ATTACHMENT 6

CULTURAL RESOURCES

Planning Commission Staff Report
August 11, 2008
Excerpt on Cultural Resources

The Marriott Residence Inn site is located on the extreme southwest corner of a recorded site area known as CA-SBA-58. This was first documented by David Banks Rogers in the 1920s. Rogers reported substantial concentrations of shell fish, fish bone, and the remains of large land animals associated with a village that was occupied approximately between 5,000 and 300 years ago. The recorded site area was an elevated landform that was adjacent to marshy deposits of the Goleta Slough. Rogers identified and mapped two cemeteries within CA-SBA-58, with the southern cemetery located immediately north and outside of the proposed Marriott project site area, and the northern cemetery located approximately 295 feet north of the proposed project site area. These areas, like the other portions of CA-SBA-58 outside the Marriott Residence Inn project site, have been destroyed during previous urban development.

Modern, systematic investigations at CA-SBA-58 occurred in 1979 and 1980 by the Office of Public Archaeology, Social Process Research Institute, University of California, Santa Barbara (Drs. Mike Glassow and Pandora E. Snethkamp). This assessment was part of the Burroughs Plant Expansion addition project EIR (Earthmetrics), covering the same area as the currently proposed Marriott Residence Inn and Hollister Center Project. These included three backhoe trenches and 21 hand-excavated shovel test pits (STPs) associated with Extended Phase 1 excavations to define the horizontal extent of remaining CA-SBA-58 deposits. Also, five 1 X 1 meter (3.3 X 3.3 foot) unit Phase 2 significance assessment excavations were undertaken. The investigations identified the remaining intact, relatively undisturbed portions of CA-SBA-58 (Locus 1) that were considered significant cultural resources, as they retained their ability to help contribute to understanding past lifestyles. The excavations within the intact Locus 1 midden recovered large amounts of shellfish, animal bone, and a moderate number of artifacts (i.e. flaked stone tools used for hunting and butchering, ground stone tools used for seed and vegetable preparation). The archaeological site soils within the project site have been subject to a series of modifications including grading since 1960 to fill in lower lying marshy areas. Up to six feet of soils were removed on the northern portion of the property and some of this was used to fill between 1 and 2 feet of the western portion of the project site. The eastern portion of the project area had been planted in vegetables and the soils compacted. Archaeological investigations concluded that imported soils with no cultural materials, or soils with previously disturbed artifactual material, existed from the ground surface to approximately 18 inches below the ground surface. The intact archaeological site deposit is generally 16 inches deep below the disturbed, insignificant soils. No human remains were recovered during any of the Extended Phase 1 or Phase 2 archaeological investigations. All available evidence indicates that no prehistoric cemeteries exist within the Marriott project site area. The findings of these technical reports

were summarized in the 1980 Burroughs Plant Expansion EIR prepared by Earth Metrics.

A Supplemental Extended Phase 1 Archaeological Investigation was undertaken by Dudek in June, 2008 to evaluate the presence of any intact archaeological materials (Locus 1) in areas outside of those defined in 1979/1980 by UCSB. The scope of work was reviewed and discussed with several members of the Native American community prior to work proceeding on June 23, 2008. The field work included hand excavation of 20 shovel test pits (12-inches in diameter), 6 backhoe trenches, and 13 mechanical solid core borings (2-inches in diameter). The investigation determined the following:

1. Locus 1 deposits were identified north and west of the original boundary defined by UCSB. The approximate boundaries of Locus 1 deposits are considered as a worst case estimate, as the Extended Phase 1 investigation was limited in scope in order to minimize disturbance to Locus 1 soils (as requested by interested Chumash reviewing the Extended Phase 1 Archaeological Investigation scope of work). The 2008 Extended Phase 1 excavations were capable of identifying the presence of additional Locus 1 soils, but the precise extent of the intact cultural materials is most likely exaggerated. The thickness of the Locus 1 deposit also is apparently highly irregular due to differing degrees of past disturbance.

2. No evidence of human remains was identified in any of the Extended Phase 1 excavations. This is consistent with the findings of the UCSB 1979/1980 archaeological excavations. Therefore, there is no evidence to suggest that burials would be encountered during project construction activities.

3. Cultural materials recovered within Locus 1 deposits are almost exclusively shellfish fragments representing disposal of food remains. Only two formed artifacts, a shellfish bead and stone bowl fragment, were recovered. The analyzed Locus 1 materials are much less diverse than those recovered during the UCSB 1979 excavations, and appear to be very homogenous in representing the deposition of food refuse, rather than any specific prehistoric activity. Their potential significance as defined in CEQA Guidelines Section 15064.5(a)(3)(c) to "have yielded, and are likely to yield, information important in prehistory" is therefore more limited than Locus 1 deposits identified in 1979/1980 by UCSB, that included a wider range of artifacts including stone tool manufacturing waste flakes and animal bone.

4. When compared to project site topography that was mapped in 1960, before the area was leveled by cutting and filling, the thickness of the Locus 1 deposit areas identified by Dudek is generally thinnest at higher elevations of the project site and increases downslope, to the edge of the

archaeological site above the former Goleta Slough. The depths are generally consistent with those previously defined for Locus 1 deposits by UCSB 1979 excavations.

5. Potentially deeply buried deposits below 5 feet from the existing ground surface were only found in the proposed detention basin area, in the southwest corner of the project site. These deposits are below the proposed depth of excavation, and would not be impacted.

Unavoidable direct impacts resulting from ground disturbances would equal approximately 4,790 square feet of the 39,810 square foot CA-SBA-58 Locus 1 deposit. This would represent impacts to approximately 12 percent of the of intact CA-SBA-58 deposit. This is considered a worst case estimate, because the Locus 1 soils identified are not continuous, and have been subject to varying degrees of previous disturbance during prior grading and leveling of the project site. The 2008 Supplemental Extended Phase 1 excavations were capable of identifying the presence of additional Locus 1 soils, but the precise extent of the intact cultural materials is most likely exaggerated. The thickness of the Locus 1 deposit also is apparently highly irregular due to differing degrees of past disturbance. Therefore, the total volume of site soils and the project's effects on them is not effectively estimated. In any event, it is important to note that this amount of disturbance is substantially less than a conventional continuous slab foundation would require, where scarification and recompaction would likely result in the complete destruction of the remaining site deposit.

These actions are considered potentially significant impacts on cultural resources, as they would result in the physical destruction of portions of CA-SBA-58, and loss of the characteristics that could yield information important in prehistory. The proposed design, would however, preserve approximately 90 percent of the site by capping.

Potential project indirect impacts on CA-SBA-58 include the following:

1. *Short-term Construction.* Typical indirect impacts affecting cultural resources during construction activity can include erosion of cut slopes causing further cultural deposit destruction, unauthorized artifact collecting by construction personnel, and vandalism of site areas during non-work periods.

2. *Long-term Operation.* Indirect impacts to the intact CA-SBA-58 midden would include the loss of access to the remaining portion of the intact cultural deposit for future archaeological research. This is considered an impact when the archaeological site in question has not been characterized completely, such that future researchers are not able to evaluate the way in which the deposits may help explore research topics that may not yet be defined.

These actions are considered potentially significant impacts on cultural resources, as they would result in both the physical removal of CA-SBA-58 artifacts, and loss of access to the remaining site areas that could yield information important in prehistory.

Required mitigation measures include a Phase 3 Data Recovery Program, Pre-Construction Controlled Piling Excavations, Construction Monitoring Plan, Pre-Construction Workshop, Controlled Fill Placement, and Soil Export Program.

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
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August 22, 2008

Mr. Steve Chase
Director of Planning and Environmental Services
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Dear Mr. Chase:

The Native American Heritage Commission (NAHC) is the Trustee State Agency with jurisdiction over cultural resources and as such, we object to the development and construction of the Marriott Residence Inn and Hollister Center in Goleta at this location as indicated on the Final Mitigated Negative Declaration for Case Nos. 07-007-GPA, -OA, -DP, -TPM; 07-167-DP AM.

The mitigation measures are based upon a 1980 archaeological report, prepared without Native American input. We need a new archaeological report prepared with Chumash Native American input and incorporating any technology that was not present twenty-eight years ago. It would be appropriate to utilize cadaver dogs as well as ground penetrating radar to pinpoint the location of burials. The Final Mitigated Negative Declaration, if allowed to stand, would effectively destroy the last intact cultural site of Chumash presence at Goleta Slough. The proposed development is on a known recorded archaeological site, CA-SBA-58 and in an area where two Native American burial sites have already been destroyed. The site is listed on our NAHC Sacred Lands file and is very sacred to the Chumash Nation.

Also under the CEQA Guidelines 15064, lead agencies are responsible for assessing whether or not projects will have significant effect on the environment, which includes archaeological resources. Native American traditional cultural places are integral to the preservation and continuity of present day California Native American cultures. These places are under constant threat from the accelerating pace of development. It is essential to ensure that every effort is made in the planning and development process to achieve a balance between project development needs and the protection of Native American cultural, burial sites and sacred places.

The City of Goleta's Final Mitigated Negative Declaration acknowledges that CA-SBA-58 has been a documented recorded site since the 1920's. It was a village site between 5,000 and 300 years ago adjacent to a marshy area called the Goleta Slough. There has been acknowledgement that the site contained two burials. The likelihood of

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additional burials is great. The presence of burials makes this a significant site and requires an EIR be prepared. We know that there is an "intact archaeological site...below the disturbed insignificant soils." We also know that to remove the top 2 feet of soil, will impact the undisturbed site which rests below the 18" disturbed layer of soils. There are acknowledged "unavoidable direct impacts" which would be approximately 371 cubic yards of the CA-SBA-58 deposit" or "approximately 38 percent of the 1,072 total volume of intact CA-SBA-58" and that though these actions are less damaging than the traditional slab foundation, these actions are still considered potentially significant impacts ...result(ing) in the physical destruction of portions of CA-SBA-58. These statements show that you are aware of the cultural significance of the site and the destruction that will occur should development continue.

CEQA lists mitigation measures for preserving archaeological resources, stating that preservation in place is a preferred manner of mitigating impacts. Other measures include planning construction to avoid the site, incorporating sites in open-space, capping the site with a layer of soil, or placing it is a conservation easement. It goes on to further say that if these are not possible, then data recovery becomes the next choice. Serious consideration should be given to preserving the site in place. Data recovery is the last resort. Capping the site beneath several feet of soil and building structures over them, whether the buildings are built on pilings and capped still result in their loss to the Native American community in terms of their ability to access them for spiritual and other cultural purposes. This latest proposed project, the building of a hotel over sacred ground and the mitigation measure of hand excavation of pits for pneumatic piling is not acceptable. The effects of the heavy equipment and vibrations will have an immeasurable destructive impact on the artifacts and Native American remains left in the soil. Despite an 18" layer of previously disturbed soil, the subsurface presence still remains as an area of known archaeological and cultural significance. A Native American cultural site is not like a historic structure that can be reconstructed based on detailed documentation. Once a Native American cultural site is subjected to data recovery, the site is destroyed. These sites are finite resources and no amount of documentation can recreate them for the Native American community either physically or spiritually. This is the last undisturbed site in the area and needs to be preserved, not destroyed.

The culturally affiliated Chumash Native Americans have been consulted according to the CEQA guidelines but they are very displeased by the desecration of their last remaining sacred place in the area, which could also be another burial site. It is hard to understand how, in the face of existing information on this site, the prior archaeological report and the strong Native American opposition to this project, that the construction of this hotel is being pushed forward at this location. The fact that two Native American burial sites have been identified and this is the only remaining area of cultural and sacred significance, at a minimum, calls for an Environmental Impact Report.

If you have any questions, please call (916) 653-4040.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst

cc: Larry Myers, NAHC Executive Secretary
Milford Wayne Donaldson, State Historic Preservation Officer
Freddie Romero, Santa Ynez Tribal Elders Council
Sam Cohen, Santa Ynez Band of Mission Indians
Antonette Cordero, Office of the Attorney General
Patricia Miller, Planning Manager, City of Goleta

CITY OF GOLETA

October 7, 2008

Katy Sanchez, Program Analyst
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

RE: Marriott Residence Inn Project

Dear Ms. Sanchez:

Thank you for taking some time to speak with me last Friday regarding the City of Goleta's meet and confer process and the resulting field investigation, analysis, documentation, construct of mitigation measures, redesign of the project's site plan, and redesign of the construction preliminary drawings for site preparation, utility relocation and foundation work . As I mentioned, I believe that the meet and confer process helped reconcile differences about the Marriott Project, as well as establish a much better framework for future early consultation with the Chumash community on other projects.

In consideration of your letter to me of August 22nd, the following comments are respectfully submitted. This letter should serve in a couple of ways: 1) to clarify and correct the administrative record; and 2) to reaffirm the City's express interest in working with and resolving matters of critical interest with the Native American community.

In reviewing your August 22nd letter, I came away with the impression that your comments were meant to supersede the Mitigated Negative Declaration brought forward to the Planning Commission last April. I want you to know that a Revised Final Mitigated Negative Declaration was produced that incorporates substantial revisions to the project

design and that newly analyzes cultural resource data. The Revised Final Negative Declaration includes the following improvements to the CEQA record and the administrative record:

- The results of four consultative "meet and confer" sessions were hosted by the City and attended by two Planning Commissioners, the developer and his planning and design team, including City-qualified archaeologists, interested members of the Chumash community from throughout the Santa Barbara and Ventura counties region, their counsel, Mr. Sam Cohen, an independent archeologist invited by the Chumash, as well as City staff.
- A comprehensive Supplemental Extended Phase 1 reconnaissance and excavation program was conducted at the project site during June and documented in a report that was produced and forwarded to all interested parties in August.
- Numerous refinements to the project description to increase archaeological site preservation, including major revisions to the site plan, setback areas, proposed foundation system, as well as construction techniques were made.
- A commitment was made to further archeological/heritage resources investigation as a pre-requisite to site preparation work.

I want to impress upon you that the City is committed to ensuring that the archaeological/heritage resources information upon which decision-making is based is both comprehensive and current, and that Chumash concerns and values are integrated into the revised project design and resource mitigations.

Specifically, as described in more detail below, the CEQA review conducted for the Marriott Project and the mitigation measures that have been applied reflect the following values:

- Field investigation protocols, analysis protocols and thresholds, and mitigation measures were established with extensive input from Chumash Peoples. There was disagreement between various Chumash interests, but strides were made to try to reconcile those differences, remain inclusive to all factions, and to honor specific sensitive requests about the nature and extent of the field work, the handling of archeological/heritage resources if found, as well as the documentation of such.

- The City took strides to conduct the analysis of archeological and heritage values in a manner that was sensitive to the differing views within the Chumash community.

- What was found was that the likelihood of discovery of human burials on the site is extremely low. Notwithstanding, a mitigation measure was crafted that provides full

protection in the unlikely event that such remains are discovered during site preparation or construction.

- Preservation in-place of archeological and heritage resources became a core value in the City's approach to mitigation.

- The Supplemental Extended Phase I reconnaissance and excavation program conducted on the project site, coupled with the Phase III data recovery program to be implemented as a condition of approval, were designed to preserve rather than destroy the site.

- Chumash representatives specifically endorsed the placement of geotextile materials, a layer of sand, and fill soil over native soil, thus protecting archeological/heritage resources from compaction and vibration. I might add that these measures have been successfully employed throughout the two-county region on many projects over many years.

A very different set of concerns, care, study and resolution took place than is described in your letter. So by way of this letter, I want the NAHC to benefit from a first-hand accounting of the values, thinking, efforts and solutions that actually occurred. It was a tireless effort to derive more facts and to be responsive to matters that are both tangible and intangible. I am asking that the administrative record on file with your agency reflect this reality.

1. There has been Extensive Consultation with Chumash Representatives.

At the first project hearing on April 28th, the Planning Commission directed the applicant to participate in a meet and confer process with interested Chumash groups and individuals, in order to maximize consensus regarding the proposed project mitigations designed to enhance archaeological site preservation and respect of heritage values. Four such meetings, on May 5th, May 19th, June 18th, and August 6th, were conducted in the Council Chambers at City Hall. In sum total, more than 12-hours of discussion were conducted in these meet and confer sessions, in addition to at least another 40-hours of various discussions between the parties in other individual meetings and telephone conversations in support of the meet and confer process.

I facilitated the first meet and confer session on May 5th, which was attended by two Planning Commissioners, City staff, the Chumash Peoples and their representatives, as well as the applicant and his planning and design team. Three professional attended as well. At the session, a concept emerged that ultimately led to a substantial redesign of

the site plan, such that the impacts associated with the project's pilings would be, to the extent possible, located out of the Locus 1 area of CA-SBA-58. Soon thereafter, all parties of interest received copies of an amended Technical Brief, as well as the responses to comments on the Draft Mitigated Negative Declaration. These documents had been revised to reflect the recent and substantial site plan redesign, discussions during and stemming from the May 5th meet and confer session, a letter of May 4th from Dr. Michael Glassow, a leading archeological expert, the Final Cultural Resources Technical Report prepared by the Social Process Research Institute, as well as a relevant letter to the County of Santa Barbara from Pandora Snethkamp.

The May 19th "meet and confer" session was attended by a many of the same participants. The applicant's planning and design team presented to the group a redesigned site plan and explained that impacts to the Locus 1 area would be reduced by a relocation of the front portion of the hotel from the southeastern quadrant to the northwestern quadrant of the site. This redesign was intended to avoid the placement 73 piles in the Locus 1 area. This redesign would also preserve this quadrant of the site for passive green-space and could provide an area for monument and dedication to the Chumash Peoples, if so desired. In addition, it was also explained that further project refinement to the excavation of the site for purposes of construction would result in the preservation/no disturbance of 90% of the soils throughout the entire site below 18 inches.

While recognized as a large effort and improvement over the previous design and previous level of impact, the Chumash Peoples also requested preparation of a Supplemental Extended Phase 1.5 archaeological investigation of the site in order to determine the horizontal and vertical extent of intact Locus 1 cultural materials within the CA-SBA-58 boundary. It was agreed that a scope of work for such would be prepared and distributed to all the interested parties.

The scope of work was designed to expand the range of subsurface investigations to encompass the entire project site, as previous UCSB work was considered by interested parties to have been narrowly focused on the 1980 Burroughs Building Expansion footprint. This boundary had been identified during excavations completed in 1979 and 1980 by the University of California Santa Barbara, based on the results of shovel test pits and backhoe trenches.

The scope of work prepared for the Supplemental Extended Phase 1 archeological investigation was sent out to the interested parties and a request for comments was made. Comments on the scope were received by email and in person. Several of the individual interested Chumash community members personally met with the study

archaeologist to discuss their concerns and submit comments. All of the comments were incorporated into a revised scope of work. Subsequently, another meet and confer session was held on June 18th prior to the commencement of the field work. At this session, further comments were taken and these comments and suggestions were incorporated into a re-revised scope of work. Field work was then conducted between June 23rd and 27th. A Supplemental Extended Phase 1 Summary Report was thereafter produced and released to all interested parties.

In summary, over the course of four meet and confer sessions, the following decisions were reached: undertake a Supplemental Extended Phase 1 investigation to systematically identify any buried intact archaeological resources outside those defined in 1979; define the precise scope of this investigation; and explore refinements in the project site plan and design; and maximize preservation of CA-SBA-58 deposits. Bottom-line: the resulting changes in the project design substantially reduced the area of CA-SBA-58 that would be directly impacted, from approximately 38 percent to approximately 12 percent. The remaining site area, including both intact and previously disturbed materials, would be effectively preserved under a series of geotextile fabric layers and sand.

2. **The mitigation measures are, in part, based on an archeological resources study conducted in 1979, plus a Supplemental Extended Phase 1 reconnaissance and excavation study completed in June 2008 by City-qualified archaeologists. The most recent archaeological study was designed with Chumash input, and was monitored by "Most Likely Chumash Descendants."**

The project site was the subject of a 1979 EIR containing a detailed archeological study, which City staff considered in its early assessment of the proposed project in 2007-08. The City took the initiative to propose and conduct meet and confer sessions when it became clear that lingering Chumash concerns were at-hand. As a result of the first two meet and confer sessions, a scope of work was developed to systematically explore all ground surfaces within the project site. Excavation of 39 shovel test pits, backhoe trenches, and solid core borings increased the area of intact CA-SBA-58 deposits identified in the project area. This archaeological investigation was monitored by two Chumash observers, Jamie Julian and her mother Beverly Folks, who have over collectively over 25 years of experience working with archaeologists. These individuals were working under the direction of Gilbert Unzueta, Barbareño Chumash Most Likely Descendant.

The excavation methods used to complete this excavation program emphasized the use of shovel test pits and solid core borings to minimize the extent to which potentially intact archaeological soils would be disturbed. The amount of intact archaeological material actually collected and analyzed in the laboratory was the minimum amount needed to confidently determine the presence of intact, rather than previously disturbed soils. Though the intact CA-SBA-58 soils are considered to be "historical resources" under California Environmental Quality Act Guidelines Section 15064.5, the City recognizes and respects the fact that all cultural materials, whether disturbed or not, are considered important heritage resources to Chumash Peoples.

In summary, the City's approach to evaluation of this site has been at all times to recognize its level of importance, to undertake appropriate review to assess its archeological/cultural resources, and to involve the Chumash community at each step of the analysis.

3. **Though two cemeteries were recorded within the CA-SBA-58 site boundary in the 1920s, these sensitive areas are completely outside of the proposed Marriott Residence Inn project site boundary. Archaeological excavations in 1979, as well as the recently completed Supplemental Extended Phase 1 excavations in 2008, did not recover any evidence of human remains within the project site. There is no evidence to indicate that cemeteries or even isolated burials exist within the proposed project site.**

The archaeological investigations undertaken by David Banks Rogers in the 1920's concluded that both CA-SBA-58 Chumash cemeteries were located outside of the proposed project site area. Rogers excavated extensively within both cemeteries, and his map of CA-SBA-58 clearly indicated the extent of those cemeteries. No human remains were identified during systematic archaeological excavations in 1979 within the proposed project area. The archaeological excavations in 1979 and 2008 have characterized this area of CA-SBA-58, within the proposed project site, as nearly entirely a shell midden, with much smaller constituents of animal bone chipped stone and very few ground stone tools.

The City recognizes that isolated human burials can be located within any prehistoric archaeological site. Also, the extensive ground disturbances including repeated episodes of cuts and fills to level out the original CA-SBA-58 topography can potentially result in isolated human remain fragments being moved within disturbed soils from the recorded cemetery areas outside the project site to within the proposed development area. Important, within the 20 test excavation units, shovel test pits, and backhoe trenches completed in 1979, and the additional 39 Shovel test pits, backhoe trenches,

and solid borings comprising the 2008 study, is that no human remains have been encountered. There is no evidence indicating that any burials are located within the proposed project site, as the known cemeteries associated with CA-SBA-58 were located outside of proposed areas of disturbance.

The Final Mitigated Negative Declaration states that: "There remains the potential, although limited, for isolated human remains to have been interred outside of the two formal CA-SBA-58 cemeteries, or for isolated human remains to have been redistributed throughout areas of CA-SBA-58 during previous land form modifications. In the event that these isolated human remains were encountered during construction excavations, their disturbance would be subject to State law (Public Resources Code sections 5097.97 and 5097.98) requiring that local Chumash individuals representing the most likely descendants of these prehistoric inhabitants be provided disposition over the remains, including their appropriate relocation in an area not subject to future disturbance."

The City has required as a condition of approval of the project that all ground disturbances be monitored by a City-qualified archaeologist and Chumash observer, who would have the authority to temporarily stop construction in the event that isolated human remains were encountered during construction. The applicant has agreed to have any such unknown human remains reinterred onsite, in an area that would not be subject to future disturbances, consistent with Public Resources Code Section 5097.98.

4. **Preservation of Resources is at the heart of the City's approach to mitigation. Substantial redesign of the proposed project design has reduced the amount of archaeological site area that would be disturbed by over-excavation and piling placement since the Draft Mitigated Negative Declaration was issued. The estimated intact archaeological site area that would be preserved has been increased from approximately 60 percent to 90 percent.**

The parties to the meet and confer sessions have worked closely and vigorously to identify any feasible design and engineering features that can enhance preservation of CA-SBA-58 deposits, while accomplishing the objectives of the project. These include:

- Reducing the depth of required over-excavation from 24 inches to 18 inches from ground surface. This single revision is most responsible for increasing preservation of CA-SBA-58 deposits.

- Using direction boring technology to excavate a needed sewer lateral underneath CA-SBA-58 site deposits.

- Requiring the applicant to redesign the project by relocating an entire wing of proposed suites, and approximately 6 percent of all proposed pilings, to an area of lesser artifact density and lesser potential for disturbance.

- Requiring placement of a series of geotextile mats and a sand layer over the native archaeological soil to effectively minimize the impacts of compaction resulting from placement of engineered fill. This measure was specifically endorsed by members of the Coastal Band of the Chumash Nation (John Ruiz and Janet Garcia), who have used this technique at the Bacara Resort in Goleta.

- Restricting the area of individual pilings to 12-inches square.

The proposed project site plan and design thus reflects several strategies identified in CEQA Guidelines Section 15064.5 to achieve archaeological site preservation. These include:

- "Preservation In-Place:" Approximately 90 percent of the remaining intact CA-SBA-58 archaeological site will be preserved in place.

- "Capping the Site with a Layer of Soil:" As described above, layers of geotextile fabric sandwiching non-cultural sand will be placed on top of the archaeological site soils after the top 18 inches from ground surface are excavated. This technique is commonly used by archaeologists in the Santa Barbara and Ventura counties region and throughout the United States to substantially reduce the effects of compaction from engineered fill that is to be placed on top. The effects of heavy equipment and vibration should be substantially reduced, and this method was endorsed by Chumash who participated in the meet and confer process.

At the end of the day, I can truly say that all-inclusive discussions and preservation in-place were at the core of the City's approach to CEQA review and mitigation for this project.

5. **Archaeological Data Recovery mitigation is acknowledged to potentially contribute to impacts on Chumash archeological/cultural concerns. As a result, the size of mitigation test units has been reduced by 50 percent. The site will not be destroyed as a result of implementation of mitigation.**

The Draft Mitigated Negative Declaration identified excavation of archaeological test units 1.0 meter X 1.0 meter in size, centered on a portion of proposed pilings scattered throughout the intact portion of the CA-SBA-58 deposit. Based on input from the Chumash representatives during the first "meet and confer" session on May 5th, the project archaeologist determined that a reduction in the size of archaeological test units was needed to better balance the needs of site preservation and gathering research data. The size of the mitigation excavation units was reduced to 0.50 X 0.50 meters in size, considered the minimum dimension capable of maintaining systematic data collection methods. This revised protocol resulted in the preservation of an additional 182 square meters, or nearly 2,000 square feet of intact CA-SBA-58 deposits. Frankly, we revised the protocol to acknowledge the importance of Chumash cultural values, weighed against the need to conduct archaeological data recovery. The archeological data recovery program is designed to maximize the information collected from areas of direct construction impact, while minimizing the area impacted. Approximately 90 percent of CA-SBa-58 site deposit will be preserved in place, and the archeological data recovery excavations will occur within the other approximately 10 percent of site area that would otherwise be disturbed.

6. **The use of geotextile material, sand, and a layer of fill over native archeological soil is a mitigation measure specifically endorsed by Chumash representatives and successfully employed regionally.**

The capping program to be employed is endorsed by local Chumash people. Proposed conditions include placement of non-cultural fill above the archeological deposit to be preserved, and then placing a geotextile fabric above the sand. The Coastal Band of the Chumash Nation specifically endorsed this condition during consultation meetings, stating that they had advocated its use at another nearby prehistoric village site.

In closing, I first of all want to say that your August 22nd letter caused the City to pause and re-think through the efforts that were made and the data and information that was produced. Looking back on it, we are confident that our efforts and products were more than sufficient and, certainly, met the good faith provisions of CEQA, and that they advanced our understanding and respect for the issues and persons involved in this matter. I don't say that lightly, for the City is committed to establishing and maintaining inclusive and effective relations with the Chumash Peoples. I believe that the extensive and comprehensive evaluation of the archaeological/heritage resources within the project site has provided all affected parties reliable information to make an informed decision. This information, collected in consultation with local Chumash representatives, has been used to refine proposed project characteristics to achieve a minimum impact design capable of preserving in place approximately 90 percent of the archaeological

site. There is no evidence to suggest that proposed construction will impact isolated human burials, though standard construction monitoring measures will be implemented to ensure any such unknown finds are properly addressed. Effects of compaction and vibration will be mitigated using techniques endorsed by local Chumash involved in the meet and confer process.

The City has developed a series of overarching conditions each with a series of sub-conditions to be placed upon the project to minimize impacts on archaeological resources and Chumash cultural values to a less than significant level. The City considers that these conditions, along with the extensive Chumash consultation and project redesign efforts, demonstrate our unwavering commitment to preserving archaeological/heritage resources for the Chumash People and residents of our community.

Sincerely,

Steve Chase
Director of Planning & Environmental Resources

ATTACHMENT 7

GENERAL PLAN CONSISTENCY ANALYSIS

MARRIOTT RESIDENCE INN and HOLLISTER CENTER
GENERAL PLAN CONSISTENCY ANALYSIS
07-007-OA, - DP,-TPM; 07-167-DP AM

Land Use Element

Policy LU 1.4 Employment Centers. [GP] *Existing developed office and industrial areas shall be preserved and protected to continue their role of providing employment opportunities for the community. A mix of industries and economic activities is encouraged in order to provide a wide range of employment opportunities and wage levels and to avoid over reliance on any one economic sector.*

Consistent. The proposed project would not remove nearby research and development and office uses, but would provide a differentiated land use compatible with Hollister Avenue corridor businesses. The hotel would also provide a range of economic activity to the City. Therefore, the proposed project is considered consistent with this policy.

Policy LU 1.8 New Development and Neighborhood Compatibility [GP/CP] *Approvals of all new development shall require compatibility with the character of existing development in the immediate area, including size, bulk, scale, and height. New development shall not substantially impair or block important viewsheds and scenic vistas, as set forth in the Visual and Historical Resources Element.*

Consistent. This policy is intended to ensure that new development is compatible with the surrounding neighborhood. The bulk, mass, and scale of the project would fit with the surrounding business park and office developments along Hollister Avenue, as opined by the Design Review Board following installation of story poles in June 2008. The height of the building would remain an average of 35 feet, but would include several roof peaks with heights from 39 – 40.4 feet. While the project would result in some viewshed interruption from Hollister Avenue, such aesthetic impacts would not be a continuous block of the viewshed, given roofline variations proposed. These factors, in addition to the discussion and recommendation for good cause findings provided in the discussion regarding Land Use Element Policy 4.2 and Table 2-3, and further DRB review, as well as conditions of approval, would make the proposed project consistent with this policy.

Policy LU 1.9 Quality Design in the Built Environment. [GP/CP] The City shall encourage quality site, architectural, and landscape design in all new development proposals. Development proposals shall include coordinated site planning, circulation, and design. Public and/or common open spaces with quality

visual environments shall be included to create attractive community gathering areas with a sense of place and scale

Consistent. The design of the project includes architecturally innovative features and landscaping deemed appropriate by the DRB. Sidewalks along the project frontages on Hollister Avenue, and attractive landscaping along all three site frontages would provide quality development on this visible corner of the City. The revision of the project to create a landscape garden at the southeast corner of the hotel site will provide a quality visual open space area along Hollister Avenue. Therefore, the proposed project would be consistent with this policy.

LU 1.13 Adequate Infrastructure and Services. [GP/CP] *For health, safety, and general welfare reasons, approvals of new development shall be subject to a finding that adequate infrastructure and services will be available to serve the proposed development in accordance with the Public Facilities and Transportation Elements.*

Consistent. The proposed project would add traffic to the Robin Hill Road/Hollister Avenue intersection that would be considered significant in the cumulative buildout scenario. However, restriping of this approach to provide for left and right turns onto Hollister Avenue, as conditioned by Community Services Department, as well as payment of traffic mitigation fees would offset this traffic impact. The project would also install a temporary sewer holding tank per direction of Goleta Sanitary District, until such time as the GSD relocates a sewer lift station to serve the project site (currently under design and anticipated to be on line in January 2009). All other utility service providers have provided letters indicating that such services are available for the development. Therefore, the proposed project as conditioned would be consistent with this policy.

LU 4.2 Business Park I-BP. [GP/CP] *This use designation is intended to identify lands for attractive, well-designed business parks that provide employment opportunities to the community and surrounding area. The intensity, design, and landscaping of development should be consistent with the character of existing development currently located in these areas. Uses in the Business Park designation may include a wide variety of research and development, light industrial, and office uses, as well as small-scale commercial uses that serve the needs of business park employees. In addition, lands designated with a Hotel Overlay may include transient lodging that emphasizes extended stays, as set forth in LU 1.12. The maximum recommended FAR set forth in Table 2-3 is increased from 0.4 to 0.5 for hotel uses. Activities in business park areas shall be conducted primarily indoors, and outdoor storage, processing, manufacturing, and vehicle repair are prohibited.*

Performance standards for Business Park uses shall ensure that:

a. The scale and design of these uses are compatible with each other and with the existing character of the park and surrounding neighborhoods.

b. *Lighting from these uses will not interfere or conflict with adjacent nonindustrial properties.*

c. *Signage will be controlled.*

d. *Curb cuts will be minimized and sharing of access encouraged.*

e. *Adequate and safe motorized and nonmotorized access to the site is provided, and transportation and circulation impacts, especially on residential areas, will be mitigated.*

f. *Quality landscaping, including outdoor seating areas, will be provided to enhance the visual appeal of the area.*

LAND USE ELEMENT, TABLE 2-3:

TABLE 2-3
ALLOWABLE USES AND STANDARDS FOR OFFICE AND INDUSTRIAL USE CATEGORIES

Allowed Uses and Standards	Office and Industrial Use Categories			
	I-BP	I-OI	I-S	I-G
Industrial (Manufacturing)				
General Manufacturing – No Noxious Impacts	X	–	X	X
General Manufacturing – Potential Noxious Impacts	–	–	–	X
Research and Development	X	X	–	X
Scientific and Similar Instruments	X	X	–	X
Bio-Medical Technology	X	X	–	X
Other Advanced Technology	X	X	–	X
Transportation and Utilities				
Transportation (other than right-of-way)	–	–	X	X
Wireless Communications/Telecommunications	X	X	X	X
Utilities	X	X	–	–
Retail Trade				
Building/Landscape Materials and Equipment	–	X	–	X
Eating and Drinking Establishments	X	X	–	–
Other Retail Trade Establishments	X	X	–	–
Services (Including Offices)				
Finance, Insurance, and Real Estate	X	X	–	–
Personal Services	X	X	–	–
Business Services	X	X	–	–
Information Technology Services	X	X	–	–
Professional Services	–	X	–	–
Medical and Health-Related Services	–	X	–	–
Educational Services	–	X	–	–
Entertainment and Recreation Services	–	X	–	–
Building and Construction Services	–	–	X	X
Other Services	–	–	X	X
Auto-Related Uses				
Automotive Sales and Rentals	–	–	X	X
Auto Repair and Painting	–	–	X	X
Auto Wrecking Yard/Junk Yard	–	–	X	X
Auto Service (Gas) Station	–	–	–	X
Wholesale Trade and Storage				
General Wholesale Trade	–	–	X	X
Warehousing – General	X *	–	X	X
Warehousing – Self-Storage	–	–	X	X
Outdoor Storage	–	–	X	X
Residential Uses				

Allowed Uses and Standards	Office and Industrial Use Categories			
	I-BP	I-OI	I-S	I-G
Residential Units	–	X	–	–
One Caretaker Unit Per Parcel	X	X	X	X
Assisted-Living Residential Units	–	X	–	–
Other Uses				
Public and Quasi-public Uses	X	X	X	X
Religious Institutions	–	X	–	–
Standards for Density and Building Intensity				
Recommended Standards for Density				
Maximum Residential Density	N/A	20units/acre	N/A	N/A
Recommended Standards for Building Intensity				
Maximum FAR	0.40	0.40	0.60	0.30
Maximum FAR for Hotels (with Hotel Overlay)	0.50	0.50	N/A	N/A
Maximum Structure Heights	35 feet	35 feet	35 feet	35 feet
Maximum Lot Coverage Ratio	0.35	0.40	N/A	N/A
Minimum Open Space/Landscaping Ratio	0.30	0.10	0.10	0.10
Minimum Lot Size	N/A	N/A	N/A	N/A

Notes:
1. Use Categories: I-BP – Business Park; I-OI – Office and Institutional; I-S – Service Industrial; I-G – General Industrial.
2. X indicates use is allowed in the use category; - indicates use not allowed.
3. General Note: Some uses requiring approval of a conditional use permit are set forth in text policies, and others are specified in the zoning code.
4. The standards for building intensity recommended by this General Plan pursuant to Government Code Section 65302(a) may be revised by a Resolution of the decision-making body of the City for specific projects based upon a finding of good cause.
5. N/A = Not applicable.

* "Warehousing is allowed on parcels designated Business Park (I-BP) if it's in association with a permitted use.

Consistent (Policy LU 4.2 and Table 2-3). The subject property has a hotel overlay designation in the City's Land Use Element, making the Marriott Residence Inn project consistent as a provider for extended stay visitors. While the proposed project FAR of 0.61 is greater than that recommended Land Use Element Table 2-3, and certain roof gables are 39 – 40.4 feet at their highest point, beyond the recommended 35 feet, these exceptions are reasonable and consistent with the base zone district of M-RP. For such exceptions to be granted, a good cause finding must be made, per the GP/CLUP Glossary, if the exception is:

"defined as a better site or architectural design, will result in better resource protection, will provide a significant community benefit and/or does not create an adverse impact to the community character, aesthetics or public views.

This good cause finding can be made based on:

a. The supportive comments received from the City DRB for the overall building configuration and size, bulk and scale, and revisions that relocated a portion of the structure to the northwest corner;
b. While the roof height will be higher than the 35 feet recommended in Table 2-3, the additional approximately 4-5.4 feet to the highest point of the 3 roof

peaks would not cause the average roof height to exceed 35 feet, which is allowed by the zoning ordinance.

c. Because they are not continuous, the roof peaks do not create a uniform adverse impact to the community character, aesthetics, or public views.

The scale and design of the Marriott Residence Inn would be set back from Hollister Avenue consistently with nearby developments. It would also share one driveway from Hollister Avenue with the existing multi-tenant light industrial facility at 6300 Hollister Avenue. These project components and conditions of approval for the development would make the project consistent with this policy.

Open Space Element

OS 8.3 Preservation. [GP/CP] *The City shall protect and preserve cultural resources from destruction. The preferred method for preserving a recorded archeological site shall be by preservation in place to maintain the relationship between the artifacts and the archaeological context. Preservation in place may be accomplished by deed restriction as a permanent conservation easement, avoidance through site planning and design, or incorporation of sites into other open spaces to prevent any future development or use that might otherwise adversely impact these resources.*

OS 8.4 Evaluation of Significance. [GP/CP] *For any development proposal identified as being located in an area of archaeological sensitivity, a Phase I cultural resources inventory shall be conducted by a professional archaeologist or other qualified expert. All sites determined through a Phase 1 investigation to potentially include cultural resources must undergo subsurface investigation to determine the extent, integrity, and significance of the site. Where Native American artifacts have been found or where oral traditions indicate the site was used by Native Americans in the past, research shall be conducted to determine the extent of the archaeological significance of the site.*

Consistent (Policy OS 8.3 and 8.4). The project site had a Phase II analysis prepared for prior development of the site associated with the Burroughs plant expansion in 1979. A Supplemental Extended Phase 1 analysis was undertaken in June 2008 to address the project specific effects of the Marriott Residence Inn near the CA-SB- 58. Review of that analysis, as well as prior documentation of the CA-SBA-58 site extant near the proposed project, and inclusion of required conditions that call for extensive documentation and monitoring would make the project consistent with this policy.

OS 8.5 Mitigation. [GP/CP] *If research and surface reconnaissance shows that the project area contains a resource of cultural significance that would be adversely impacted by proposed development and avoidance is infeasible, mitigation measures sensitive to the cultural beliefs of the affected population shall be required. Reasonable efforts to leave these resources in an undisturbed state through capping or covering resources with a soil layer prior to*

development shall be required. If data recovery through excavation is the only feasible mitigation, the City shall confer with the affected Native American nation or most-likely descendants, as well as agencies charged with the responsibility of preserving these resources and organizations having a professional or cultural interest, prior to the removal and disposition of any artifacts.

OS 8.6 Monitoring and Discovery. [GP/CP] *On-site monitoring by a qualified archaeologist and appropriate Native American observer shall be required for all grading, excavation, and site preparation that involves earth moving operations on sites identified as archaeologically sensitive. If cultural resources of potential importance are uncovered during construction, the following shall occur:*

a. *The grading or excavation shall cease and the City shall be notified.*
b. *A qualified archeologist shall prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition.*
c. *Disposition will be determined by the City in conjunction with the affected Native American nation.*

Consistent (Policy OS 8.5 – 8.6). As noted above, the prior documentation of CA-SBA-58 and the 1979 Burroughs Phase II analysis, and a June 2008 Supplemental Extended Phase 1 analysis was prepared by Dudek. Data recovery completed during the June 2008 study was discussed in advance at extensive meetings with interested members of the Native American Chumash community, as were the results of the study and suggested mitigation measures. Additionally, all work of the June 2008 Supplemental Extended Phase 1, including hand excavation of 20 shovel test pits, 6 backhoe trenches and 13 mechanical solid core borings, was monitored by a Chumash most likely descendent on site during the field work. Likewise, mitigation measures included for the project will require that Chumash MLD monitors be present during all excavation of pilings within the newly discovered extent of Locus 1, as well as other grading activity on site. As revised, construction of the project would affect approximately 12 percent of the intact CA-SBA-58 deposit, which is considered a worst case estimate as the Locus 1 soils identified were not continuous and have been previously disturbed. Therefore, this completion of investigative work, as well as the monitoring by MLD's during such work, and anticipated monitoring of future work as required in project conditions of approval, would provide consistency with these policies.

OS 8.7 Protection of Paleontological Resources. [GP/CP] *Should substantial paleontological resources be encountered during construction activities, all work that could further disturb the find shall be stopped and the City of Goleta shall be notified within 24 hours. The applicant shall retain a qualified consultant to prepare a report to the City that evaluates the significance of the find and, if warranted, identifies recovery measures. Upon review and approval of the report by the City, construction may continue after implementation of any identified recovery measures.*

Consistent. Geological formations underlying the project site have been evaluated during soils engineering testing. These formations indicate one-third of the soils are associated with the former Goleta Slough, and below these are located Quaternary age alluvial sediments. While small marine fossils such as clams or invertebrates (snails, worms, etc) can be found in such deposits, these are common and not potentially significant paleontological resources. Therefore, as conditioned, the project would be consistent with this policy.

Conservation Element

CE 1.9 Standards Applicable to Development Projects. [GP/CP] *The following standards shall apply to consideration of developments within or adjacent to ESHAs:*

d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.

j. In areas that are not adjacent to ESHAs, where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations.

Consistent. The proposed hotel project has been designed to minimize excavation (500 cubic yards) through use of a pile supported foundation system. While the proposed fill soil will total 17,200 cubic yards, conditions of approval require an erosion control plan that would ensure implementation of best management practices to minimize soil erosion, creek siltation and runoff. Therefore, the project would be consistent with this policy.

CE 10.2 Siting and Design of New Development. [GP/CP] *New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:*

a. Protection of areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota, and areas susceptible to erosion and sediment loss.

b. Limiting increases in areas covered by impervious surfaces.

c. Limiting the area where land disturbances occur, such as clearing of vegetation, cut-and-fill, and grading, to reduce erosion and sediment loss.

d. Limiting disturbance of natural drainage features and vegetation.

Consistent. Project design includes a series of bioswales, a detention basin in the southwest corner, and would use best management practices during construction to minimize runoff to offsite water resources such as Goleta Slough. Therefore, the project would be consistent with these policies.

CE 10.3 Incorporation of Best Management Practices for Stormwater Management [GP/CP] *New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from non-point sources to the maximum extent feasible consistent with the requirements and standards of the Central Coast Regional Water Quality Control Board. Post construction structural BMPs shall be designed to treat, infiltrate, or filter stormwater runoff in accordance with the City's Stormwater Management Program. Examples of BMPs include the following:*

a. Retention and detention basins;

b. Vegetated swales;

c. Infiltration galleries or injection wells;

d. Use of permeable paving materials;

e. Mechanical devices such as oil-water separators and filters;
f. Revegetation of graded or disturbed areas.

g. Other measures that are promoted by the Central Coast Regional Water Quality Control Board and those described in the BMP report of the Bay Area Association of Stormwater Management Agencies.

CE 10.6 Stormwater Management Requirements. [GP/CP] *The following requirements shall apply to specific types of development:*

a. Commercial and multiple-family development shall use BMPs to control polluted runoff from structures, parking, and loading areas.

Consistent (Policy CE 10.3 and 10.6). The project design includes a series of bioswales for the project, as well as a retention basin in the southwest corner of the hotel site that would manage post construction site drainage. Based on an updated hydrology report prepared by Penfield & Smith (July 23, 2008), the volume of water to be discharged from the site would actually decrease from 42.48 cubic feet per second (cfs) for existing conditions to 39.60 cfs upon project completion. This reduction is attributable to the installation of a detention basin located at the southeast corner of Parcel 2, extensive bioswales and permeable paving solutions, and such use of best management practices to manage site runoff during construction would make the project consistent with this policy.

Safety Element

SE 1.3 Site-Specific Hazards Studies. [GP/CP] *Applications for new development shall consider exposure of the new development to coastal and other hazards. Where appropriate, an application for new development shall include a geologic/soils/geotechnical study and any other studies that identify geologic hazards affecting the proposed project site and any necessary mitigation measures. The study report shall contain a statement certifying that the project site is suitable for the proposed development and that the development will be safe from geologic hazards. The report shall be prepared and signed by a licensed certified engineering geologist or geotechnical engineer and shall be subject to review and acceptance by the City.*

Consistent. A geotechnical report, hazardous materials report and preliminary drainage report were submitted with the project application. Site soils were noted in this report to have a combination of soft clay, silty sand and peat underlying the site to a depth of approximately 23 feet and hard solid at a depth of 35 to 47 feet. The soil and geologic conditions onsite pose a risk with respect to lateral spreading, subsidence and liquefaction (Ronald J. Pike, Geotechnical Engineer, January 30, 2007). To address these conditions, the project includes a structural system supported by piles driven to a minimum depth of 60 feet below existing grade. The site is also currently undergoing remediation, with contaminant levels last evaluated in February 2008, when they were lower than prior assessments. Per its March 2008 letter, the County Fire Department, Hazardous Materials Unit, has required installation of a soil vapor barrier, and will review the need for any follow up monitoring as the project moves into construction. With incorporation of these conditions, the project is consistent with this policy.

SE 6.2 Areas Subject to Local Urban Flooding. [GP] *In addition to flood hazard areas shown on the FIRM maps, the City may require applications for new or expanded development in areas with known persistent local urban flooding to include measures that lessen the urban flooding hazard and/or that mitigate its effects on the proposed development. This requirement shall apply to flooding on any street or roadway that provides access to the proposed development.*

SE 6.4 Avoidance of Flood Hazard Areas. [GP/CP] *The City shall discourage any new intensive development in any flood hazard area. Similarly, the City shall require appropriate flood mitigation for intensification of existing development in any flood-prone area. The City shall not approve development within areas designated as the 100-year floodplain that would obstruct flood flow (such as construction in the designated floodway), displace floodwaters onto other property, or be subject to flood damage. The City shall not allow development that will create or worsen drainage problems.*

Consistent (Policy SE 6.2 and 6.4). These policies are intended to reduce the risk of flooding and prevent the obstruction of any floodway. The proposed project is located entirely within the 100-year flood plain, and requires a finished floor level of 18.0 or greater above MSL (mean sea level), based on revised datum from the Flood Control District that show a base flood elevation (BFE) of 16.0 for the hotel site (corrected from prior plans noted in the environmental document). Revised project plans (March 2008) indicate the finished floor of the hotel would be at 18.3 feet MSL, consistent with the BFE requirements for the site. Additionally, the project design includes a series of bioswales, a detention basin in the southwest corner, and would use best management practices during construction to minimize runoff to offsite water resources such as Goleta Slough. Therefore, as conditioned, the proposed project would be consistent with these policies.

SE 7.2 Review of New Development. [GP/CP] *Applications for new or expanded development shall be reviewed by appropriate Santa Barbara County Fire Department personnel to ensure they are designed in a manner that reduces the risk of loss due to fire. Such review shall include consideration of the adequacy of "defensible space" around structures at risk; access for fire suppression equipment, water supplies, construction standards; and vegetation clearance. Secondary access may be required and shall be considered on a case-by-case basis. The City shall encourage built-in fire suppression systems such as sprinklers, particularly in high-risk or high-value areas.*

Consistent. This policy is intended to ensure adequate fire protection infrastructure is incorporated into the design of new development. Specifically, all such new development must have secondary emergency vehicle access. The project plans and circulation for emergency equipment through drive aisles has been reviewed and conceptually approved by the County Fire Department. Therefore, the proposed project would be consistent with this policy.

SE 9.2 Height Restrictions. [GP] *The City shall ensure that the heights of proposed buildings, other structures, and landscaping conform to airport operational requirements to minimize the risk of aircraft accidents. The City shall establish and maintain standards in its zoning ordinance for building and structure height restrictions for development in proximity to the Santa Barbara Municipal Airport. To ensure compliance with height restrictions, proposed development or uses that require Airport Land Use Commission (ALUC) review pursuant to the Airport Land Use Plan shall be referred to the ALUC* for review.

Consistent. Parcel 1 is within the Clear and Approach Zones to the Airport, but proposed Parcel 2 is outside this zone, and this is the portion of the site proposed for new development. Therefore, the building height proposed with the Development Plan to allow the hotel to be 39 – 40.4 feet from the proposed grade to the top of the roof ridge lines, would be consistent with this policy.

SE 10.6 Responsibility for Cleanup by Responsible Party. [GP] *No new development or substantial redevelopment shall be permitted on land determined to contain actionable contamination until the party responsible for such contamination has been identified and has accepted financial responsibility for any required remediation. The posting of a bond or other appropriate surety in an amount and form acceptable to the City shall be required as a condition of development approval. In appropriate circumstances, the City may assist in attempting to obtain outside grants or other resources to address contamination issues and help fund remediation.*

Consistent. As confirmed by the Santa Barbara County Fire Prevention Division, the landowner is currently considered the responsible party for monitoring soils and groundwater remediation of the site. This effort will continue to be monitored per the County Fire Prevention Division letter of March 2008, which also calls for installation of a soil vapor barrier and protections to workers during construction. Therefore, with these conditions, the project would be consistent with this policy.

Visual and Historic Resources Element

VH 1.1 Scenic Resources. [GP/CP] *An essential aspect of Goleta's character is derived from the various scenic resources within and around the city. Views of these resources from public and private areas contribute to the overall attractiveness of the city and the quality of life enjoyed by its residents, visitors, and workforce. The City shall support the protection and preservation of the following scenic resources:*

a. *The open waters of the Pacific Ocean/Santa Barbara Channel, with the Channel Islands visible in the distance.*
b. *Goleta's Pacific shoreline, including beaches, dunes, lagoons, coastal bluffs, and open costal mesas.*
c. *Goleta and Devereux Sloughs.*
d. *Creeks and the vegetation associated with their riparian corridors.*
e. *Agricultural areas, including orchards, lands in vegetable or other crop production, and fallow agricultural lands.*
f. *Lake Los Carneros and the surrounding woodlands.*
g. *Prominent natural landforms, such as the foothills and the Santa Ynez Mountains.*

VH 1.4 Protection of Mountain and Foothill Views. [GP/CP] *Views of mountains and foothills from public areas shall be preserved. View preservation associated with development that may affect views of mountains or foothills should be accomplished first through site selection and then by use of design alternatives that enhance, rather than obstruct or degrade, such views. To*

minimize structural intrusion into the skyline, the following development practices shall be used where appropriate:

a. *Limitations on the height and size of structures.*
b. *Limitations on the height of exterior walls (including retaining walls) and fences.*
c. *Stepping of buildings so that the heights of building elements are lower near the street and increase with distance from the public viewing area. Increased setbacks along major roadways to preserve views and create an attractive visual corridor.*
d. *Downcast, fully shielded, full cut off lighting of the minimum intensity needed for the purpose.*
e. *Limitations on removal of native vegetation.*
f. *Use of landscaping for screening purposes and/or minimizing view blockage as applicable.*
g. *Revegetation of disturbed areas.*
h. *Limitations on the use of reflective materials and colors for roofs, walls (including retaining walls), and fences.*
i. *Selection of colors and materials that harmonize with the surrounding landscape.*
j. *Clustering of building sites and structures.*

Consistent (Policies VH 1.1 and 1.4). These policies are intended to protect the City's scenic resources as defined in Policy VH 1.1 of the General Plan, public views of the mountains and foothills, public views of open space, and natural landforms. The project would not affect views of the Goleta Slough, but would interrupt mountain views from Hollister Avenue for the majority of the project site. The project design has varied roof heights, but includes an average roof height of 35 feet with some roof peaks as high as 40.4 feet, which could appear higher due to the required soil fill on site. As a result of DRB comments in 2007, the project design was modified to "stair step" the elevation of the southwest corner, use vertical tower and horizontal banding accents, and redesign the entry arches. At the June 10, 2008 DRB meeting, following the installation of story poles to demonstrate the proposed building height and mass, the Board expressed appreciation for the relocated corner of the building, away from Hollister Avenue, and noted that the height was still a concern, but overall the project would fit into the surrounding area. Therefore, with implementation of further DRB review and related conditions of approval requiring a surveyed building height, the proposed project would be considered consistent with these policies.

VH 2.3 Development Projects Along Scenic Corridors. [GP] *Development adjacent to scenic corridors should not degrade or obstruct views of scenic*

areas. To ensure visual compatibility with the scenic qualities, the following practices shall be used, where appropriate:

a. *Incorporate natural features in design.*
b. *Use landscaping for screening purposes and/or for minimizing view blockage as applicable.*
c. *Minimize vegetation removal.*
d. *Limit the height and size of structures.*
e. *Cluster building sites and structures.*
f. *Limit grading for development including structures, access roads, and driveways. Minimize the length of access roads and driveways and follow the natural contour of the land.*
g. *Preserve historical structures or sites.*
h. *Plant and preserve trees.*
i. *Minimize use of signage.*
j. *Provide site-specific visual assessments, including use of story poles.*
k. *Provide a similar level of architectural detail on all elevations visible from scenic corridors.*
l. *Place existing overhead utilities and all new utilities underground.*
m. *Establish setbacks along major roadways to help protect views and create an attractive scenic corridor. On flat sites, step the heights of buildings so that the height of building elements is lower close to the street and increases with distance from the street.*

Consistent. This policy is intended to ensure that new development adjacent to designated scenic corridors does not obstruct or degrade public views of scenic resources as seen from these view corridors. The project will continue DRB review prior to land use permits, and further refinement of the building massing, landscape plan, articulation of façade walls and variable recesses and roof heights may result. The project revision that relocated a portion of the structure to the northwest corner improved the project's consistency with this policy. While the project site is directly visible from Hollister Avenue, a scenic corridor in the General Plan, it would not block a continuous view from Hollister Avenue as this area is already developed with lower structures over which mountain views remain. Therefore, the proposed project would be consistent with this policy with conditions of approval.

VH 3.1 Community Design Character. [GP] *The visual character of Goleta is derived from the natural landscape and the built environment. The City's agricultural heritage, open spaces, views of natural features, established low-density residential neighborhoods, and small-scale development with few visually*

office and business park development and institutional and public/quasi-public uses:

a. *Buildings and structures shall be designed to be compatible with adjacent development relative to size, bulk, and scale.*

b. *Street elevations of buildings and structures should enhance the streetscape and should be pedestrian friendly. To create diversity and avoid monotonous façades, varied building setbacks should be provided and be proportionate to the scale of the building.*

c. *Plazas, courtyards, and landscaped open space should be provided to create a campus-like setting and encourage pedestrian access.*

d. *Parking lots should not be the dominant visual element and shall be located behind or beside buildings, where appropriate. Where buildings do not screen parking lots, landscaping, berms, and/or low walls shall be used to screen cars from adjacent roadways and other developments.*

e. *Architectural elements such as arcades are encouraged to identify the main entrance and reinforce the pedestrian scale.*

f. *Bicycle access shall be provided and encouraged via bike lanes. Sufficient, secure, and protected bicycle parking shall be provided.*

g. *Public transit shall be encouraged through effective placement of stops for local and regional transit services. Existing stops shall be upgraded as appropriate.*

h. *Loading areas and recycling and trash facilities shall be easily accessed and screened from view with landscaping and/or fencing or walls. Adjacent uses shall be considered when such areas are sited.*

i. *Roof mounted equipment shall be screened and considered as part of the structure for height calculations.*

Consistent. The Marriott Residence Inn project would be a commercial use in a business park area, allowed through the application of a Hotel Overlay district on the project site, as included in the General Plan. Therefore, specific components below address the related standards above:

a. The project's neighborhood context among other business park developments is complemented through a site specific design for a commercial hotel;
b. The project has been revised to incorporate varied recesses in elevations and roof heights and incorporates a meandering sidewalk;
c. As redesigned in June and July 2008, the project includes a landscape area at the southeast corner, and canopy trees and planting throughout the parking areas surrounding the building;
d. The landscape garden at the southeast corner and another provided to the rear of the building would provide relief of proposed parking

areas, along with extensive tree and landscaping elements around the perimeter of the proposed building.

f. Sufficient room exists on site to provide bicycle parking and access from Hollister Avenue would be direct.

g. The project wouldl enhance the existing stop, including provision of a bus pullout, shelter, bench, and trash can, subject to final requirements of the City of Santa Barbara.

i. Sufficient room is available to place roof mounted equipment and screen it using proposed parapets.

As such, the architecture, site planning and detailing of the site have been created to blend the two types of land uses and development styles. Therefore, the project as conditioned would be consistent with this policy.

VH 4.9 Landscape Design. [GP] *Landscaping shall be considered and designed as an integral part of development, not relegated to remaining portions of a site following placement of buildings, parking, or vehicular access. Landscaping shall conform to the following standards:*

a. Landscaping that conforms to the natural topography and protects existing specimen trees is encouraged.

b. Any specimen trees removed shall be replaced with a similar size tree or with a tree deemed appropriate by the City.

c. Landscaping shall emphasize the use of native and drought-tolerant vegetation and should include a range and density of plantings including trees, shrubs, groundcover, and vines of various heights and species.

d. The use of invasive plants shall be prohibited.

e. Landscaping shall be incorporated into the design to soften building masses, reinforce pedestrian scale, and provide screening along public streets and off-street parking areas.

Consistent. This policy establishes architectural guidelines for project design and landscaping. The revised project includes a landscape garden at the southeast corner of the site, as well as entryway and canopy trees throughout the site. The use of a native and drought tolerant plant palette would also make the project consistent with these policies as conditioned.

VH 4.10 Streetscape and Frontage Design. [GP] *A unified streetscape shall be created to improve the interface between pedestrians and vehicles. The following design elements shall be incorporated where feasible:*

a. Abundant street trees and landscaped medians.

b. Landscaping that buffers pedestrians and bicyclists from traffic without creating site distance conflicts.

c. *Coordination of landscaping within the public right-of-way and adjacent development to provide an integrated street frontage.*

d. *Provision of street furniture including benches, planter seating, trash containers, and pedestrian scale light fixtures.*

e. *Use of pavement treatments and decorative tree wells.*

f. *Accent planting, textured paving, and specimen trees used to establish identities at building entries.*

g. *Traffic control and utility hardware such as backflow devices, traffic control cabinets, cable television boxes, and air vacuum and release enclosures shall be screened from view and colored to blend in with the surroundings. Such hardware should be placed outside sidewalks and away from intersections to the extent feasible.*

Consistent. The project landscape plan includes extensive new landscaping elements including generous ground cover and trees with varied heights. A majority of this landscaped area is provided around the perimeter of the proposed hotel, and along the street frontages of Hollister Avenue and Robin Hill Road. Along with the provision of new sidewalks, these areas will enhance the pedestrian experience along the hotel project frontage. Conditions of approval also require screening of utility hardware to maintain an attractive street frontage. Therefore, with implementation of conditions of approval, the project would be consistent with this policy.

VH 4.11 Parking Lots. [GP] *Parking lots shall be adequately designed and landscaped. The following standards shall apply (see related Policy TE 9):*

a. *Adequate parking requirements shall be established for all zone districts and conditionally permitted uses.*

b. *Adequate parking space dimensions and aisle widths shall be established.*

c. *Angled parking spaces are encouraged in order to maximize visibility for drivers and pedestrians. Retail parking lot design that includes 90-degree parking spaces is discouraged.*

d. *Pedestrian circulation shall be adequate, clearly delineated, and integrated with internal vehicle circulation to allow for safe and convenient pedestrian links from parking areas to building entrances. Planting strips should be used between traffic zones and sidewalks wherever possible.*

e. *Retail parking lots shall provide for adequate shopping cart storage that is adequately screened.*

f. *Parking lot landscaping shall provide for adequate visual relief, screening, and shade. Adequate tree density shall be established and shall include approximately one tree for every four parking spaces. Deciduous trees in parking lots are discouraged due to the visual effects of loss of canopy.*

g. *Parking lot lighting shall be considered relative to the selection and location of parking lot trees and their height at maturity.*

h. *Shared parking arrangements are encouraged where neighboring uses have different peak use periods.*

i. *Permeable parking surfaces and grass-incorporated paving systems are encouraged to reduce stormwater runoff. Water quality protection measures such as storm drain filters should be used to minimize pollutants that would result in impacts to downstream water bodies or habitat.*

Consistent. The Marriott Residence Inn would provide 129 parking spaces on site, and provide shared parking for 30 spaces next door at the Hollister Center site, 6300 Hollister Avenue. Hotel site project plans include landscaping on the perimeter of the site adjoining Hollister Avenue and Robin Hill Road and landscape planters within the parking bays adjacent to the hotel. Parking areas would be required to provide approximately one tree for every four parking spaces. Such elements around the building provide visual relief, screening and shade. The project would record a reciprocal access and parking agreement to create a shared parking arrangement with the adjoining Hollister Center, taking advantage of complementary peak parking demands of adjoining properties. The hotel project site plan also includes bioswales to reduce stormwater runoff. The new entry way driveway would enhance the parking lot for the Hollister Center, and remaining deficiencies of this existing development would be addressed through its Development Plan Amendment. Therefore, with the conditions of approval, the project would be deemed consistent with this policy.

VH 4.12 Lighting. [GP] *Outdoor lighting fixtures shall be designed, located, aimed downward or toward structures (if properly shielded), retrofitted if feasible, and maintained in order to prevent over-lighting, energy waste, glare, light trespass, and sky glow. The following standards shall apply:*

a. *Outdoor lighting shall be the minimum number of fixtures and intensity needed for the intended purpose. Fixtures shall be fully shielded and have full cut off lights to minimize visibility from public viewing areas and prevent light pollution into residential areas or other sensitive uses such as wildlife habitats or migration routes.*

b. *Direct upward light emission shall be avoided to protect views of the night sky.*

c. *Light fixtures used in new development shall be appropriate to the architectural style and scale and compatible with the surrounding area.*

Consistent. The hotel site would continue to be reviewed by DRB for provision of appropriate lighting standards, fixtures, and styles to minimize night sky lighting and maintain consistency with the surrounding area. Therefore, with conditions of approval, the project would be considered consistent with this policy.

VH 4.14 Utilities. [GP] *New development projects shall be required to place new utility lines underground. Existing overhead utility lines should be placed underground when feasible. Undergrounding of utility hardware is encouraged. Any aboveground utility hardware, such as water meters, electrical transformers, or backflow devices, shall not inhibit line of sight or encroach into public walkways and, where feasible, should be screened from public view by methods including, but not limited to, appropriate paint color, landscaping, and/or walls.*

Consistent. This policy requires all utilities serving new development to be undergrounded. Conditions of approval for the project require all new utility service connections to proposed Parcel 2, as well as all utility connections along Hollister Avenue, to be undergrounded. Therefore, the proposed project would be consistent with this policy as conditioned.

Transportation Element

TE 3.3 Major Arterials. [GP/CP] *Roads designated as major arterials are shown in Figure 7-2. The following criteria and standards shall apply to roads designated as major arterials:*

a. *Definition/Function. Major arterials are continuous routes that carry through traffic between various neighborhoods and communities, frequently providing access to major traffic generators such as shopping areas, employment centers, recreational areas, higher-density residential areas, and places of assembly. Driveway access, especially for residential uses, to a major arterial is generally discouraged or kept to a minimum in order to facilitate traffic flows.*

b. *Access to Abutting Properties. Although established patterns of development in Goleta have created driveways along most arterial segments, access to abutting properties shall be managed to maximize safety and functionality for through traffic, including but not limited to the following characteristics:*

   1) *Driveways shall have sufficient width to minimize conflicts between through traffic and turning movements.*

   2) *Driveways shall adhere to safe sight-distance requirements to the extent feasible.*

   3) *New development abutting major and minor arterials shall accommodate safe ingress and egress without necessitating backing movements into the arterial.*

   4) *Where feasible, sharing driveways with adjoining properties is encouraged, with provision of reciprocal access easements.*

   Where street standards cannot be fully met and access from the arterial must be approved due to the absence of any other feasible and practicable

alternative, development intensity may be reduced on the site to lessen or avoid potential traffic safety hazards and vehicular conflicts.

c. *Design Standards. The following standards shall apply:*

1) *A principal or major arterial may be a divided or an undivided multi-lane road, with or without center median.*

2) *The maximum number of through-travel lanes shall be two lanes in each direction except for street segments between US-101 and Hollister Avenue, where the maximum number of lanes shall be three lanes in each direction.*

3) *Lane widths and intersection geometrics shall be adequate to accommodate transit vehicles and large trucks.*

4) *Intersections of arterials with cross-routes are provided at grade, although partial control of access may occur at some locations. Intersection controls shall give priority to traffic flow on the arterial rather than the cross-route.*

5) *Major arterials shall include facilities to accommodate pedestrians and bicycles.*

6) *At a minimum, major arterials shall include curbs, gutters, and sidewalks. Major arterials may include landscaped medians and/or landscaped strips between curb and sidewalk.*

7) *Parking may be provided in appropriate segments on either or both*

Consistent. The project has been revised following preliminary reviews to combine one driveway along Hollister Avenue that will serve the proposed hotel and the existing Hollister Center. Additionally, frontage improvements would include curb, gutter, and sidewalk on both Hollister Avenue and Robin Hill Road. Installation of a raised landscaped median to allow left turns into the new driveway, but no left turns out, would be required to ensure driveway access control and the least interruption to Hollister Avenue through movements. With these improvements and based on conditions of approval, the project would be consistent with this policy.

TE 3.4 Minor Arterials. [GP] *Routes designated as minor arterials are shown in Figure 7-2. The following criteria and standards apply to these roads:*

a. *Definition/Function. Minor arterials serve as a secondary type of arterial facility carrying local through traffic within communities, frequently providing access to shopping areas, employment centers, recreational areas, residential areas, and places of assembly. A minor arterial may connect different neighborhood areas within the city.*

b. *Design Standards. The following standards shall apply:*

1) *A minor arterial may be a divided or an undivided multi-lane road, with or without center median.*

2) *The number of through-travel lanes is usually one lane in each direction, although two lanes may be provided on particular segments, when warranted by traffic volumes.*

3) *Lane widths and intersection geometrics shall be adequate to accommodate transit vehicles and large trucks.*

4) *Intersections of arterials with cross-routes are provided at grade, although partial control of access may occur at some locations. Intersection controls shall give priority to traffic flow on the minor arterial rather than the cross-route, except where the cross-route is a major arterial.*

5) *Minor arterials shall include facilities to accommodate pedestrians and bicycles.*

6) *At a minimum, minor arterials shall include curbs, gutters, and sidewalks. Minor arterials may include landscaped medians and/or landscaped strips between curb and sidewalk.*

7) *Parking may be required in appropriate segments on either or both sides of the street.*

Consistent. The Hollister Center portion of the project is located along La Patera, designated a minor arterial on Figure 7-2. The project is not expected to affect La Patera Lane as new development of the hotel would concentrate vehicular access at the new driveways on Hollister Avenue and Robin Hill Road. La Patera Lane currently meets most of the standards in this policy, and so the project would be consistent with this policy.

TE 3.6 Local Streets and Roads. [GP/CP] *All roads not specifically designated in another category shall be classified as local streets and rural roads as shown in Figure 7-2. The following criteria and standards apply to local streets and roads:*

a. *Definition/Function. A local street provides access to abutting individual properties and links such properties and their uses to a collector street. City street standards shall ensure that local streets provide access to abutting properties and should include a variety of designs and spacing, depending on access needs. Local streets are intended to serve only adjacent uses and are intended to protect residents from the impacts of through traffic.*

b. *Design Standards. The following standards shall apply:*

   1) *Local streets and roads shall be designed in a manner consistent with the character of the adjacent neighborhood and uses and any physical and environmental constraints.*

   2) *In appropriate segments, full urban street standards shall be required, including curb, gutter, and sidewalks on both sides of the street.*

Bicycle lanes should be provided if the street is designated as a Class 2 bicycle route in the City's Bicycle Transportation Plan.

3) *City street standards should encourage residential access points to be located on the least traveled roadway wherever there is an option.*

4) *Parking may be required in appropriate segments on either or both sides of the street.*

c. Other. *New multi-family residential and commercial development should not have primary access on local streets, except where there is no feasible alternative.*

d. Traffic Calming. *The City shall emphasize the use of local streets for local access and residential traffic in order to minimize traffic noise, congestion, and other hazards to residential uses and pedestrians. Through traffic may be discouraged by a variety of methods, such as installation of traffic calming devices, provided there is involvement and support from the immediate neighborhood.*

Consistent. Robin Hill Road is designated a local road in the Transportation Element. As required by the Community Services Department, frontage improvements along Robin Hill Road would include a sidewalk, parkway, and curb and gutter, along with repaving and a street light. With these improvements, the project would be consistent with this policy.

TE 3.9 Right-of-Way Dedications and Improvements. [GP/CP] *Existing and future rights-of-way may vary along different segments of individual streets within a single functional classification, based upon the existing patterns of development along the various segments. The appropriate street cross section, frontage improvements, and right-of-way dedications shall be established by the City Engineer when imposing conditions of approval for development applications on abutting parcels. Dedications of right-of-way may be greater in locations where it is appropriate to secure space for utilities, street appurtenances, transit facilities, and landscaped areas.*

Consistent. The project includes new sidewalks, parkways, curb, gutter and repaving along both Hollister Avenue and Robin Hill Road. Additionally, the project will install a new center median that would allow only left turn in/no left turn out access from Hollister Avenue. The project has incorporated dedication of ROW for such improvements, and provided reciprocal access agreements for a shared driveway with 6300 Hollister Avenue, as required in the project conditions of approval. With these improvements, subject to final plan review by Community Services, the project would be consistent with this policy.

TE 4.1 General Level of Service Standard. [GP] *A traffic LOS standard C shall apply citywide to major arterials, minor arterials, and collector roadways and signalized and unsignalized intersections, except as provided in TE 4.2. The standard shall apply to daily traffic volumes and both AM and PM peak hours for*

intersections, and to average daily traffic volumes (ADT) for roadway segments. Table 7-3 provides descriptions of the LOS categories.

Consistent. As discussed in the project environmental document, the contribution of traffic would not degrade existing levels of service for roadways or intersections, with the exception of Hollister Avenue and Robin Hill Road. To address these impacts, the project will be installing a raised median along Hollister Avenue, and provide striping at the southbound approach of Robin Hill to Hollister Avenue to improve existing and proposed vehicular flow in this area. Therefore, as conditioned, the project would be consistent with this policy.

TE 4.6 LOS Effects of Future Land Use Plan Amendments. [GP] *Any amendment to the Land Use Element that would increase impacts on arterials and intersections at ultimate capacity shall include the development and implementation of transportation measures that would not reduce the LOS (increase the traffic volume to roadway capacity [v/c] ratio) of these facilities.*

Consistent. The construction of the Marriott Residence Inn project would be consistent with the General Plan/Coastal Land Use Plan in terms of land use anticipated for the project site. Further, the project would be required to pay Development Impact Fees for Transportation (GTIP) fees, which would contribute to LOS maintenance of the existing roadway system. As conditioned, the project would be consistent with this policy.

TE 7.8 Hollister Avenue Transit Corridor. [GP] *Hollister Avenue from the eastern city boundary west to Pacific Oaks Road is designated as the Hollister Avenue Transit Corridor. The public transportation map in Figure 7-4 illustrates that the highest concentration of transit routes and greatest frequency of service occur in this area. The land areas along this corridor include existing and planned future retail commercial and employment centers as well as higher-density housing. These higher-intensity uses are transit oriented; the City supports efforts by MTD and other providers to expand express and local bus services along this corridor as ridership levels warrant.*

TE 7.12 Transit Amenities in New Development. [GP/CP] *The City shall require new or substantially renovated development to incorporate appropriate measures to facilitate transit use, such as integrating bus stop design with the design of the development. Bus turnouts, comfortable and attractive all-weather shelters, lighting, benches, secure bicycle parking, and other appropriate amenities shall be incorporated into development, when appropriate, along Hollister Avenue and along other bus routes within the city. Existing facilities that are inadequate or deteriorated shall be improved or upgraded where appropriate and feasible.*

Consistent (Policies TE 7.8 and 7.12). The project would be required to improve the existing bus stop at Hollister Avenue and Robin Hill Road. This

improvement, which would include a new bus turnout and supporting amenities (shelter, bench and trash can), would make the project consistent with this policy.

TE 9.2 Adequacy of Parking Supply in Proposed Development. [GP/CP] *The City shall require all proposed new development and changes/intensifications in use of existing nonresidential structures to provide a sufficient number of off-street parking spaces to accommodate the parking demand generated by the proposed use(s), and to avoid spillover of parking onto neighboring properties and streets.*

Consistent. Zoning ordinance requirements would be 144 spaces for the Marriott Residence Inn and 213 spaces for the existing research park building (combined total of 357 spaces); actual peak demand is calculated at 144 spaces for the Marriott Residence Inn and 302 spaces for the existing research park building (combined total of 446 spaces); the site plan provides for 129 spaces for the Marriott Residence Inn and 350 spaces for the existing research park building (combined total of 479 spaces). A reciprocal parking agreement between the two properties is still proposed. With recordation of this agreement required through the conditions of approval, the project would be consistent with this policy.

TE 9.5 Parking Lot Design. [GP] *Design standards applicable to retail, commercial, business parks, and parking lots are set forth in the Visual and Historic Resources Element Subpolicies VH 4.5, 4.7, and 4.11. In addition, the following standards and criteria shall apply to parking lots of three or more spaces:*

a. *Parking lot design shall provide that all individual spaces are clearly delineated and have easy ingress and egress by vehicles.*
b. *Proposals that include compact parking spaces shall be subject to discretionary approval by the City, and the number of compact parking spaces shall not exceed 20 percent of the total; parking spaces for oversized vehicles shall be included when appropriate.*
c. *Access driveways and aisles shall have adequate geometrics, and the layout shall be clear, functional, and well organized.*
d. *Pedestrian walkways between the parking area and the street, main entrance, and transit stops should be protected by landscaped or other buffers to the extent feasible.*
e. *The visual impact of large expanses of parking lots shall be reduced by appropriate response to the design standards set forth in the Visual and Historic Resources Element's Policy VH 4.*

Consistent. The project has been revised to address certain comments from the DRB, as well as staff review of the site plan during the project analysis and environmental review. As designed, the Marriott Residence Inn would provide

appropriate parking circulation, driveway access, pedestrian amenities along the project frontages, and extensive landscaping compliant with Visual Resource policies. As revised, the project provides 27 compact parking spaces out of a total of 129 on site, thereby complying with the 20 percent standard called for in item b. However, the project does not comply with the required number of landscape planters per Policy VH 4, and this would be addressed through final site design. Such revisions are feasible given the ability to share parking with the Hollister Center. Therefore, as conditioned, and with these revisions, the project would be consistent with this policy.

TE 10.4 Pedestrian Facilities in New Development. [GP] *Proposals for new development or substantial alterations of existing development shall be required to include pedestrian linkages and standard frontage improvements. These improvements may include construction of sidewalks and other pedestrian paths, provision of benches, public art, informational signage, appropriate landscaping, and lighting. In planning new subdivisions or large-scale development, pedestrian connections should be provided through subdivisions and cul-de-sacs to interconnect with adjacent areas. Dedications of public access easements shall be required where appropriate.*

Consistent. The project would include a meandering sidewalk on both Hollister Avenue and Robin Hill Road, along with extensive landscaping and appropriate signage to provide a strong pedestrian component in the project. With these improvements, the project would be consistent with this policy.

TE 13.3 Maintenance of LOS Standards. [GP] *New development shall only be allowed when and where such development can be adequately (as defined by the LOS standards in Policy TE 4) served by existing and/or planned transportation facilities. Transportation facilities are considered adequate if, at the time of development:*

a. *Existing transportation facilities serving the development, including those to be constructed by the developer as part of the project, will result in meeting the adopted LOS standards set in Policy TE 4; or*

b. *A binding financial commitment and agreement is in place to complete the necessary transportation system improvements (except for the planned new grade-separated freeway crossings), or to implement other strategies which will mitigate the project-specific impacts to an acceptable level, within 6 or fewer years; and*

c. *Any additional offsite traffic mitigation measures are incorporated into the impact fee system for addressing* cumulative transportation impacts of future development.

Consistent. Construction of a median in Hollister Avenue prohibiting left turns out of the project driveway would ensure appropriate operation of service levels on Hollister Avenue and payment of GTIP fees to offset area wide improvements

would be required. With implementation of these required conditions, the project would be consisted with this policy.

Public Facilities Element

PF 3.9 Safety Considerations in New Development. [GP] *All proposals for new or substantially remodeled development shall be reviewed for potential demand for and impacts on safety and demand for police services. The design of streets and buildings should reinforce secure, safe, and crime-free environments. Safety and crime reduction or prevention, as well as ease of policing, shall be a consideration in the siting and design of all new development within the city.*

PF 9.1 Integration of Land Use and Public Facilities Planning. [GP/CP] *The Land Use Plan and actions on individual development applications shall be consistent with the existing or planned capacities of necessary supporting public facilities and the fiscal capacity of the City to finance new facilities.*

a. *The City shall integrate its land use and public works planning activities with an ongoing program of long-range financial planning to ensure that the City's Land Use Plan is supported by quality public facilities.*
b. *Individual land use decisions, including but not limited to General Plan amendments, shall be based on a finding that any proposed development can be supported by adequate public facilities.*

PF 9.2 Phasing of New Development. [GP/CP] *Development shall be allowed only when and where it is demonstrated that all public facilities are adequate and only when and where such development can be adequately served by essential public services without reducing levels of service elsewhere.*

PF 9.3 Responsibilities of Developers. [GP/CP] *Construction permits shall not be granted until the developer provides for the installation and/or financing of needed public facilities. If adequate facilities are currently unavailable and public funds are not committed to provide such facilities, the burden shall be on the developer to arrange appropriate financing or provide such facilities in order to develop. Developers shall provide or pay for the costs of generating technical information as to impacts the proposed development will have on public facilities and services. The City shall require new development to finance the facilities needed to support the development wherever a direct connection or nexus of benefit or impact can be demonstrated.*

PF 9.7 Essential Services for New Development. [GP/CP] *Development shall be allowed only when and where all essential utility services are adequate in accord with the service standards of their providers and only when and where such development can be adequately served by essential utilities without reducing levels of service below the level of service guidelines elsewhere:*

a. *Domestic watemmitted to pror service, sanitary sewer service, stormwater management facilities, streets, fire services, schools, and parks shall be considered essential for supporting new development.*
b. *A development shall not be approved if it causes the level of service of an essential utility service to decline below the standards referenced above unless improvements to mitigate the impacts are made concurrent with the development for the purposes of this policy. "Concurrent with the development" shall mean that improvements are in place at the time of the development or that a financial commitment is in place to complete the improvements.*
c. *If adequate essential utility services are currently unavailable and public funds are not covide such facilities, developers must provide such facilities at their own expense in order to develop.*

Consistent (Policies PF 3.9, 9.1 – 9.3, 9.7). These policies are intended to ensure that new development is coordinated with the availability and/or provision of adequate public facilities and infrastructure to adequately serve it. Adequate water, sewer, and utility services would be available from the Goleta Water and Sanitary Districts, local utility service providers, fire and police protection services, subject to the project obtaining can and will serve letters from the Goleta Water and Sanitary Districts. As such, the proposed project would be consistent with these policies, as conditioned.

Noise Element

NE 1.1 Land Use Compatibility Standards. [GP] *The City shall use the standards and criteria of Table 9-2 to establish compatibility of land use and noise exposure. The City shall require appropriate mitigation, if feasible, or prohibit development that would subject proposed or existing land uses to noise levels that exceed acceptable levels as indicated in this table. Proposals for new development that would cause standards to be exceeded shall only be approved if the project would provide a substantial benefit to the City (including but not limited to provision of affordable housing units or as part of a redevelopment project), and if adequate mitigation measures are employed to reduce interior noise levels to acceptable levels.*

Consistent. This policy is intended to ensure that new development is not exposed to unacceptable noise levels for the type and nature of the use involved. The project is outside of any airport noise contour of 65 dB or greater. Construction hours would be limited according to conditions of approval for the project. Therefore, as conditioned, the project would be consistent with these policies.

NE 3.3 Consultation with ALUC Staff and City of Santa Barbara Staff. [GP] *The City of Goleta shall continue to monitor and comment on airport-related projects and development proposed for the area surrounding the airport that is*

under the jurisdiction of the City of Santa Barbara. The City of Goleta shall consult with staff of the Airport Land Use Commission (ALUC) and the Santa Barbara Airport Department for development projects within the clear or approach zones as defined in the Santa Barbara County Airport Land Use Plan (ALUP), as well as any development proposed within the 60 dBA CNEL noise exposure contour as depicted on the Noise contour map in the most recent ALUC-adopted Santa Barbara County Airport Land Use Plan.

Consistent. The project and environmental document were reviewed by the City of Santa Barbara Community Development and Airport Department staff. Project revisions were made in response to these consultations, including design of the frontage improvements and median to be constructed along Hollister Avenue. While the project site is adjacent to the airport, it is not within the ALUC jurisdiction, and also not subject to the ALUP. Therefore, the project is consistent with this policy.

NE 6.4 Restrictions on Construction Hours. [GP] *The City shall require, as a condition of approval for any land use permit or other planning permit, restrictions on construction hours. Noise-generating construction activities for projects near or adjacent to residential buildings and neighborhoods or other sensitive receptors shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. Construction in non-residential areas away from sensitive receivers shall be limited to Monday through Friday, 7:00 a.m. to 4:00 p.m. Construction shall generally not be allowed on weekends and State holidays. Exceptions to these restrictions may be made in extenuating circumstances (in the event of an emergency, for example) on a case by case basis at the discretion of the Director of Planning and Environmental Services. All construction sites subject to such restrictions shall post the allowed hours of operation near the entrance to the site, so that workers on site are aware of this limitation. City staff shall closely monitor compliance with restrictions on construction hours, and shall promptly investigate and respond to all noncompliance complaints.*

Consistent. Project construction hours would be limited according to conditions of approval, making the project is considered consistent with this policy.

NE 6.5 Other Measures to Reduce Construction Noise. [GP] *The following measures shall be incorporated into grading and building plan specifications to reduce the impact of construction noise:*

a. *All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system.*

b. *Contractors shall implement appropriate additional noise mitigation measures including but not limited to changing the location of stationary construction equipment, shutting off idling equipment, and installing acoustic barriers around significant sources of stationary construction noise.*

c. *To the extent practicable, adequate buffers shall be maintained between noise-generating machinery or equipment and any sensitive receivers. The buffer should ensure that noise at the receiver site does not exceed 65 dBA CNEL. For equipment that produces a noise level of 95 dBA at 50 feet, a buffer of 1600 feet is required for attenuation of sound levels to 65 dBA.*

Consistent. This policy is intended to protect sensitive noise receptors such as residential units from excessive levels of construction noise. The project site is not located near sensitive receptors, and would therefore be considered consistent with this policy.

Housing Element

HE 3.2 Mitigation of Employee Housing Impacts from Nonresidential Uses. [GP] *Housing needs of local workers are an important factor for the City when reviewing nonresidential development proposals. The City shall require proposed new nonresidential development and proposed expansion or intensification of existing nonresidential development to contribute to the provision of affordable employee housing. The proposed amount of floor area and type of nonresidential use shall be factors in establishing the requirement for individual projects. Alternatives to satisfy this requirement may, at the discretion of the City, include payment of "in-lieu" housing impact fees, provision of housing on-site, housing assistance as part of employee benefit packages, or other alternatives of similar value.*

HE 12.3 Local Housing Impact Fees. [GP] *The City shall prepare an appropriate nexus study and consider the adoption of an ordinance that would impose affordable housing impact fees on new nonresidential development based upon the estimated number of jobs generated by the development and the estimated wage levels of those jobs.*

Consistent. Housing Element, Policy 3.2 requires new nonresidential development to contribute to the provision of affordable housing. The City encourages the creation of housing near where people work and seeks participation of non-residential development in contributing affordable houses related to their impact on the local workforce. The contribution may include in-lieu fees, provision of onsite housing, housing assistance as part of employee benefit packages, or other alternatives of similar value. The fulfillment of affordable housing requirements is presently established by policy/administrative practice, where as an ordinance has not yet been adopted.

Options that may be considered include average rates currently used by other California jurisdictions. Some jurisdictions have adopted rates for hotels and restaurants using a per square foot fee amount. The rates fluctuated greatly; valuing contributions to affordable housing is largely dependent upon community values, affordable housing, and construction. Council should refrain from the

comparability of any city to Goleta and rather use this data to consider an appropriate average. The rates are as follows:

	Hotel Rate	Applicable Fee
San Diego	$0.64	$ 63,887
Pleasanton	2.57	256,548
Santa Monica	4.91	490,136
Walnut Creek	5.00	499,120
Oakland	12.91	1,288,727
Average	5.20	519,085

Applying the average factors from the above generation rates and colleciton of an in-lieu fee of $519,085 would result in consistency with this policy.

Goleta Old Town Revitalization Plan

The project site is located within the West Wing portion of the Old Town Project Area. While previously designated as an Industrial Park site in this Plan, the General Plan Land Use designation of I-BP (Industrial – Business Park) with a Hotel Overlay is the more applicable vision for this property. Additionally, the development of the Marriott Residence Inn would create hotel transient occupancy tax revenue which would further the goals of the Old Town Revitalization Plan.

ATTACHMENT 8

ZONING ORDINANCE CONSISTENCY ANALYSIS

MARRIOTT RESIDENCE INN; 07-007-DP (Parcel 2)
ZONING ORDINANCE CONSISTENCY ANALYSIS

The following table identifies various applicable zoning requirements of the M-RP zone district and the project's compliance with each of these requirements:

	Required	Proposed	Consistent Y/N
Front Yard Setback (Parcel 2 is a corner lot and has two front yard setbacks)	80 Feet from centerline and 50 feet from ROW line of any street (on both project frontages)	Hollister Avenue: <80' from centerline; 30' from ROW to porte cochere parking Robin Hill Road: 18' from ROW (existing), and 14' from proposed new ROW at corner of Robin Hill Road/Hollister Avenue	Yes, subject to modification Yes, subject to modification
Side Yard Setback	10 feet	13 feet (from new eastern property line)	Yes
Rear Yard Setback	10 feet	Parcel 2: 5 feet at rear parking aisle	Yes, subject to modification
Building Coverage	≤ 35% net lot area	23.7% (39,087 ft^2)	Yes
Building Height (parcel 2 only)	35 feet average	35 feet average	Yes
Parking spaces:	Hotel: 144 spaces	139	Yes, subject to modification
Landscaping/Open Space	30% minimum	33%	Yes
Storage (trash)	None	Trash enclosures within parking lot, within setback from Robin Hill	Yes, subject to modification
Other: Minimum Lot Size	1 acre minimum	3.79 acres gross/ 3.72 acres net	Yes

HOLLISTER CENTER; 07-167-DP AM (Parcel 1)
ZONING ORDINANCE CONSISTENCY ANALYSIS

The following table identifies various applicable zoning requirements of the M-RP zone district and the project's compliance with each of these requirements:

	Required	Proposed	Consistent Y/N
Front Yard Setback (Parcel 1 is a corner lot and has two front yard setbacks)	80 Feet from centerline and 50 feet from ROW line of any street (on both project frontages)	Hollister Avenue: 80' from centerline ; 35'- 50' from ROW line La Patera Lane: 80' from Centerline; 50' from ROW	Yes, subject to modification Yes
Side Yard Setback	10 feet	14' – 19'	Yes
Rear Yard Setback	10 feet	Parcel 1: 8' - 10'	Yes, subject to modification
Building Coverage	≤ 35% net lot area	35%	Yes
Building Height (parcel 2 only)	35 feet average	35 feet average	Yes
Parking spaces: Parcel 1	Industrial Research use: 230	350 parking space (to be reduced to 343 per compliance with conditions)	Yes
Landscaping/ Open Space	30% minimum	10%	Yes, subject to modification
Storage (trash)	None	None	Yes
Other: Minimum Lot Size	1 acre minimum	7.16 acres gross/6.99 net	Yes

ATTACHMENT 9

GROWTH MANAGEMENT ORDINANCE, SECTION 8.2 (AWARD OF POINTS)

GOLETA GROWTH MANAGEMENT ORDINANCE (03-04)
SECTION 8.2, AWARD OF POINTS
MARRIOTT RESIDENCE INN
07-007-DP

Project Description

The Marriott Residence Inn would be a 140-room hotel of approximately 99,824 square feet (SF). It would be framed by three building wings with a patio and pool area in the center courtyard of the hotel. The front entrance of the hotel would face Hollister Avenue. The hotel would be three stories with an average height of 35 feet. Peak heights would range from 39 – 40.4 feet.

The proposed architecture is characterized as contemporary Mediterranean with smooth stucco finish, accent awnings, wood trellis, cornice moldings, and concrete tile roof. Landscaping would be primarily drought tolerant and Mediterranean. Trees would be placed along frontages, entry ways, parking areas, and elsewhere throughout the property. The plan also includes shrubs, groundcovers, vines, and biofiltration plants.

Access for the hotel would be from Hollister Avenue and Robin Hill Road. All utilities along Hollister Avenue, Robin Hill Road, and onsite would be placed underground. The project includes a proposed sewer lateral connection from the property to the north, through the central portion of the site (beneath the hotel), continuing to Hollister Avenue to connect to existing Goleta Sanitary District lines. An existing lift station located along Hollister Avenue is planned to be relocated eastward on Hollister Avenue by the GSD in December 2008. Water service would be provided by the Goleta Water District.

Certain modifications from zoning ordinance standards are being requested. These include setback and parking modifications.

The following points under the Goleta Growth Management Point Criteria are assigned:

CRITERIA	MAXIMUM POSSIBLE POINTS
A. The applicant proposes improvements to Transportation facilities identified in the Goleta Transportation Improvement Plan (GTIP) capital improvements list, over and above the payment of traffic mitigation fees or completion of required improvements in lieu of fees, and such improvements:	
1) Improve the V/C ratio by at least 0.05 at intersections presently operating at LOS D or worse	4 points per intersection **(no points assigned)**
2) Improve the V/C ratio by at least 0.02 at intersections presently operating at	2 points per intersection **(no points assigned)**

LOS D or worse

3) Provide alternative transportation or pedestrian improvements (e.g. bus turn outs, bicycle facilities) identified in the GTIP — 1 – 4 points **(3 points assigned)**

B. The development will provide neighborhood serving uses (e.g. dry cleaners, small markets, drug stores) on lots zoned C-1, Limited Commercial, and CN, Neighborhood Commercial, in areas underserved by neighborhood commercial uses. — 1 – 3 points **(no points assigned)**

C. The project is located in the MR-P or PI zoning district and includes commercial service uses that are subordinate to the principally-permitted uses that meet the day-to-day needs of employees in the immediate vicinity (e.g. banks, restaurants, cleaners, day care, etc). — 1 – 3 points **(no points assigned)**

D. In addition to required dedications and payment of development impact fees, the project contributes substantially to the development of onsite or offsite public services or improvements to public facilities that benefit Goleta, including recreational facilities, day care centers, creek protection or flood management improvements, or substantial contributions to a Goleta open space acquisition fund. — 1 – 4 points **(no points assigned)**

E. The project provides environmental and/or design benefits on the project site over and above the minimum requirements of the Zoning Code, including but not limited to, clustering with open space preservation, onsite habitat restoration or enhancement, parking to the rear of structures, enhanced architectural detailing and articulation of structures, variation in building height and wall planes, enhanced finish materials, enhanced landscaping to break up building mass or expanses of parking, enhanced energy efficiency and/or use of alternative energy sources, and use of "green" building standards. — 1 – 5 points **(3 points assigned)**

F. The project is located within the Goleta Old Town Revitalization Plan (Redevelopment) area and contributes to the redevelopment objectives set forth in the plan. — 5 points **(no points assigned)**

G. The project includes residential uses that are secondary to the commercial use: **(no points assigned)**

1) Housing comprises 40% - 50% of total floor area 6 points
2) Housing comprises between 25% and 40% of total floor area 4 points
3) Housing comprises between 10% and 24% of total floor area 2 points

In order to receive points for Criterion G, mixed-use projects shall comply with the following requirements:

1) The project shall be a single parvel or a group of contiguous parcels.
2) If more than one parcel, the contiguous parcels shall either be under a common ownership or all owners shall file a joint application for planning permits.
3) The project shall be subject to at least one planning permit that applies to the entirety of the project and is inclusive of all parcels an all proposed development.
4) The residential floor area shall not exceed 50% of the total floor area proposed.
5) The residential development shall proceed in advance of or concurrent with the non-residential portion of the project. Building and Occupancy Permits for the non-residential portion of the development shall not be issued prior to the equivalent permits for the residential dwellings.

TOTAL POINTS ASSIGNED **6 points**