

March 10, 2010

Mr. Derek Johnson, Director  
Planning and Development Department  
Long Range Planning  
Santa Barbara, CA 93101

RE: Policy Comments for LACP and EIR

Dear Mr. Johnson:

Thank you and staff for moving this Community Plan forward to final action. At the last workshop on Saturday there was confusion as to why new policies were being discussed without seeing the final EIR and Response to Comments. The cart was definitely before the horse on this one. Staff indicated that these revised policies need to be heard to be included in the EIR. This is a new one for me.

The following Comments are based on what I have heard from the community and my experience with other Community Plans.

1. Many of the Dev Stds in this plan are standard county conditions and are nothing new for Los Alamos. These Dev Stds should either be deleted or clearly noted as Standard Conditions not Dev.Std. The only items that are unique to Los Alamos should be legislated in this Community Plan.
2. Every place that the County is noted in an Dev Std or Action Item, a dollar amount should be placed next to that item to clearly indicate that this will not happen unless there is funding for staff to do the work or program. Every policy that says the County will do something that also was the same policy from the 1994 Plan should have an explanation as to why this policy was not done over the last 16 years.
3. Every effort should be made to make this Community Plan easier to use for development projects to encourage infill. There are too many Goals, Policies, Dev Stds, Action Items and it is too burdensome for small in fill projects.
4. Rereading many of the items in the Los Alamos Community Plan they are mostly cut and paste from other Community Plans for areas that have ten times as many people and are expanding. The LAPC and County staff should read through each of these items and truth test them for Los Alamos. In my review, the only potential major redevelopment is going to happen along Bell Street and the Form Based Code is going to address this area. The words in this Community Plan mean something and Los Alamos should not be just a "mini-me" of Orcutt. This plan should learn from all the others and be made better and more cost effective for those who want to build on Bell Street.

Hopefully these comments will help in the final product and streamline future process for Los Alamos.

### **Agriculture**

#### **DevStd LUR-LA-2.2.1: Ag Setbacks.**

Delete this Dev Std because it penalizes the development of only two parcels at the edge of town. It should be noted that there are homes all round Los Alamos closer than 100 feet to Ag. Why single these two lots out for this excessive setback particularly because these units are most likely on the second floor.

**Dev Std LUR-LA-2.2.2:** AG Fencing.

Since everything around Los Alamos has already been built except Legacy and that project already has approved fencing that is not consistent with this Dev Std. Why is this in here? This is a standard County condition and should be deleted.

**Dev Std LUR-LA-2.2.3:** AG Notice.

LT Comment. This is a standard County condition required by ordinance and such not be a Dev Std. This is redundant. If it has to be here then note it as Standard County Condition.

**Historical/Cultural Resources**

Policy HA-LA-1.2

What is a historic resource? Do you mean historic structures? The EIR is not clear what a Historic Resource is. Are there any in Los Alamos besides buildings that would be considered a Historic Resource? Please clarify.

Action HA-LA-1.2.1: Landmark Advisory.

Again this whole action item is redundant and repeats standard County ordinances, policy and conditions. This is nothing new. Why is it repeated here? Please note this as a standard condition or delete it.

**Schools**

Policy SCH-LA-1.1: School Boundary Adjustment.

This district boundary adjustment was attempted back in the 1990's and was not supported by either the School District or the County School Board. This should be deleted.

Policy SCH-LA-1.2: Additional Facilities.

Please delete this as the County \$\$\$ has no ability to influence a school district in the budget or planning of their facilities. This is covered under state law.

Policy SCH-LA-1.3: Mitigation Plans.

This policy should be deleted in that the County \$\$\$ has no direct control as to the Mitigation Plan prepared by school districts. State law has pre-empted this policy since the 1994 LACP was adopted so it no longer applies.

Even 1.4 and 1.5 are required by state law and do not need to be repeated here. They are the only policies that directly relate to development. They are standard conditions and covered under state law but make sense as an advisory informational item to keep in this section.

**Visual/Open**

Goal Vis -LA-1: This Goal is inconsistent with the Form Based Code for Bell Street. The Form based code will encourage two and three story buildings and will block view of the hills from Bell Street. This Goal needs to be rewritten to exempt Bell Street from this Goal or you will have members of the community using this Goal against future projects because they may block views.

Policy VIS-LA-1.3 and Vis LA-1.4 are in conflict with each other and the Goal of this section. Buildout of Bell Street will block views of the hills and that needs to be stated as the Form Based Code encourages full build out of the street frontage at two and three stories.

Policy 1.2 and 1.4 are saying the same things and should be merged. Policy 1.3 should be deleted and Dev Std 1.3.1 should be placed under Vis 1.2. This will reduce the number of conflicting policies and Dev Stds.

## **Water**

Goal WAT-LA-1: As noted in the many documents, Los Alamos uses less than 1% for the consumptive use of the San Antonio Water Basin. Los Alamos could not significantly deplete the basin. This goal should be rewritten and updated to state how small this impact is to the groundwater basin.

WAT-LA-1.2.4: This policy should be amended to state, "Water infrastructure upgrades and expansions related to new growth are paid through the LASCSD adopted developer fee program."

Dev Std. Wat-LA-1.5.1: Delete the last sentence in that cisterns do not enhance recharge because they hold water and not percolate into the groundwater. The first sentence provides enough direction without focusing on the second. Also cisterns are not feasible in Los Alamos because of the high water table.

WAT-LA-1.5.1 and 1.5.3 should be combined in that they are both talking about the same thing: landscaping.

Action item WAT-LA-1.6: The County has not done this in any other area and is very unlikely to be able to do this in Los Alamos.

Policy WAT-LA-1.7: This policy is not needed in that the District is required by state law to provide water to the District as it grows. What is the point of this policy?

## **Wastewater**

Dev Std SD-LA-1.1 is the same as Land Use policy 4 of the General Plan. It should be noted that this is a county wide policy not just specific to Los Alamos.

Policy SD-LA-1.4 should be rewritten to state, "Wastewater infrastructure upgrades and expansions related to new growth are paid through the LACSD adopted developer fee program."

An action item should be added that would state that the County should work with the LACSD to adjust the district boundaries to be consistent with the Los Alamos Community Plan's urban boundary lines. See Action SD-LA-1.1.3 in the 1994 Los Alamos Community Plan.

## **Fire**

DevStd Fire -LA-1.3: The Fire Department does not support Greenbelt. They want fuel management plans that eliminate vegetation. The only area that this policy will apply is along the southern boundary of Los Alamos.

Policy Fire-LA-1.4 is a standard condition and is required for all new development. This should be deleted or noted as standard condition.

## **Resource Recovery**

Policy RRC-LA-1.1: The first part of this policy is good but everything that starts with a) should be deleted first because almost all of the projects in the future in Los Alamos will be ministerial and second the Solid Waste Management Plans are a waste of time and paper to generate and have not been implemented very well in this County. It costs a lot of money, time, and paper to document everything that is requested and has not been very successful. You should have the County Public Works Department make a presentation on what has worked and what has not to make reduction in waste. Also, this is a standard condition for major projects and should be noted as such in this document. In many cases this condition is no longer applied.

## **Residential**

Delete Action item LUR.LA-1.1.1 and Action Item LUR-LA-1.1.2 if the rezoning is happening with this Community Plan. These action items would no longer be needed.

Policy LUR-LA-3.2 is the same as Action LUR LA-1.1.1 and should be deleted.

## **Public Facilities and Services**

The Capital Improvement Plan should be only for Los Alamos and not countywide. Projects in Los Alamos will never be done if the money generated in this area gets merged with county programs. The AB 1600 Fee Program needs to address Los Alamos projects. When will the CIP and AB 1600 Fee Program be completed with the Los Alamos Community Plan? If it is not done, there will be a fatal flaw in the development of Los Alamos and most projects will not get done because they cannot afford to put in major infrastructure on a project by project basis.

## **Circulation**

Policies 1.1 and 1.2 are inconsistent with each other and should be rewritten and they are very weakly worded. According to the EIR, full build out has every road and intersection at LOS B or better except Bell and Main Street at LOS C. Are there any Los Alamos road projects in the County's seven year CIP? I could not find any road projects. So the County does not plan on doing any road projects in Los Alamos but they will be collecting road fees?

Policy Circ-LA 1.3 should be deleted. According to the EIR none of the roads will be impacted at full buildout and there is no reason to reevaluate this plan for the next twenty years. This policy should be deleted. Or this policy should state the based on the build of the plan and the existing road system all intersections and road meet County LOS for the next twenty years. This is the true statement. We all know that the County is not going to do another Community Plan for Los Alamos for the next twenty years.

Dev Circ LA-1.6 and DevStd should add a note that if a new building is mid block and there are no sidewalks on either side the sidewalks, put in or pay a mitigation fee to the County to help fund a whole block being done at one time. There may be a real problem with piece-milling sidewalks for ADA requirements.

Circ LA 1.9 is a Standard County requirement and does not need to be a policy.

Policy CIRC LA 2.1: Since most of the new development is located on Bell Street and will be 5,000 to 10,000 sq. ft. and built up to the sidewalk, what does the County see new development doing additionally to meet this policy? This is one of the cookie cutter policies that does not apply to the small town of Los Alamos and should be deleted.

Action Item CIRC –LA-2.2.3: This Community Plan should be the document to establish the trails in Los Alamos. There is not going to be another planning effort in Los Alamos for the next 20 years. The County does not have the money. This is your one shot to lay out trails, and when it is done, this action item should be deleted.

## **Air Quality**

Dev Std AQ-LA-1.1.1 and 1.1.2: These Dev Stds are just restatements of standard conditions that apply to all projects in the County of Santa Barbara and should not be Dev. Stds. in the Los Alamos Community Plan. Again, this is just repeat existing laws and should be deleted or just make a reference to these requirements.

Policy AQ-LA-1.3: Once the County Plan is adopted this should be one of the policies that is deleted because the policy is part of the land use designations of the plan The Form Based Code implements most of these requirements and the rest cannot be met in this small town. This policy was written for Santa Barbara and Santa

Maria where major subdivisions and buildings are built. I have yet to see the County reduce fees for any added amenities in a project. If a policy has not worked why "cut and paste" it in this Community Plan.

Dev Std. AQ-LA-1.4.1: This Dev Std should be deleted in that almost all of these items are either standard Building Code requirements to meet the energy codes, are being implemented in most building projects or does not make sense on small commercial buildings. This is also a standard list provided by APCD for every project and should not be legislated in a Community Plan. Again, this is a "cut and paste" from standard conditions and is not appropriate in a Community Plan.

Action AQ-LA 1.4.2: Delete this action item in that there will not be any project in Los Alamos that will have more than fifty employees. This is just a standard condition and not appropriate for Los Alamos.

Dev. Std AQ-LA.1.4.3: This is another standard condition and should not be in the Community Plan.

Dev Std AQ-LA-1.4.6: This is a very old standard condition. Most construction companies have already upgraded their equipment to meet these standards and in most cases this MM is no longer applied to projects. It should be deleted from the Community Plan.

Dev Std AQ-LA-1.4.7: This is a repeat of 1.4.1 and almost all of these items are already included in building codes. There is no need to restate these items again because they are already required in many laws and are included in most construction projects.

Dev Std AQ-LA 1.4.8: Delete reference to subdivisions in this Dev. Std. What does BAR have to do with energy efficiency? Why would you subject additional requirements for solar systems? This section should be deleted.

Dev Std AQ-LA-1.4.10: This is a regurgitation of everything and does not apply to the Form Based Code. It is hard to image that any small infill commercial building would be able to afford to do any of these items. It is completely unfair and misleading to have these in a document that would scare anyone from doing a project in Los Alamos. This Community Plan was suppose to help make things easier on Bell Street, not harder. This Standard has a "**shall**" statement and will guarantee that no project will be built in this town.

Dev Std AQ-LA-1,4,11: Again, this is a MM that would cost the owner of a small commercial building more money that he does not have. LEED Certification costs \$10,000 to 20,000 to get and I am not aware of any project that the County has reduced fees for these buildings. Again, this should be clear to the builders of what it costs to do these things over and above what is required by the building code.

Action AQ-LA 1.5 does not apply to Los Alamos because there are no signals. The other items are already handled in the CIRC section so why repeat this here.

Action AQ-LA1.6: This should be deleted because the County has already started this program county wide and is not specific to Los Alamos.

Almost all of the Air Quality section should be deleted because they are standard conditions or already are being implemented in other sections. Please keep in mind that the reason the LACP was started was to encourage infill and make it easier to develop on Bell Street. The form based code by itself implements most of these action items.

Please take the time to determine how many words are needed in this Plan to reflect what Los Alamos is all about. It should not be a cut and paste job and it should not be loaded with Standard County and Building Code Conditions.

I know that most people look at my comments as self serving and looking out only for the land owners and developers and that is true, but I am also there because I want to help make the vision of Los Alamos come true and I know how County regulations can kill that dream for a landowner and a community.

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The best thing that the LAPAC can do is to comb through these policies to make sure that they benefit Los Alamos over the next twenty years and not harm it.

Please feel free to contact me if you have questions or want to discuss any of these items.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Tamura". The signature is written in black ink and has a long, horizontal flourish extending to the right.

Laurie Tamura, AICP  
Principal Planner

Cc: Derek Johnson, Director, Long Range Planning  
Vicki Parker, Deputy Director, Long Range Planning  
David Lackie, Supervising Planner, Long Range Planning  
Chris Wrather, LAPAC Chair