map A) are:

1. A single residential unit occupying a single lot.
2. Uses, buildings, and structures typically allowed by the City incidental, accessory and subordinate to the permitted residential uses.
3. A Home Occupation.
4. A State-licensed Small Family Day Care Home.
5. A State-licensed Large Family Day Care Home, subject to the provisions in Chapter 28.93 of this Title.
6. State authorized, licensed or certified use to the extent such a use is required by state Law.
7. Creek stabilization, habitat restoration, and related maintenance.
8. Private open space including, but not limited to, patios, decks, and yards for the private use of the residents of individual homes.
9. Common open space and passive recreational areas.
10. Public trails as approved by the City.
11. Brush removal, not including trees, for fire protection purposes, subject to Municipal Code provisions for vegetation removal.
12. Utilities, storm drain system, flood control projects or other infrastructures as approved by the City.
13. Roads and driveways to access residential development.
14. The use of glass or plexiglass material for fencing or perimeter walls is prohibited including, but not limited to, on all residential properties.

B. Area 2 – Creek Buffer & Limited Activity Zone: For areas outside the Coastal Zone, uses permitted in Area 2 – Creek Buffer and Limited Activity Zone are as identified in Subsection A of this Section 28.50.030. For areas within the Coastal Zone, uses permitted in Area 2 – Creek Buffer and Limited Activity Zone (as depicted on revised Map A) are:

1. A public access trail for pedestrian, equestrian, and bicycle (and other non-motorized modes of transportation) use, approximately five (5) feet in width, constructed of permeable material, and which provides improved public access to Arroyo Burro Beach Park. The location of the public access trail shall be generally located as depicted on Map B. The final design and location of the public access trail, fence and gazebo/kiosk shall be reviewed and approved by a City-approved biologist. Interpretive signage shall be placed along the public access trail that describes the entry road to Veronica Springs and other historical elements of the site. In addition, a small educational gazebo/kiosk with a 100 sq. ft. or less footprint may be permitted near the terminus of Alan Road. The public access trail and gazebo/kiosk shall be recorded as dedicated easements and maintained by the developer and subsequent homeowners in perpetuity. The use of glass or plexiglass material for fencing is prohibited including, but not limited to, any fencing located adjacent to the public access trail. Fencing shall be visually permeable to provide views and an aesthetic enjoyment of the creek environment while also allowing for free passage of wildlife.

2. A multi-use public access way for bicyclists, wheelchairs, strollers, equestrians, limited vehicular access to each residential lot from the nearest public street outside the Coastal Zone, and a Fire Department turnaround. The location of the multi-use public access way shall be as depicted on Map B. The access way shall be no more than sixteen (16) feet in width and shall be constructed of permeable material. To mitigate for the loss of an adequate development buffer from the riparian habitat on site, construction of the multi-use access way within the Coastal Zone may only occur within the “Creek Buffer and Limited Activity Zone” provided that upland and riparian habitat areas on site are restored for all areas disturbed as a result of road/access way construction, pursuant to the Creek Habitat Plans described in Section 28.50.092 and the Upland Restoration Plan described in Section 28.50.094, and there are recorded agreements ensuring that this restoration is maintained by the permit applicant, or its successor, in perpetuity. The multi-use public access way shall be recorded as dedicated easements and maintained by the permit applicant, or its successor, in perpetuity. The use of glass or plexiglass material for fencing is prohibited including, but not limited to, fencing located adjacent to the multi-use public access way. Fencing shall be visibly permeable to provide views and an aesthetic enjoyment of the creek environment while also allowing for free passage of wildlife.

3. Relocated water, sewer and other utility lines, as provided in Section 28.50.092.A to be located below the surface of the multi-use public access way described in paragraph 2 of this Subsection B.

4. The gazebo/kiosk structure as required by the Environmental Impact Report as mitigation for potentially significant impacts to cultural resources.

5. Common open space and passive recreational areas with improvements limited to landscaping in accordance with Section 28.50.094 (Arroyo Burro Creek Upland Restoration Plan) within the Coastal Zone and in addition, roads, sidewalks and utilities are allowable uses for areas located outside the Coastal Zone.

6. Uses permitted under Subsection C of this Section 28.50.030.

C. Area 3 – Creek Buffer: For areas outside the Coastal Zone, uses permitted in Area 3 – Creek Buffer are as identified in Subsection A of this Section 28.50.030. For areas within the Coastal Zone, uses permitted in Area 3 – Creek Buffer (as depicted on revised Map A) are:

1. The public access trail described in Subsection B.1 of Section 28.50.030. Fencing between the trail and creek shall be installed, as provided in Section 28.50.140. The use of glass or plexiglass material for fencing or perimeter walls is prohibited located adjacent to the public access trail. Fencing shall be visibly permeable to provide views and an aesthetic enjoyment of the creek environment while also allowing for free passage of wildlife..

2. Creek stabilization, habitat restoration and related maintenance in accordance with Section 28.50.092 (Arroyo Burro Creek Restoration and Stabilization Plan; Veronica Meadows Riparian Habitat Enhancement Plan; Creek and Riparian Habitat Management Plan).

3. Improvements related to implementation of the provisions of Section 28.50.098 (Water Quality).

4. Common open space and passive recreational areas.

D. Area 4 – Open Space: Area 4 (as depicted on revised Map A) shall be maintained in its natural state to preserve the steep slopes from erosion or landslide, preserve the creek environment, and maintain the scenic quality of the area. Uses permitted in Area 4 are the following:

1. Public trails along the Arroyo Burro Creek corridor.

2. Brush removal, not including trees, for fire protection purposes, subject to Municipal Code provisions for vegetation removal.

3. Subsurface utilities, flood control projects or other infrastructure as approved by the City.

Section 28.50.035. Uses Permitted Upon the Granting of a Conditional Use Permit.

The uses allowed by conditional use permit shall be as provided in Chapter 28.94 of this Title. However, no development is permitted in Area 4 under any circumstances.

Section 28.50.040. City Conditions, Restrictions and Modifications.

In connection with any development approval required to be issued by the City, the City may impose such appropriate and reasonable conditions and restrictions as it may deem necessary for the protection of property in the neighborhood or in the interest of public health, safety and welfare in order to carry out the purposes and intent of this Chapter. While the provisions of Chapter 28.92 (Variances, Modifications and Zone Changes) shall be applicable within this zone, it is the intent of this Specific Plan that no variance, modification, or other approval shall be granted that would result in a number of residential units within the area encompassed by Areas 1, 2 and 3 that exceeds the maximum number of residential dwelling units originally specified in Section 28.50.085 and that Area 4 shall be permanently maintained in its natural state.

Section 28.50.42. Owner Covenants, Conditions and Restrictions

A. Preparation, review, and implementation of landscaping plans for the project shall include provisions for the control of invasive plant species to address the potential impacts of non-native plants colonizing adjacent native habitats. Covenants, Conditions and Restrictions shall be recorded specifying that landscaping for individual housing lots shall not include any exotic invasive plant species. The Covenants, Conditions and Restrictions shall be binding on each parcel, shall run with the land, and shall be included or incorporated by reference in every deed transferring a parcel.

B. The Covenants, Conditions and Restrictions shall assign the responsibility for long-term maintenance and monitoring of the restored habitat areas, public access trail, and multi-use public access way to the homeowners association.

C. The seller of any parcel in the SP-9 zone shall provide, in connection with the sale of a parcel, a homeowner information packet that explains the sensitivity of the restored creek and upland habitat areas onsite and the limits on public trail access within or adjacent to such areas, the prohibition on landscaping that includes exotic invasive plant species, and the limits on exterior residential lighting. The Covenants, Conditions and Restrictions shall include the same explanation and restrictions.

Section 28.50.045. Prohibition of Shiny Roofing and Siding.

The materials used for roofing and siding on any building shall be of a non-reflective nature and any shiny, mirror-like or glossy metallic finish for such materials is prohibited.

Section 28.50.047. Lighting.

A. Streets and Common Areas. The lowest output lighting permissible shall be used on all streets and common areas in the SP-9 Zone. All street and common lighting shall be shielded and directed to the ground so that stray light effects are minimized, and to avoid direct illumination of the riparian corridor, except as needed for public safety. Decorative lights shall not be directed into

trees within the riparian restoration area. Only ground mounted or bollard type lights shall be used along the Multi-Use Public Access Way within the Coastal Zone. Lights shall not be permitted within 50 feet of the top of creek bank or the outer edge of the riparian canopy, whichever is greater.

B. Exterior Residential Lighting. To prevent nighttime glare, any exterior residential lighting shall be of low intensity, low glare design, and be hooded to direct light downward and prevent spill over onto adjacent parcels and the riparian corridor. All light fixtures shall be shielded so that neither the lamp nor the related reflective interior surface is visible from any of the observation points identified in the Veronica Meadows Specific Plan Final EIR. All light poles, fixtures, and hoods shall be dark colored (non-reflective). Security lighting shall be shielded so as not to create glare when viewed from the observation points. The light poles and fixtures shall not be obtrusive to travelers along Las Positas Road, the Alan Road neighborhood, or the public open space areas.

Section 28.50.050. Building Height.

No building in this zone shall exceed a height of thirty feet (30') nor exceed the height limitation imposed for the protection and enhancement of solar access by Chapter 28.11 of this Title.

Section 28.50.060. Setback and Open Yard Requirements.

A. Front Setback. Each lot shall provide a front setback of not less than twenty feet (20'), except as permitted by Section 28.50.065.

B. Interior Setbacks. Each lot shall provide interior setbacks of not less than six feet (6'), except as permitted by Section 28.50.065.

C. Rear Yard Setbacks. Each lot shall provide a rear setback of not less than six feet (6'), except that those lots abutting the open space drainage (identified as Lot 31 in Figure 4-7 of the 2008 Final Revised EIR) may be permitted to have a zero setback.

D. Open Yard:

1. Minimum Size: One area of 1,250 square feet
2. Minimum Dimensions: 20 feet by 10 feet
3. Maximum Slope: None
4. Location and Configuration:

a. Open yard may consist of any combination of ground level areas such as: patios, ground floor decks, pathways, landscaped areas, natural areas, flat areas, or hillsides, so long as the overall size and dimensions of the open yard meet the requirements described in Section 28.50.060.D.1 and 2 above, and is not located in any of the following areas:

- (1) A portion of the front yard; or

(2) Any areas designed for use by motor vehicles, including but not limited to driveways and parking areas; or

(3) On decks, patios, terraces or similar, where the average height above grade is greater than 36". Average height shall be calculated by measuring the height of each corner of the deck, adding those heights together, and dividing by the number of corners.

b. If the open yard is provided on a slope greater than 20%, the open yard shall contain a flat area as follows:

- (1) Minimum size: 160 square feet
- (2) Minimum dimensions: 10 feet by 10 feet
- (3) Maximum slope: 2%

(4) The flat area may be provided at grade, or on decks pursuant to Section 28.50.060.D.4.a.

c. Lots with multiple frontages shall have a primary front yard designated by the property owner, and agreed to in writing by the Community Development Director. All other front yards shall be designated as secondary front yards. Ground level open yard may be provided in the secondary front yard, up to ten feet (10') from the front property line, provided that it is unobstructed and meets all other requirements.

d. On lots of less than 7,000 square feet and with an average slope of 20% or less:

(1) The open yard may be provided in one area, or in separate areas of not less than 400 square feet each (minimum dimensions of 20 feet by 10 feet required), and

(2) Up to 850 square feet of the open yard may be provided in the remaining front yard, provided that it is unobstructed and meets the minimum dimensions required.

E. Coastal Zone. All residential lots (including all private property boundaries/lot lines) and residential development (including, but not limited to, perimeter walls and fencing of residential lots) in the Coastal Zone, except for the multi-use public access way and related driveway access improvements as provided in Subsection B of Section 28.50.030, shall be set back a minimum of one hundred (100) feet from the top of the bank of Arroyo Burro Creek or the outer edge of the riparian canopy, whichever is further from the creek center line, as identified in Map B. Restoration, erosion control, and public access improvements may be allowed in areas less than one hundred (100) feet from the top of the bank of Arroyo Burro Creek or the outer edge of the riparian canopy, provided these improvements are designed in a manner that minimizes adverse impacts to the adjacent riparian habitat area to the maximum extent feasible.

Section 28.50.065. Reduction in Setback Requirements.

A. Front Setback Reduction. The required front setback may be reduced to 15 feet when:

1. The lot is less than 7,000 square feet and the required parking is provided in a detached garage in the rear yard; or
2. The lot is a triangular lot of less than 7,000 square feet; or
3. The subject lot abuts a private street.

B. Attached Main Buildings. Main buildings may be constructed on an interior property line, when attached to another main building on an adjacent property, as follows:

1. The buildings are attached by not less than eight feet (8') in length of one of the walls or roof, or not less than one hundred percent (100%) of any wall less than eight feet (8') in length; and
2. Said configuration shall be allowed for no more than four (4) lots within the zone, resulting in no more than two buildings containing two dwelling units.

C. Accessory Buildings. Interior setbacks are not required for detached accessory buildings, screened trash areas or attached porte cocheres not exceeding 14 feet wide by 18 feet long where three of the four sides are open, as approved by the City's Single Family Design Board.

Section 28.50.070. Distance Between Buildings.

No main building shall be closer than twenty feet (20') to any other main building on the same lot.

Section 28.50.080. Lot Area and Frontage Requirements.

Each single-family dwelling with its accessory buildings hereafter erected shall be located upon a lot having the following:

- A. A net area, excluding street rights of way and other publicly dedicated improvements, of not less than 5,000 square feet, provided that a minimum average net lot area of 7,000 square feet shall be provided for all residentially developed lots.
- B. Not less than 60 feet of frontage on a public or private street, except as the Planning Commission or City Council may allow by subdivision map approval at the Alan Road cul-de-sac, or by Modification.

Section 28.50.085. Allowable Density of Development.

The maximum number of residential units in this zone shall be twenty three (23). However, if at least two affordable units are provided, the maximum number of residential units in this zone may be increased to twenty five (25) units.

Section 28.50.090. Open Space and Landscaping.

Not less than 50 percent (50%) of the gross acreage of Areas 1, 2 and 3 shall be common open space devoted to planting, walkways, natural drainage features (e.g., bioswales, retention basins), riparian corridor, public agency access and passive recreational areas.

Section 28.50.092. Arroyo Burro Creek Restoration and Stabilization Plan; Veronica Meadows Riparian Habitat Enhancement Plan; Creek and Riparian Habitat Management Plan.

New residential development on this site shall incorporate the Arroyo Burro Creek Restoration and Stabilization Plan; the Veronica Meadows Riparian Habitat Enhancement Plan; and the Creek and Riparian Habitat Management Plan with approximately 5.7 acres of restoration and enhancement area (approximately 2.96 acres in the Coastal Zone and 2.81 acres outside the Coastal Zone). Prior to submission of a Final Map for subdivision of the property for purposes of a residential development in the SP-9 Zone, the applicant shall prepare and submit to the City Community Development Department and Public Works Department for review and approval the following plans: (i) Arroyo Burro Creek Restoration and Stabilization Plan, (ii) Veronica Meadows Riparian Habitat Enhancement Plan, and (iii) Creek and Riparian Habitat Management Plan. These three Plans are referred to herein as the "Creek Habitat Plans." The Creek Habitat Plans shall be prepared by a qualified professional approved by the City and shall be subject to an independent review by a City-selected environmental engineering firm with experience in creek restoration. These Creek Habitat Plans and the Arroyo Burro Creek Upland Restoration Plan, identified in Section 28.50.094 shall provide for restoration and enhancement. No bridge crossings shall be permitted over Arroyo Burro Creek within the Coastal Zone. The Creek Habitat Plans shall include, and/or be consistent with, the following elements/criteria:

A. Removal of all water, sewer and other utility lines from "Area 3 – Creek Buffer" and replacement of those utility lines beneath a street, driveway or other location that facilitates access for repair and maintenance, which location shall be within "Area 1 – Residential Development" or "Area 2 – Creek Buffer & Limited Activity Zone."

B. Removal of non-native and invasive plants and a maintenance program designed to prevent the reintroduction of those non-native and invasive plants. The Plan shall incorporate applicable elements of the City's Integrated Pest Management (IPM) Plan (as it is revised and updated in the future) in order to minimize the use of pesticides and herbicides for landscape maintenance to the extent feasible. The Plans shall include measures to monitor and remove the amount and extent of non-native invasive plants, particularly ensuring ongoing control of the aggressive giant reed; maintain the riparian plantings in good health; contingency plans for replacement planting; and a prohibition of irrigation systems or the use of herbicides or fertilizer within the drip line of any oak tree.

The Plans shall also include measures to monitor and manage public access to prevent adverse impacts to riparian and aquatic habitats in the creek from public uses.

C. A provision stating that no native vegetation removal shall occur within 100' of the top of creek bank or the edge of the riparian canopy, whichever is further from the creek centerline, as determined by a qualified biologist, except as authorized by the Creek Habitat Plans.

D. These plans shall include: restoration objectives for each habitat type and location; detailed schedule of tasks and milestones for site preparation, planting, and maintenance; plans identifying grading and soil preparation, slope stabilization and erosion control; description of specific habitat types to be restored, species list, abundance of each habitat type, planting densities and propagation methodologies; plans identifying boundaries of habitat type to be restored with acreages and densities; description of plant material sources from the South Coast of Santa Barbara; performance criteria; irrigation methods to ensure planting success; weed and pest management; fire hazard requirements; measures to monitor and manage public access to and along the creek to prevent adverse impacts to riparian and aquatic habitats in the creek and along the buffer from public use; and a maintenance and monitoring program to ensure success within 5 years or until the performance criteria are achieved.

Section 28.50.094. Arroyo Burro Creek Upland Restoration Plan.

New residential development on this site shall incorporate the Arroyo Burro Creek Upland Restoration Plan with approximately 9.12 acres of restoration (approximately 3.73 acres in the Coastal Zone and 5.4 acres outside the Coastal Zone). Prior to submission of a Final Map for subdivision of the property for purposes of a residential development in the SP-9 Zone, the owner shall prepare and submit to the City Community Development Department and Public Works Department for review and approval the Veronica Meadows Upland Restoration Plan. This Plan is referred to herein as the "Upland Restoration Plan." The Upland Restoration Plan shall be prepared by a qualified professional approved by the City and shall be subject to an independent review by a City-selected environmental engineering firm with experience in upland restoration. The Upland Restoration Plan shall include Restoration measures consistent with the conceptual plan for the Upland Restoration Plan and Exhibit prepared by Althouse and Meade, Inc., dated February 3, 2010. The Upland Restoration Plan shall also include measures to monitor and manage public access to prevent adverse impacts to the restored upland from public uses.

The plan shall include restoration objectives for each habitat type and location; detailed schedule of tasks and milestones for site preparation, planting, and maintenance; plans identifying grading and soil preparation, slope stabilization and erosion control; description of specific habitat types to be restored, species list, abundance of each habitat type, planting densities and propagation methodologies; plans identifying boundaries of habitat type to be restored with acreages and densities; description of plant material sources from the South

Coast of Santa Barbara; performance criteria; irrigation methods to ensure planting success; weed and pest management; fire hazard requirements; measures to monitor and manage public access to and along the creek to prevent adverse impacts to the upland restoration area and along the creek buffer from public use; native vegetation shall include plant species with low fuel loads, low lying strategic space consistent with Santa Barbara City Fire Department requirements in vicinity of proposed residential development, and a maintenance and monitoring program to ensure success within 5 years or until the performance criteria are achieved.

Section 28.50.095. Street Requirements.

In order to maintain a semi-rural ambiance, and where necessary to preserve natural terrain features or open space, the Planning Commission or City Council may grant exceptions to City street design standards as may be deemed necessary to assure that the intent of this Chapter is observed, that adequate public parking is provided, and the public welfare and safety secured.

Section 28.50.098. Water Quality.

A. In order to maintain, preserve, enhance and restore the biological productivity and water quality of Arroyo Burro Creek, during project grading and construction, an Interim Erosion Control and Construction Best Management Practices plan shall be prepared by licensed civil engineer or qualified water quality professional. The consulting civil engineer/water quality professional shall certify in writing that the Interim Erosion Control and Construction Best Management Practices (BMPs) plan is in conformance with the following requirements:

Erosion Control Plan

1. Construction Phase Erosion/Sedimentation Control. Development within the SP-9 Zone shall include a detailed Erosion/Sedimentation Control Plan ("Plan") that meets the City's standards. The Plan shall incorporate all feasible Best Management Practices (BMPs) to reduce erosion from construction activities, to prevent sediment in storm water discharges, and to minimize non-storm water pollutants at the project site to the maximum extent possible.

2. The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the plan and on-site with fencing or survey flags.

3. Include a narrative report describing all temporary run-off and erosion control measures to be used during construction.

4. The plan shall identify and delineate on a site or grading plan the locations of all temporary erosion control measures.

5. The plan shall specify that should grading take place during the rainy season (November 1 – March 31), the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps); temporary drains and swales; sand bag barriers; silt fencing; stabilize any stockpiled fill with geofabric covers or other appropriate cover; install geotextiles or mats on all cut or fill slopes; and close and stabilize open trenches as soon as possible.

6. The erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site, unless removed to an appropriate, approved dumping location either outside of the Coastal Zone or within the Coastal Zone to a site permitted to receive fill.

7. The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

Construction Best Management Practices

8. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.

9. No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers. The 100 foot buffer along Arroyo Burro Creek shall be delineated by a temporary fence during construction to prevent construction equipment and materials from being placed within the buffer, except for activities related to permitted uses within the 100 foot buffer zone, including approved creek and buffer restoration and enhancement activities.

10. Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.

11. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.

12. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.

13. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.

14. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the Coastal Zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.

15. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.

16. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.

17. The discharge of any hazardous materials into any receiving waters shall be prohibited.

18. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.

19. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity

20. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

B. Storm Water Management Plan. In order to maintain, preserve, enhance and restore the long term biological productivity and water quality of Arroyo Burro Creek, development within the SP-9 Zone shall include a Storm Water Management Plan, including supporting calculations, shall be prepared by a qualified civil engineer or qualified licensed professional, and shall incorporate Best Management Practices (BMPs) including site design and source control measures designed to control pollutants and minimize the volume and velocity of storm water and dry weather runoff leaving the developed site.

In addition to the specifications above, the consulting civil engineer or qualified licensed professional shall certify in writing that the final Drainage and Runoff Control Plan is in substantial conformance with the following minimum requirements:

1. The storm water treatment system shall convey and treat storm water in accordance with the City's requirements and supplemented as necessary, with the design standards for detention basins and bioswales contained in Santa Barbara County's Storm Water Management Plan. The site plan and architectural design shall be modified during final design to include, to the extent practicable, storm water management design elements, also known as low impact design features. Examples include: roof drainage that is direct to infiltration trenches or bioswales; driveways constructed of permeable materials, pavers or strip pavement for tires only; openings in curbs to provide opportunities for infiltration in adjacent grassy swales along the roads; use of permeable surfaces instead of concrete in roadway ribbon gutters; and small depressions in front yards to collect roadside runoff for infiltration.

2. BMPs should consist of site design elements and/or landscape based features or systems that serve to maintain site permeability, avoid directly connected impervious area and/or retain, infiltrate, or filter runoff from rooftops, driveways and other hardscape areas on site, where feasible. Examples of such features include but are not limited to porous pavement, pavers, rain gardens, vegetated swales, infiltration trenches, cisterns.

3. Landscaping materials shall consist primarily of native or other low-maintenance plant selections which have low water and chemical treatment demands. An efficient irrigation system designed based on hydrozones and utilizing drip emitters or micro-sprays or other efficient design should be utilized for any landscaping requiring water application.

4. All slopes should be stabilized in accordance with provisions contained in the Landscaping and/or Erosion and Sediment Control Conditions for this City and or Coastal Development Permit.

5. Runoff shall be conveyed off site in a non-erosive manner. Energy dissipating measures shall be installed at the terminus of outflow drains.

6. For projects located on a hillside, slope, or which may otherwise be prone to instability, final drainage plans should be approved by the project consulting geotechnical engineer.

7. Should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or new coastal development permit or city permit is required to authorize such work.

The final Drainage and Runoff Control Plan shall be in conformance with the site/development plans approved by the City of Santa Barbara Community Development Director. Any changes to the City approved site/development

plans required by the consulting civil engineer, or qualified licensed professional or engineering geologist shall be reported to the Community Development Director. No changes to the City approved final site/development plans shall occur without an amendment to the city and or coastal development permit, unless the Community Development Director determines that no amendment is required.

C. **Water Quality Management Plan.** Development within the SP-9 Zone shall include preparation and implementation by the homeowners association of a water quality management plan for all open space maintained by the association which plan shall incorporate the principles, methods and approach of the City's Integrated Pest Management (IPM) Plan (as it is revised and updated from time to time) in order to minimize the use of pesticides and herbicides for landscape maintenance to the extent feasible. The plan shall also include trash cans, a mechanism for disposing of trash collected in association-managed areas, informational signage and mutt mitts along the pedestrian path and the multi-use path.

Section 28.50.100. Off-street Parking.

Off-street parking shall be provided as required in Chapter 28.90 of this Title.

Section 28.50.105. Garages and Accessory Buildings.

- A. Detached accessory buildings shall not exceed two (2) stories or thirty feet (30') in height.
- B. Accessory buildings, excluding garages, shall not have a total aggregate square footage in excess of 500 square feet.
- C. Garages shall not have a total aggregate square footage in excess of 600 square feet.

Section 28.50.110. Home Size and Development Restrictions.

- A. Notwithstanding any other provision of this Code, residential structures in this zone, except as provided by Section 28.50.110.B below, shall not exceed a total net square footage of 3,800 square feet, excluding garages and accessory structures.
- B. Notwithstanding any other provision of this Code, residential structures in this zone located within approximately 130 feet of the southern boundary of the Specific Plan Area shall not exceed a total net square footage of 2,500 square feet, excluding garages and accessory structures. Home size in this area shall be massed and designed to provide an appropriate transition to existing adjacent homes along Alan Road as determined appropriate by the Single Family Design Board.
- C. All residential structures shall be located within the "Grading and Landscaping" envelope shown on the Conceptual Site Plan exhibit as approved by the City in connection with the subdivision of this real property.

D. All residential lots (including all private property boundaries/lot lines) and residential structures (including, but not limited to, perimeter walls and fencing of residential lots) shall be located a minimum of one-hundred feet (100') from the top of creek bank or the outer edge of the canopy of riparian vegetation, whichever is the greater distance, and as identified in Map B.

E. For the purposes of this Chapter, the term “net square footage” shall be defined and calculated in the manner which the term “Net Floor Area of a Building” is used and calculated pursuant to Section 28.15.083.B of this Title.

Section 28.50.115. Architectural Control.

All development within the SP-9 Zone shall be subject to the review and approval of the Single Family Design Board for consistency with the City’s Single Family Design Guidelines; however, home sizes shall not be subject to height or size limitations beyond those identified in Sections 28.50.050, 28.50.105 and 28.50.110, and no Floor Area Ratio maximums shall apply to the homes initially constructed within Areas 1, 2 and 3, but shall apply thereafter. The grades of individual lots and roads shall blend with the natural topography of the site, minimize site grading, and balance on-site earthwork to the maximum extent feasible. Where the Single Family Design Guidelines conflict with this Chapter, this Chapter shall govern proposed development, with emphasis on the Legislative Intent of the Zone (Section 28.50.005).

Section 28.50.120. Exemption from SBMC Chapter 28.43.

Development within the SP-9 Zone shall be exempt from the Inclusionary Housing requirements of SBMC Chapter 28.43 – the “City of Santa Barbara Inclusionary Housing Ordinance.”

Section 28.50.130. Affordable Housing Provision.

If Affordable Housing units are provided, the lots on which they are located shall be no less than 3,000 square feet in size. Said lots and associated development shall comply with the provisions of this Zone in all other aspects, unless said provisions are reduced through a Modification, pursuant to Chapter 28.92 of this Title.

Section 28.50.140. Fencing.

Low-profile post and rail or stanchion posts strung with cable fencing shall be provided along the east side of the public access trail between the trail and the top of creek bank to limit access to the top of the creek bank or to sensitive habitat areas. The use of glass or plexiglass material for fencing is prohibited. The fencing shall be visually permeable to provide views and an aesthetic enjoyment of the creek environment, allow free passage of wildlife, and shall be approved by the Community Development Director after being reviewed for comments only by the Single Family Design Board. Fencing abutting the open space drainage (identified as Lot 31 in Figure 4-7 of the Final Revised EIR) shall

be open. All other fencing shall be subject to the provisions of Section 28.87.170 of this Title.

Section 28.50.150. Area Maps.

A. Map A. The revised map attached hereto as Exhibit A (dated as of 09-22-2010) and labeled "Map A: Veronica Meadows Specific Plan Area (SP-9)" is hereby approved and incorporated in this Chapter by this reference.

B. Map B. The map attached hereto as Exhibit B (dated as of 07-12-2010) and labeled "Map B: Veronica Meadows Revised Site Plan (July 2010)" is hereby incorporated into this Chapter by this reference.