

ATTACHMENT 1

PLANNING COMMISSION RESOLUTION 08- ____

**PLANNING COMMISSION
RESOLUTION NO. 08-__**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF VARIOUS ACTIONS RELATED TO THE HASKELL'S LANDING PROJECT; CASE NO. 07-102-GP, -OA, -TM, -DP, -RN; NORTHWESTERN CORNER OF HOLLISTER AVENUE / LAS ARMAS ROAD INTERSECTION; APN 079-210-049

WHEREAS, an application was submitted on May 8, 2007 by Oly Chadmar Sandpiper General Partnership, LLC, applicants, requesting approval of a General Plan Agreement, Ordinance Amendment, Vesting Tentative Tract Map, Development Plan, and Road Naming; and

WHEREAS, the application was found complete for processing on February 19, 2008, and was revised from 102 to 101 units on August 18, 2008; and

WHEREAS, the application is for several General Plan Amendments, an Ordinance Amendment to establish a Development Agreement, a vesting tract map to create a one lot subdivision of the 14.46-acre parcel for airspace condominium purposes to provide for 101 residential units, associated infrastructure, and common open space, a Development Plan to allow the construction of a 101-unit residential condominium project totaling 138,061 square feet (s.f.) of building coverage, and 95,628 s.f. of streets, sidewalks, driveways, and parking areas; and a Road Naming to provide eight names to internal project site streets; and

WHEREAS, the procedures for processing the project application have been followed as required by state and local laws; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the project application on November 17, 2008, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has considered the entire administrative record, including application materials, staff report, the Addendum to 94-EIR-9, The Residences at Sandpiper SEIR, and Goleta General Plan/Coastal Land Use Plan EIR dated November 10, 2008, and oral and written testimony from interested persons; and

WHEREAS, the Planning Commission finds that approval of Case No. 07-102-GP, -OA, - TM, -DP, -RN; would be consistent with the City's General Plan, the provisions of Article II, Chapter 35 of the Goleta Municipal Code (the Coastal Zoning Ordinance); and the ability to make the required findings, including findings pursuant to the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF GOLETA AS FOLLOWS:

SECTION 1. Recommendation for Adoption of the Addendum to 94-EIR-9, The Residences at Sandpiper SEIR, and Goleta General Plan/Coastal Land Use Plan EIR dated November 10, 2008.

The Planning Commission hereby recommends that the City Council adopt the CEQA findings set forth in Exhibit 1 to this resolution, pursuant to Section 15074 of the State Guidelines for Implementation of the California Environmental Quality Act.

SECTION 2. Recommendation for the General Plan Amendments.

The Planning Commission hereby recommends that the City Council adopt the findings set forth in Exhibit 1 for the Amendments to the following General Plan Policies: Conservation Element Policy 2.2; Housing Element Policy 11.5; a correction to a Housing Element Table 10-A16; and Public Facilities Policy 3.2 and Figure 8.1.

SECTION 3. Recommendation for the Ordinance Amendment.

The Planning Commission hereby recommends that the City Council adopt the findings for an Ordinance Amendment to establish a Development Agreement between the City of Goleta and Oly Chadmar Sandpiper General Partnership, set forth in Exhibit 1 to this resolution, pursuant to Section 35-180 of Chapter 35, Article II, the Coastal Zoning Ordinance, of the Goleta Municipal Code.

SECTION 4. Recommendation for the Development Plan.

The Planning Commission hereby recommends that the City Council adopt the findings set forth in Exhibit 1 and conditions set forth in Exhibit 2 of this resolution pursuant to Section 35-174 of Chapter 35, Article II, the Coastal Zoning Ordinance, of the Goleta Municipal Code.

SECTION 5. Recommendation for the Road Naming.

The Planning Commission hereby recommends that the City Council adopt the findings set forth in Exhibit 1 of this resolution pursuant to Section 35-178 of Chapter 35, Article II, the Coastal Zoning Ordinance, of the Goleta Municipal Code.

SECTION 6. Documents. The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

SECTION 7. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2008.

KENNETH KNIGHT, CHAIR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

JULIE HAYWARD GILES
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)
CITY OF GOLETA) ss.

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Planning Commission Resolution No. 08-__ was duly adopted by the Planning Commission of the City of Goleta at a regular meeting held on the __ day of _____, 2008, by the following vote of the Commission members:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

**EXHIBIT 1
FINDINGS**

**HASKELL'S LANDING PROJECT
CASE NO. 07-102- GP, -OA, -DP, -VTM, -RN;
NORTHWESTERN CORNER OF
HOLLISTER AVENUE / LAS ARMAS ROAD INTERSECTION;
APN 079-210-049**

1.0 CEQA FINDINGS

Findings pursuant to the California Environmental Quality Act Guidelines Section 15074:

- 1.1 *Consideration of the Addendum dated November 10, 2008 to the Aradon Project Environmental Impact Report (EIR), 94-EIR-9, The Residences at Sandpiper Supplemental EIR (SEIR), and the City of Goleta General Plan/Coastal Land Use Plan EIR*

The Addendum dated November 10, 2008 for the Haskell's Landing Project was presented to the Planning Commission and all voting members of the Commission have reviewed and considered the Addendum dated November 10, 2008, including the impact summary tables from 94-EIR-9, The Residences at Sandpiper SEIR, and relevant sections of the City of Goleta General Plan/Coastal Land Use Plan EIR prior to recommending that the City Council approve this proposal. In addition, all voting Commissioners have reviewed and considered the testimony and additional information presented at or prior to the public hearing on November 17, 2008. The Addendum reflects the independent judgment of the Planning Commission and is adequate for this proposal pursuant to Section 15164 of the State CEQA Guidelines.

- 1.2 *Findings that Certain Unavoidable Impacts are Mitigated to the Maximum Extent Feasible*

The original EIR for the Aradon Project, 94-EIR-9, The Residences at Sandpiper SEIR, and the Goleta General Plan/Coastal Land Use Plan identified five environmental impacts which cannot be fully mitigated and are therefore considered unavoidable. With implementation of the Haskell's Landing project, significant and unavoidable impacts on loss of open space, potential for infrequent exposure to electronic magnetic frequencies (EMF) along the eastern project boundary, potential single-event, nuisance noise associated with a future County Fire Station No. 11 west of the project site, contributions to solid waste disposal, and school

enrollments, and incremental impacts on recreational coastal trail use in the vicinity are expected. Mitigation is required, including notification to future owners of potential EMF exposure, preparation of a Solid Waste Management Program, notification of the Goleta Union School District and Santa Barbara High School District of the expected buildout date of the project, and payment of mandatory school fees. No other feasible mitigation is known that would further reduce the severity of these impacts. To the extent that impacts remain significant and unavoidable, the impacts are acceptable when weighed against the overriding social, economic, and other public benefits set forth in the Statement of Overriding Considerations included herein.

1.3 *Findings that Certain Impacts are Mitigated to Less than Significant Levels by the Conditions of Approval*

The Addendum dated October 31, 2008 addressed the following issue areas and found that impacts could be mitigated to less than significant levels:

Aesthetics/Visual Resources: With implementation of mitigation measures which address project architecture, landscaping, lighting, utility screening and DRB review, project impacts to visual resources would be reduced to less than significant levels.

Air Quality: With implementation of mitigation measures to reduce dust, NOx, and ROC emissions, requirement to use non-CFC refrigerants, compliance with APCD rules and regulations, and incorporation of alternative transportation and energy efficiency into the project operations, air quality impacts would be reduced to less than significant levels.

Biology: With implementation of mitigation measures including a Vegetation Enhancement Plan (VEP) for Devereux Creek and adjacent wetland and native grassland habitat, Best Management Practices to minimize degradation of water quality, designing site grading to facilitate runoff to riparian and wetland habitats rather than to the sewer system, using directional drilling to accomplish utility placement within the Devereux Creek corridor, impacts to biological resources would be reduced to less than significant levels.

Cultural Resources: Mitigation is required to monitor initial construction by a City-qualified archaeologist and local Native American observer to identify and mitigate impacts, if necessary, to previously unknown archaeological resources that could be encountered during site preparation activities. Implementation of this mitigation would reduce the potential for archaeological impacts to less than significant levels.

Geology/Drainage: With implementation of mitigation measures including erosion control, implementation of soils report recommendations to address on-site soil constraints during construction, and requirement for grading and drainage design details to be approved by Community Services prior to land use permits, geology and drainage impacts would be reduced to less than significant levels.

Noise: With implementation of mitigation restricting short-term construction activities and mitigation requiring acoustical analysis to identify construction methods that will ensure that noise levels in interior areas of the hotel would not exceed 45 dBA CNEL, and construction of a noise barrier along the northern property boundary and extending 50 feet southward along the western and eastern property boundaries, noise impacts would be reduced to less than significant levels.

Public Services: With compliance with mitigation measures requiring confirmation of adequate water and sewage treatment capacities to serve the project these, public services impacts would be reduced to less than significant levels.

Traffic/Circulation: With implementation of mitigation measures requiring payment of transportation improvement fees, and review and approval of roadway and drainage improvements by Community Services staff, project transportation/circulation impacts would be reduced to less than significant levels.

Water Resources: With implementation of mitigation measures which require implementation of BMPs during construction, review and approval of grading and drainage plans by Community Services staff, implementation of a pesticide/herbicide/fertilizer plan to minimize use of these chemicals in the landscape plan, incorporation of water saving irrigation methods, and confirmation of adequate water supply from the Goleta Water District, water resource and flooding impacts would be reduced to less than significant levels.

1.4 *Statement of Overriding Considerations*

The original EIR for the Aradon Project, 94-EIR-9, The Residences at Sandpiper SEIR, the Goleta General Plan/Coastal Land Use Plan, and the Addendum dated November 10, 2008 identify five environmental impacts which cannot be fully mitigated and are therefore considered unavoidable. With implementation of the Haskell's Landing project, significant and unavoidable impacts on loss of open space, potential for infrequent exposure to electronic magnetic frequencies (EMF) along the eastern project boundary, potential single-event, nuisance noise associated with a

future County Fire Station No. 11 west of the project site, contributions to solid waste disposal and school enrollments, and incremental impacts on recreational coastal trail use in the vicinity are expected. Required mitigation/conditions of approval would not reduce these impacts below the level of significance. Pursuant to CEQA Section 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations: the project would provide 20 affordable housing units onsite. Therefore, the Planning Commission finds that these benefits outweigh the land use/airport safety impacts associated with the project.

1.5 *Full Disclosure and Acceptance of the Addendum to 94-EIR-9, The Residences at Sandpiper SEIR, and the Goleta General Plan/Coastal Land Use Plan EIR*

The Planning Commission finds that 94-EIR-9, The Residences at Sandpiper SEIR, and the Goleta General Plan/Coastal Land Use Plan EIR as amended by the Addendum dated November 10, 2008 is complete, accurate, adequate, and is a good faith effort at full disclosure under CEQA. The Planning Commission further finds that the Addendum has been completed in compliance with CEQA. Mitigation measures identified in the Addendum, which would avoid or reduce potentially significant impacts to less than significant levels, have been incorporated into the project as conditions of approval for 07-102- GP, -OA, -DP, -VTM, -RN. Based on the whole of the record before it, the Planning Commission recommends that the City Council accept the Addendum to 94-EIR-9, The Residences at Sandpiper SEIR, and the Goleta General Plan/Coastal Land Use Plan EIR dated November 10, 2008 for fulfilling the environmental review requirements for the Haskell's Landing Project in compliance with CEQA.

1.6 *Environmental Reporting and Monitoring Program*

Public Resources Code Section 21081.6 requires that the City adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

1.7 *Location of the Record of Proceedings*

The documents and other materials which constitute the record of proceedings upon which this recommendation is based are in the custody of

the Secretary of the Planning Commission, Planning and Environmental Services located at 130 Cremona Drive, Suite B, Goleta, CA 93117.

ADMINISTRATIVE FINDINGS

- 2.0 General Plan Amendment:** Government Code Section 65358 requires that any adopted general plan amendment must be in the public interest.

The proposed amendments to the land use plan would provide the subject property with flexibility to preserve and enhance Devereux Creek Environmentally Sensitive Habitat Area (ESHA), and provide for 20 onsite affordable housing units. The proposed 50-foot development setback from top of bank, implementation of the proposed Vegetation Enhancement Plan of the ESHA area, preservation of all wetland habitats and primary native grassland habitats as open space, restoration of Devereux Creek flows through the site, and implementation of Best Management Practices ensuring enhancement of runoff water quality would ensure consistency with General Plan Conservation Element policies relative to compatible uses within the creek corridor. Identification of a proposed County Fire Station No. 10 adjacent and west of the project site would provide for the much-needed development of this facility resulting from the proposed Ordinance Amendment and Development Agreement in the western Hollister Avenue corridor area. Therefore, these amendments would be in the public interest in that intended uses for the property, including onsite affordable housing, biological habitat restoration, and regional fire protection facilities will be allowed on and adjacent to the property now and in the future.

- 3.0 Ordinance Amendment:** Pursuant to Section 35-325 of Article II, Chapter 35, of the Goleta Municipal Code (Coastal Zoning Ordinance), an Ordinance Amendment shall be approved only if all of the following findings can be made:

- 3.1 *The request is in the interests of the general community welfare.*

The proposed Ordinance Amendment provides for a Development Agreement (DA) between the City of Goleta and Oly Chadmar Sandpiper General Partnership, which would address funding of infrastructure addressing General Plan concurrency policies PF 3.2, 3.3, 3.4, as well as Section PF 9, particularly PF 9.6 and 9.7. The DA funding would provide essential fire protection infrastructure for County Fire Station 10, to be located west and adjacent of the Haskell's Landing Project site. The Fire Station 10, as described in the General Plan Public Facilities Element, is required to address a

critical existing deficiency in fire protection response in the western Hollister Avenue corridor. Therefore, in addition to providing for the proposed Haskell's Landing Project, the DA would fund fire protection infrastructure that would benefit the general community welfare, specifically, in the western Hollister Avenue corridor.

- 3.2 *The request is consistent with the General Plan, the requirements of State planning and zoning laws, and this Article.*

The proposed Ordinance Amendment is consistent with the General Plan, the requirements of State planning and zoning laws, and Article II, as described in the staff report for the Planning Commission hearing of November 17, 2008.

- 3.3 *The request is consistent with good zoning and planning practices.*

The request is consistent with good zoning and planning practices.

4.0 Vesting Tentative Tract Map: Pursuant to Section 66474 of the State Subdivision Map Act and Chapter 21, Subdivision Regulations, of the Goleta Municipal Code, a Vesting Tentative Tract Map shall be approved only if all of the following findings can be made:

- 4.1 *The proposed map is consistent with applicable general and specific plans.*

The proposed tract map is consistent with the property's General Plan land use designation and is consistent with applicable General Plan policies as identified in the consistency analysis included in Attachment 4 of the staff report for the Planning Commission hearing of November 17, 2008. There is no specific plan that applies to the subject property.

- 4.2 *That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*

The design of the proposed tract map and associated development project are consistent with applicable General Plan policies as identified in the consistency analysis included in Attachment 4 of the staff report for the Planning Commission hearings of November 17, 2008. The project has been found to be consistent, as conditioned, with applicable design and improvement policies, resulting in development that is compatible with the surrounding

area and provides all necessary improvements. There is no specific plan that applies to the subject property.

4.3 *That the site is physically suitable for the type of development.*

The subject property is considered physically suitable for the proposed tract map and associated development project. The property is of sufficient size (14.46 acres) to allow a one lot subdivision of the 14.46-acre parcel for airspace condominium purposes to provide for 101 residential units, associated infrastructure, and common open space. Development of the proposed Haskell's Landing Project could be accommodated while providing for adequate improvements, infrastructure, public facilities/services, parking, internal circulation, and landscaping.

4.4 *That the site is physically suitable for the proposed density of development.*

The subject property is physically suitable for the proposed tract map and proposed development. The location, size, topography, and geologic conditions associated with the project site are suitable for the proposed project. The density of existing and proposed development can be accommodated while providing for adequate improvements, infrastructure, public facilities/services, parking, internal circulation, and landscaping.

4.5 *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.*

The proposed tract map and associated development would not result in any effects on biological resources that cannot be mitigated to less than significant levels. Significant environmental impacts related to loss of open space, potential for infrequent exposure to electronic magnetic frequencies (EMF) along the eastern project boundary, contributions to solid waste disposal, single-event, nuisance noise associated with a future County Fire Station No. 11 west of the project site, and incremental impacts on coastal trails in the vicinity would be expected of any development buildout on this project site. Potential environmental impacts and feasible means by which impacts that are reduced below the level of significance are described in the Addendum to an EIR dated November 17, 2008, and in the required conditions of approval included in Exhibit 2.

- 4.6 *That the design of the subdivision or type of improvements are not likely to cause serious public health problems.*

The proposed land division would not result in any serious public health problems. The impact on public health associated with potential exposure of future residents along the eastern project site boundary to EMF of 2 milligauss (mG) has not been conclusively determined. Therefore, this effect is considered appropriately addressed by notification to future owners of this potential exposure. Associated improvements can safely be accommodated and water, sewer, police, and fire protection services are available and adequate to serve development facilitated by the tract map.

- 4.7 *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

The property does not include easements for use by the public at large, and would therefore not conflict with such easement for access through the site. Project plans would include improvements within the rights of way of Hollister Avenue and Las Armas Road, subject to Community Services Department review and approval, which would facilitate pedestrian and transit access in this vicinity.

5.0 Final Development Plan and DP Amendment: Pursuant to Section 35-174 of Article II, Chapter 35, of the Goleta Municipal Code (Coastal Zoning Ordinance), a Preliminary or Final Development Plan shall be approved only if all of the following findings can be made:

- 5.1 *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed.*

The project site is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed, including structures, parking lots, circulation system, and landscaping to accommodate the project design. A total of 258 parking spaces would be provided, exceeding the 218 spaces required under the Coastal Zoning Ordinance Parking Regulations Division 6, Section 35-108. An additional 59 additional parking spaces would be available within the longer driveways that serve a portion of the residential units. Overall, there is sufficient acreage onsite to accommodate the necessary parking, density and intensity of development proposed.

- 5.2 *That adverse impacts are mitigated to the maximum extent feasible.*

Potential impacts involving aesthetics, air quality, biological resources, cultural/archaeological resources, geology/soils, hazards and hazardous materials, noise, recreation, public services, transportation/traffic, utilities/service systems, and water resources would be reduced to less than significant levels through implementation of the required conditions of approval included in Exhibit 2 and 3.

- 5.3 *That streets and highways are adequate and properly designed.*

All existing streets and highways serving the proposed project are adequate and properly designed and, subject to the improvements, dedications, and fee payments specified in conditions of approval (Exhibit 2 and 3), can accommodate the traffic generated by the project. The project, through required conditions of approval, would widen Hollister Avenue adjacent to the site frontage and construct half-street improvements on Las Armas Road from Hollister Avenue to Campasino Drive along the project frontage, to provide the required sight distance for vehicles entering or exiting from the site, as well as provide frontage improvements on these roadways. A striped left-turn pocket at the Road A and Las Armas Road intersections with Hollister Avenue would also be provided throughout the construction of probable future projects along the western Hollister Avenue corridor.

- 5.4 *That there are adequate public services, including but not limited to, fire protection, water supply, sewage disposal, and police protection to serve the project.*

The proposed project would be served by the Santa Barbara County Fire Department, the Goleta Water District, the Goleta West Sanitary District, and the City of Goleta Police Department. These agencies and districts have adequate capacity to serve the proposed Haskell's Landing Project.

- 5.5 *That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas.*

The proposed project would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and would not be incompatible with the surrounding areas. The project would be served by the appropriate water and sewer districts and, as conditioned (see Exhibit 2 and 3), would have safe and

adequate primary and emergency/secondary vehicular access. The design of the project would be compatible with surrounding development and would provide a hotel land use complementary to the surrounding uses.

- 5.6 *That the project is in conformance with 1) the General Plan and 2) the applicable provisions of this Article.*

The proposed project is consistent with the General Plan land use designation of PR-8, Planned Residential, maximum 8 units/per acre, as well as applicable policies as identified in the Planning Commission staff report for the hearing of November 17, 2008, Attachment 4. The project would also be consistent with applicable zoning ordinance standards, subject to approval of requested modifications (see staff report dated November 17, 2008, Attachment 5).

- 5.7 *That the project will not conflict with any easements required for public access through, or public use of a portion of the property.*

The property does not include easements for use by the public at large, and would therefore not conflict with such easement for access through the site. Project plans would include improvements within the rights of way of Hollister Avenue and Las Armas Road, subject to Community Services Department and City of Santa Barbara review and approval. These improvements would facilitate pedestrian and transit access in the vicinity.

EXHIBIT 2
CONDITIONS OF APPROVAL
HASKELL'S LANDING PROJECT
07-102-GP, -OA, - TM, -DP, -RN

1. **AUTHORIZATION:** This Development Plan and Vesting Tentative Tract Map and the conditions set forth below authorize development proposed in Case No. 07-102-GP, -OA, - TM, -DP, -RN marked "Officially Accepted, _____, 2008, Planning Commission Exhibits 1 and 2." Any deviations from the exhibits, project description, or conditions must be submitted to the City of Goleta for its review and approval. Deviations without the above-described approval will constitute a violation of the permit approval. The exhibits associated with this permit include:

07-102-GP, -OA, - TM, -DP, -RN: Haskell's Landing Development Plan

Project Data (Sheet 2 of 4 dated October 27, 2008)
Overall Site Plan (Sheet 2 of 4 dated October 27, 2008)
Site Plan (Sheet 2 of 4 dated October 27, 2008)
Ground Floor Plan (Sheets 1, 7, and 12, dated August 18, 2008)
Second Floor Plan (Sheets 2, 8, and 13, dated August 18, 2008)
Exterior Elevations (Sheets 1-8, dated October 1, 2008)
Preliminary Landscape Plan Redesign (dated August 18, 2008)
Vegetation Enhancement Plan (dated May 8, 2002)
Vesting Tentative Tract Map 32032 (dated August 18, 2008)
Vesting Tentative Map - Preliminary Grading and Drainage Plan
(Sheet 3 of 4 dated August 18, 2008)
Pedestrian Circulation Plan (Sheet 5 dated August 18, 2008)

07-102-TM: Vesting Tentative Tract Map

Vesting Tentative Tract Map No. 32032 dated August 18, 2008

2. **AUTHORIZED DEVELOPMENT:**

Vesting Tentative Tract Map (07-102-TM): A request for a one lot subdivision of the 14.46-acre tract for airspace condominium purposes to provide for 101 residential units, associated infrastructure, and common open space.

General Plan Amendments (07-102-GP)

The project description included several proposed amendments that have been adopted by the City of Goleta through the Track 2 General Plan Amendment process. Only three amendments to Goleta General Plan policies and tables specific to development on the project site remain as part of the project. These amendments address issues include: allowing for a 50-foot development setback from Devereux Creek top of bank (Conservation Element Policy 2.2); affordable housing inclusionary standards (Housing

Element Policy 11.5); and a correction to a Housing Element Table (Table 10-A16).

Two other amendments (Public Facilities Policy 3.2 and Figure 8.1) are associated with locations identified for constructing a County Fire Station No. 11 directly west and adjacent to the proposed project site. This specific location had not been identified prior to the initiation of the City of Goleta's General Plan Amendment process, though the requirement for providing a City site in this area is already identified in Public Safety and Services Facility Policy 3.2. One last amendment that would be addressed during the Track 3 GPA process is for TE 13.4, Mitigating Traffic Impacts of Development, which would revise text to provide for options to initiate development if capital improvement projects needed to maintain adopted transportation LOS standards are not able to be funded.

Development Agreement (07-102-OA)

A Draft Development Agreement (DA) between the City of Goleta and Oly Chadmar Sandpiper General Partnership has been proposed that would address funding of infrastructure addressing General Plan concurrency policies PF 3.2, 3.3, 3.4, as well as Section PF 9, particularly PF 9.6 and 9.7. The Draft DA is included as Attachment 6.

Development Plan (07-007-DP):

The Final Development Plan is a request to allow the construction of a 101-unit residential condominium project totaling 138,061 square feet (s.f.) of building coverage, and 95,628 s.f. of streets, sidewalks, driveways, and parking areas

Unit and Building Design: Seven residential two-story building types are proposed, arranged around two loop road configurations, accessed from Hollister Avenue on the west and Las Armas Road on the east. Single family residence (SFR detached) and single family attached duplex units would provide three bedrooms, with half of the units having an option for an additional bedroom. These units would have a maximum height from finished floor to roof ridgeline of 26.5 feet, and Townhouse (T.H., attached) triplex and four-plex units would have a maximum height of 27 feet. The 2- and 3-bedroom T.H. floor plan to be offered at the market sales category would provide for an extra optional bedroom. Habitable building areas would vary as identified in Table 1 (see page 5):

As illustrated in Table 1, a total of 20 units, a mix of Studio, One-Bedroom, and Two-Bedroom units, would be offered at the affordable upper moderate income level. These affordable units would be distributed throughout the project site. A total of 42 buildings would be constructed as identified in Table 2 (see page 5):

Parking: A total of 258 parking spaces would be provided, exceeding the 218 spaces required under the Coastal Zoning Ordinance Parking Regulations Division 6, Section 35-108. All market-rate SFR and Townhomes units would

include a private 2-car garage, while two-bedroom (market rate and affordable) and one-bedroom (affordable) carriage would include a private 1-car garage. Additional uncovered parking would be provided within 200-feet of the affordable units, as required by ordinance. The parking provides 218 Resident spaces and 40 Visitor spaces, of which 173 are enclosed, 40 are driveway Guest, and 45 are on-street within strictly designated pockets (see Figure 5). The spaces meet the Zoning Ordinance requirement and provide a reserve of 40 on-site spaces. An additional 59 additional parking spaces would be available within the longer driveways that serve a portion of the residential units. An additional estimated 20 parking spaces would also become available on Las Armas Road as a result of the improvements mentioned above.

Table 1: Haskell's Landing Residential Habitable Building Areas

Unit Type	Number	Area (square feet)	Sales Category
Three-Bedroom ¹ SFR	19	3,050	Market
Three-Bedroom ¹ SFR Detached	3	3,050	Market
Three-Bedroom SFR	19	2,650	Market
Three-Bedroom SFR Detached	1	2,650	Market
Three-Bedroom T.H. ¹	17	2,324	Market
Two-Bedroom ¹ T.H.	17	1,813	Market
Two-Bedroom ¹ T.H. detached	2	1,813	Market
Two-Bedroom ¹ T.H.	3	1,364	Market
Two-Bedroom T.H.	8	1,364	Affordable
One-Bedroom T.H.	6	774	Affordable
Studio	6	566	Affordable

Note: 1: Option for one additional bedroom

Table 2: Haskell's Landing Residential Buildings and Unit Types

Unit Type	Number of Buildings
One Four-Bedroom SFR unit + One Three-Bedroom SFR +	19
Two 3-Bedroom T.H. units + (1) 2-Bedroom T.H. affordable unit <i>or</i> (1) 1-Bedroom affordable unit and (1) affordable Studio	17
Two-Bedroom + detached T.H.	2
Three-Bedroom+ detached SFR	4

Access: Access to and from the condominiums would be provided from Hollister Avenue and Las Armas Road. A minimum 28-foot wide interior loop is provided on each side of Devereux Creek. A portion of the eastern interior loop adjacent to the proposed open space landscape restoration area would incorporate a “grass-crete” type substructure material that would allow for natural dispersal of native grass seed. This paving material, in addition to interior road width and turning radius, was determined in consultation with the Santa Barbara County Fire Department.

A pedestrian trail linking the eastern and western residential components is proposed adjacent and south of the northern property boundary; a 10-foot wide pre-fabricated clear-span steel would span Devereux Creek. A meandering perimeter sidewalk would parallel Hollister Avenue and Las Armas Drive within the project site right of way. The City DRB has requested inclusion of a third pedestrian trail crossing Devereux Creek to facilitate pedestrian access. The applicant has proposed an optional configuration for this trail and bridge within the southern half of the property.

Architecture and Landscaping: The proposed architecture proposed for both detached and attached units is described as a mix of Coastal, Ranch, and Monterey styles (see Figures 7a through 15b). Perimeter units would be oriented toward Hollister Avenue; no sound wall along the roadway is proposed. Units adjacent to Devereux Creek would be oriented to take advantage or proposed restoration of this biologically sensitive area. All units would have private outdoor areas. Common open space would total approximately 346,080 square feet (55%) exclusive of the right-of-way area to be dedicated to the City of Goleta, and includes a children’s play area, and trail, with benches throughout the proposed Devereux Creek restoration area. Private open space would equal

49,992 square feet (8%), such that total project open space would be 63% of all the project area.

The project proposes a 6-foot high sound wall along the northern property boundary, but would not have a perimeter wall along any other property line. Instead, proposed residential units would be oriented outwards with their front yards towards Hollister Avenue, Devereux Creek, or towards interior landscaped common areas.

The project's conceptual landscaping includes a Vegetation Enhancement Plan for the Devereux Creek corridor. All landscaping would be maintained with a pesticide- and herbicide-free program. A total of 87 eucalyptus and 8 cypress trees over 6 inches in diameter measured at breast height would be replaced with a total of 282 drought tolerant Mediterranean and native tree species, both ornamental (e.g., Melaluca, London Plane Tree, etc.) and indigenous to the area (e.g., coast live oak and sycamore) (see Figure 16).

Site Preparation: The site would require approximately 105,610 cubic yards of cut and 75,126 cubic yards of fill, which would be balanced on site. Maximum vertical height of cut and fill slopes would be 4 feet. A retaining wall on the northern project boundary would have a maximum 6-foot height.

Utilities: The Goleta Water District and Goleta West Sanitary District would provide water and sewer service to the site, and the applicant has been provided with service letters.

Public Services: Fire protection would in the long term be provided by a proposed County of Santa Barbara Fire Station No. 10, adjacent and west of the project site. Police protection would be provided by the City of Goleta. School facilities would be provided by the Goleta Valley Unified School District, including Elwood Elementary School, Goleta Valley Junior High, and Dos Pueblos High School.

The grading, development, use and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall substantially conform to the project description in the staff report and abide by the conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the City of Goleta. Minor changes to the project description contained herein shall be subject to the approval of the Director of Planning and Environmental Services.

Road Naming (07-102-RN)

The proposed project would include naming of eight internal street segments, pursuant to direction from the Santa Barbara County Fire Department.

MITIGATION MEASURES FROM EIR ADDENDUM

Aesthetics/Visual Resources

1. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Waste shall be picked up weekly or more frequently as directed by City staff. **Plan Requirements and Timing:** Prior to and as a condition of precedent to issuance of any LUP for the project, the applicant shall designate and provide to City staff the name and phone number of a contact person(s) to monitor construction trash/waste and organize a clean-up crew. Additional covered receptacles shall be provided as determined necessary by city staff. This requirement shall be noted on all plans. Trash control shall occur throughout all grading and construction activities.

Monitoring: City staff shall inspect periodically throughout grading and construction activities to verify compliance.

2. The design, scale and character of the project architecture, landscaping and signage shall be compatible with vicinity development. The preliminary development plans shall be revised to address issues raised by DRB in its Conceptual Review and shall incorporate all applicable mitigation measures and conditions of approval. The exterior elevations shall be fully dimensioned, showing existing grade, finished grade, finished floor, average height and peak height. **Plan Requirements and Timing:** Architectural drawings, lighting plans, landscape plans, grading plans, and signs shall be submitted to Planning & Environmental Services prior to Design Review Board (DRB) plan filing and plans shall be approved prior to approval of Land Use Permits for the project.

Monitoring: City staff shall verify that the project is constructed per the final plans approved by DRB prior to issuance of any certificate of occupancy.

3. All exterior night lighting shall be of low intensity/low glare design, and shall be hooded to direct light downward onto the subject tract and prevent spill over onto adjacent tracts. Exterior lighting fixtures shall be kept to the minimum number and intensity needed to ensure the public safety of employees and visitors. All upward directed exterior lighting shall be

prohibited to protect night sky views of the stars and “dark-sky” lighting fixtures shall be used throughout. All exterior lighting fixtures shall be appropriate for the architectural style of the proposed structures and the surrounding area. The applicant shall develop a lighting plan incorporating these requirements and provisions for dimming lights after 11:00 p.m. to the maximum extent practical without compromising public safety. The final lighting plan shall be amended to include identification of all types, sizes, and intensities of wall mounted building lights and landscape accent lighting. Wall wash type lighting should be avoided, except if required for safety reasons. “Moonlighting” type fixtures that illuminate entire tree canopies should also be avoided (up-lighting and down-lighting as separate methods are acceptable). **Plan Requirements and Timing:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on the preliminary/final lighting plan and shall be reviewed and approved by DRB and City staff. The preliminary/final lighting plan shall be reviewed and approved by DRB and City staff prior to issuance of any LUP for the project.

Monitoring: City staff shall inspect all exterior lighting to verify that exterior lighting fixtures have been installed consistent with their depiction on the final lighting plan.

4. The applicant shall prepare detailed landscape and irrigation plans for the project that identifies the following:
 - a. Type of irrigation proposed;
 - b. All proposed trees, shrubs, and groundcovers by species;
 - c. Size of all planting materials including trees; and
 - d. Location of all planting materials.

The project landscaping shall consist of drought-tolerant native and/pr Mediterranean type species which adequately complement the project design and integrate the site with surrounding land uses. Landscaping shall be compatible with the character of the surroundings, the architectural style of the structures and shall be include landscape planters outside and adjacent to any perimeter noise walls such that irrigation systems can provide for watering of the screening plantings on both sides of the walls (interior and exterior). **Plan Requirements and Timing:** Landscape plans shall be submitted to Planning & Environmental Services prior to Design Review Board (DRB) plan filing and plans shall be approved prior to approval of Land Use Permits for the project.

Monitoring: City staff shall verify that landscaping is installed per the final plans approved by DRB prior to issuance of any certificate of occupancy.

5. To ensure installation and long-term maintenance of the approved landscape plans, the applicant shall enter into an agreement to install required landscaping and water-conserving irrigation systems as well as maintain required landscaping for the life of the project. **Plan Requirements and Timing:** Performance securities for installation and maintenance for at least three (e) years shall be subject to review and approval by City staff. At a minimum, performance securities guaranteeing installation of the landscaping shall be furnished by the applicant prior to issuance of any LUP for the project. The landscape maintenance agreement shall be signed and filed with the city prior to approval of any certificate of occupancy for the project.

Monitoring: City staff shall photo-document installation prior to occupancy clearance and shall check maintenance as needed. Release of any performance security requires City staff signature.

6. The height of structural development shown on final plans shall not exceed the mean height and peak height shown on the approved project exhibit maps. Finish grade shall be consistent with the approved final grading plan. Height limitations shown on preliminary plans shall be carried through on final plans and in the field. **Plan Requirements and Timing:** During the framing stage of construction and prior to commencement of roofing, the applicant shall submit verification from a licensed surveyor demonstrating that the mean height and peak height conform to those shown on the preliminary and final plans. This survey shall be reviewed and approved by the City of Goleta prior to commencement of roofing.

Monitoring: City staff shall verify compliance with this requirement prior to commencement of roofing.

7. All new utility service connections and above-ground mounted equipment such as backflow devices, etc, shall be screened from public view and painted (red is prohibited) so as to blend in with the project. Screening may include a combination of landscaping and/or masonry or lattice walls. Whenever possible and deemed appropriate by City staff, utility transformers shall be placed in underground vaults. All gas and electrical meters shall be concealed and communications equipment shall be completely concealed in an enclosed portion of the building, on top of the building, or within a screened utility area. All transformers and vaults that must be located within the right-of-way shall be installed below grade unless otherwise approved by the City, and then must be completely screened from view. **Plan Requirements and Timing:** the site and building plans submitted for DRB Preliminary /Final Review shall identify the type, location, size, and number of utility connections and above-ground mounted equipment as well as how such equipment would be

screened from public view and the color(s) that it would be painted so as to blend in with the project and surrounding area.

Monitoring: City staff shall verify that all above-ground utility connections and equipment is installed, screened, and painted per the approved plans.

Air Quality

8. To mitigate fugitive dust emissions, the applicant shall implement APCD dust control measures, including the following:
 - a. Use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the construction area. At a minimum, this would include wetting down such areas in the late morning and after work is completed for the day, and whenever wind exceeds 15 miles per hour. Reclaimed water should be used whenever possible.
 - b. Minimize the amount of disturbed area and speeds of on-site vehicles.
 - c. Install gravel pads at all access points to prevent tracking of mud onto public roads.
 - d. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
 - e. After completion of clearing, grading, earthmoving, or excavation, treat the disturbed areas by watering, revegetation, or by spreading soil binders until they are paved or otherwise developed so that dust generation will not occur.
 - f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent the transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance.

Plan Requirements and Timing: All APCD required dust control measures shall be noted on all construction plans and shall be submitted for approval by City staff prior to issuance of any LUP for the project. The name and telephone number of a designated person to monitor the dust control program shall be provided to City staff and the APCD.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with dust control measures.

9. In order to minimize ROC and NO_x emissions during construction, the following measures equipment control measures shall be implemented:

- a. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be used.
- b. The engine size of construction equipment shall be the minimum practical size.
- c. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- d. Construction equipment shall be maintained in tune per the manufacturer's specifications.
- e. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
- f. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- g. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
- h. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- i. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.
- j. Drivers of diesel fueled commercial vehicles weighing more than 10,000 pounds:
 1. shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location; and
 2. shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle.
- k. Diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible.
- l. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements and Timing: The project applicant shall include these measures as notes on a separate sheet attached to the grading and building plans. City staff shall review and approve the plans prior to issuance of any LUP for the project. These measures shall be implemented during and after project construction.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with equipment control measures.

10. The project shall comply with all Rules and Regulations required by the Santa Barbara County APCD, including, but not limited to:
 - a. Compliance with APCD Rule 339, governing application of cutback and emulsified asphalt paving materials;
 - b. Obtaining required permits for any emergency diesel generators or large boilers prior to any LUPs;
 - c. Obtaining APCD permits prior to handling or treating any contaminated soil onsite, if identified;
 - d. Limited idling of heavy-duty diesel trucks during loading and unloading to five minutes at any location and auxiliary power units should be used whenever possible. State law requires that drivers of diesel fueled commercial vehicles weighing more than 10,000 pounds shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location. Such heavy vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if you have a sleeper berth and you're within 100 feet of a restricted area (residential uses and schools).

Plan Requirements and Timing: The project applicant shall include these measures as notes on a separate sheet attached to the grading and building plans. City staff shall review and approve the plans prior to issuance of any LUP for the project. These measures shall be implemented during and after project construction.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with equipment control measures.

11. Mechanical air conditioners shall use non-CFC refrigerants. The air conditioning systems shall utilize HCFC-123 or other refrigerants which are determined to have a minimal effect on ozone depletion. If feasible, the systems shall be installed shall be designed to accommodate new non-ozone depleting refrigerants as they become available. **Plan Requirements and Timing:** Air conditioner information shall be provided on project building plans and shall be reviewed and approved by City staff prior to issuance of LUPs for structures.

Monitoring: City staff shall verify conformance with this measure on project building plans prior to issuance of LUPs and shall verify installation in conformance prior to certificate of occupancy.

12. The following energy-conserving techniques shall be incorporated unless the applicant demonstrates their infeasibility to the satisfaction of Planning & Environmental Services staff prior to approval of Land Use Permits:
- a. Installation of low NOx water heaters and space heaters per specifications in the Clean Air Plan;
 - b. Installation of heat transfer modules in furnaces;
 - c. Use of light colored water-based paint and roofing materials;
 - d. Installation of solar panels and/or use of water heaters that heat water only on demand;
 - e. Use of passive solar cooling/heating;
 - f. Use of natural lighting;
 - g. Use of concrete or other non-pollutant materials for parking lots instead of asphalt;
 - h. Installation of energy efficient appliances;
 - i. Installation of energy efficient lighting;
 - j. Use of landscaping to shade buildings and parking lots;
 - k. Installation of sidewalks and bike paths;
 - l. Installation of covered bus stops, with Metropolitan Transit District (MTD) bus route schedules and rideshare information on a central location on a covered message board to encourage use of mass transportation.

Plan Requirements and Timing: Measure components shall be provided on project building plans and shall be reviewed and approved by City staff prior to issuance of LUPs for structures.

Monitoring: City staff shall verify conformance with this measure on project building plans prior to issuance of LUPs and shall verify installation in conformance prior to certificate of occupancy.

13. To reduce daily ROC and NOx emissions during winter days from combined project sources, residences shall be built without wood-burning fireplaces or only with natural gas-fired burning units.

Plan Requirements and Timing: Measure components shall be provided on project building plans and shall be reviewed and approved by City staff prior to issuance of LUPs for structures.

Monitoring: City staff shall verify conformance with this measure on project building plans prior to issuance of LUPs and shall verify installation in conformance prior to certificate of occupancy.

Biological Resources

14. The applicant shall submit a final Vegetation Enhancement Plan (VEP) for Devereux Creek and adjacent wetland and native grassland habitat. For

review and approval by City Planning & Environmental Services. The VEP shall include specific goals for habitat restoration and include performance criteria by which replanting success is measured; any necessary stream channel and creek flow modifications to ensure restoration success; a planting plan including an irrigation plan; an exotic vegetation management plan; methods to protect the plantings until established; and a contingency plan in the event performance criteria are not met. The plan shall include provisions for maintaining and enhancing the native grassland areas onsite and provisions for salvaging and propagating the yard rush (*Juncus occidentalis*) plants from wetland site 4 and reestablishing the species in suitable locations within the wetland buffer areas. In addition, the plan shall specifically provide for redirection of the Creek from its current course along the DPRR tracks back to the original Devereux Creek channel crossing the property. This would potentially require excavation of the channel invert to remove accumulated sediment and to restore appropriate elevations. Construction and habitat improvement activities in the channel shall be limited to dry season (May 1 to October 31) unless otherwise stipulated in permits from the Army Corps of Engineers or CDFG (see BIO-5). It may also require contributing to the design and construction of a structural solution to ensure continued flow across the DPRR and onto the project property in cooperation with DPRR. The plan shall include details of planting and maintenance of barrier plantings identified in BIO-4 (below).

Plan Requirements: The plan, including an agreement with DPRR to allow access to provide for redirection of the Creek from its current course along the DPRR tracks back to the original Devereux Creek channel crossing the property, shall be submitted with the Final Development Plan and Tract Map and shall be reviewed and approved by Planning & Environmental Services prior to issuance of any LUP for the project.

Timing: Plantings shall be in place prior to occupancy.

Monitoring: The VEP shall include monitoring by a City-approved biologist or restoration specialist to determine the success of mitigation.

15. An open space easement including the protected area and creek corridor of Devereux Creek shall be developed and approved by the City Council, so that the restoration area would remain in perpetuity. Within this approximately 2 -acre area, riparian habitat and adjacent wetland, native grassland, and related upland habitat shall be enhanced through eradication of invasive non-native plants and the planting of native species, according to a plan developed by a City-approved biologist.
Plan Requirements: The terms and conditions of the easement to cover initial restoration and maintenance costs (trail, planting, fencing, etc.), ongoing habitat restoration, and limited public access shall be approved by the Planning & Environmental Services. The Homeowners association will be the party responsible for ongoing restoration and providing maintenance costs, including regular pick up of trash and litter and maintaining fences

and barrier plantings. **Timing:** These components shall be addressed with the Final Development Plan and Tract Map prior to recordation of final map and prior to issuance of any LUP for the project. The applicant shall receive approval of the Board of Supervisors and shall record the easement.

Monitoring: The terms and conditions of the easement shall provide for Planning & Environmental Services or third-party evaluation by a City-approved biologist or restoration specialist of riparian enhancement measures and the effectiveness of controlled public access.

16. The final grading plan shall identify measures to minimize sedimentation into the protected area adjacent to the creek channel, and protected wetlands and native grassland. Grading in this area shall avoid the rainy season (November 1 to May 1) unless Planning & Environmental Services and a City-qualified biologist or restoration specialist determine that erosion and sediment control measures are sufficient to avoid impacts during the rainy season. Sediment control structures (e.g., straw bales, silt curtains/fences, sediment basins, etc.) shall be placed between graded areas and the protected area to direct runoff and remove silt. The structures shall remain in place and be / regularly maintained until all disturbed soils are stabilized by structures or vegetation. **Plan Requirements:** The erosion and sediment control structures shall be indicated on the final grading plan. **Timing:** The erosion and sediment control plan shall be reviewed and approved by Planning & Environmental Services and Community Development prior to issuance of any LUP for the project.

Monitoring: The structures shall be monitored by Planning & Environmental Services during construction, and recommendations for corrective actions reported to the Planning & Environmental Services immediately when maintenance is needed.

17. The final landscape plan shall include barrier plantings of native riparian shrub and understory species (e.g., blackberry, California rose, and other thorny species) on the existing margin of the protected area and the Devereux Creek channel combined with appropriate fencing to reduce encroachment into the area by humans and domestic pets. **Plan Requirements:** The vegetation barrier between the protected area and the development shall be identified on the final landscape plan submitted with the Final Development Plan and Tract Map. Details of its planting and maintenance shall be included in the Vegetation Enhancement Plan. **Timing:** The final landscape plan shall be reviewed and approved by Planning & Environmental Services and Flood Control during processing of the Final Development Plan and Tract Map prior to issuance of any LUP for the project.

Monitoring: The performance of the barrier plantings shall be monitored by a County-approved biologist or restoration specialist to determine the success of mitigation.

18. The applicant shall obtain all required federal, state or local permits or authorizations including but not limited to: a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG), a Section 404 permit from the U.S. Army Corps of Engineers (USACE), a Section 401 Water Quality Certification or Waiver from the Regional Water Quality Control Board. Copies shall be submitted to Planning & Environmental Services. **Plan Requirements:** Applicant shall submit necessary plans to CDFG and USACE with copies to Planning & Environmental Services. **Timing:** Prior to issuance of any LUP for the project.

Monitoring: Planning & Environmental Services staff shall confirm receipt of permits and coordinate monitoring of permit compliance with CDFG and USACE.

19. Sedimentation, silt, and grease traps, or other storm water runoff treatment control measures shall be installed in paved areas to act as filters to minimize pollution reaching the Devereux Creek channel and downstream habitats. Appropriate measures shall address both short-term construction and long-term operational impacts of runoff from the site. The measures shall be maintained in working order for the life of the project. Prior to receiving Coastal Development Permit approval for grading, the applicant shall submit grading and building plans that shown the detail of this requirement to Planning & Environmental Services for review and approval. Prior to and during grading installation and maintenance of appropriate sediment control measures shall be photo-documented and submitted by the applicant to Planning & Environmental Services. Similarly, prior to completion of the project, installation of the long term stormwater runoff treatment control measures shall be photo-documented and submitted by the applicant to Planning & Environmental Services. The Homeowners association (HOA) will be responsible for long-term operation and maintenance of the filters in working order. The City shall inspect and ensure filters are maintained and effectively mitigating impact.

Plan Requirements: Grading and building plans shall contain specifications. The applicant may be required to record an agreement for long-term maintenance of storm water control measures per Santa Barbara County Water Agency and Flood Control District conditions to ensure maintenance is completed over the life of the project. **Timing:** Specifications submitted prior to issuance of any LUP for the project for grading, implemented during construction and thereafter.

Monitoring: City shall monitor mitigation implementation prior to and throughout the construction period as well as throughout a minimum 3-year landscape establishment period.

20. Non-invasive landscape plants to be included in the landscape plan for the site shall be selected for their attractiveness to Monarch butterflies, and their capacity to provide nectar, basking and/or roosting habitat between the months of October and December. **Plan Requirements and Timing:** Landscape plan submitted prior to issuance of any LUP for the project for grading.

Monitoring: City shall monitor mitigation implementation during landscape installation and throughout a minimum 3-year establishment period thereafter.

21. Night lighting in the vicinity and within the Devereux Creek channel and buffer area, including the native grassland, wetland, eucalyptus grove, and nature trail, shall be minimized. Lights on homes adjacent to the creek, and within the buffer, native grassland or wetland enhancement area shall be directed away from the protected area, be of low intensity, and shall be connected to timing devices that shut off after 10 PM. **Plan Requirements and Timing:** A lighting plan submitted prior to issuance of any LUP for the project for grading.

Monitoring: City shall confirm installation and shall respond to complaints.

22. Improvements to the hydrology and water quality of Devereux Creek channel shall be effectuated. This shall be accomplished by grading and designing the site to facilitate runoff to riparian and wetland habitats rather than to the sewer system, as described below:
- a. Include sediment and erosion control measures in the grading/drainage plan, and maintain these measures throughout the construction period. Install and maintain erosion control measures (such as jute netting or coir fabric/rolls) along the creek channel and in protected areas until native plants or landscaping is established.
 - b. Install native wetland plants (of known local geographic origin) that will filter or absorb runoff or pollutant materials that may enter the Devereux Creek channel.
 - c. Include pervious surfaces in the project design in key areas (adjacent to concrete walkways and impervious roads) so that runoff percolates into the ground to the maximum extent feasible.
 - d. Collect and filter all runoff prior to its discharge into the Devereux Creek channel.

- e. Direct runoff from rooftops and large impervious areas to a filtering system and thence to the Devereux Creek channel to provide supplemental water to the riparian corridor and aquatic biota.

Plan Requirements and Timing: A revised grading and drainage plan, and water quality improvement plan shall be submitted prior to issuance of any LUP for the project for grading.

Monitoring: City shall monitor mitigation implementation during construction.

- 23. The Enhancement Plan area shall contain indigenous native plant material only.
 - a. Where native plants are proposed in natural protected areas or in landscape plans, seed, cuttings or plants shall be obtained from known sources in the watershed or in the Goleta Valley. Local experts, Growing Solutions or the University of Santa Barbara Coal Oil Point Reserve, should be contacted to assist with verifying and contract growing plant stock from appropriate geographic origins.
 - b. Invasive non-natives shall be eradicated from the site. Invasive ornamentals (such as periwinkle, fountain grass, cape ivy, English ivy, Algerian ivy, bamboo, etc.) shall not be included in the landscape plan. The California Exotic Plant Pest Council (CalEPPC) list of Exotic Invasive Species should also be consulted to ensure that species on this list are not introduced to the site.

Plan Requirements and Timing: The applicant shall verify the source of plant material prior to issuance of any LUP for the project for grading. Removal of exotic species from the Enhancement Plan area shall take place prior to implementation of the Enhancement Plan. Removal of exotic species shall be ongoing, as necessary.

Monitoring: City shall monitor mitigation implementation during construction and for the minimum three-year establishment period.

- 24. Sewer lateral extensions or other utility connections that must cross the Devereux Creek channel shall avoid the creek and adjacent buffer and protected areas. This shall be accomplished by directional drilling/boring or other technology. Exceptions to this measure include electrical conduit to light the pedestrian pathway that can be buried within the pathway (and cross Devereux Creek on the pedestrian bridge) and installation of the clean water drainage system identified in the Vegetation Enhancement Plan subsequent to its review and approval by the City. **Plan**

Requirements and Timing: A revised grading and drainage plan, depicting construction methods for sewer and other utilities, shall be submitted prior to issuance of any LUP for the project for grading.

Monitoring: City shall monitor mitigation implementation during, and after construction.

25. During construction, washing of concrete, paint and equipment shall be designated where polluted water and materials can be contained for removal from the site. **Plan Requirements and Timing:** Measure components shall be provided on project grading plans and shall be reviewed and approved by City staff prior to issuance of grading permits.

Monitoring: City staff shall verify conformance with this measure on project building plans prior to issuance of any LUP for the project and shall verify installation in conformance prior to certificate of occupancy.

Cultural Resources

26. A City-qualified archaeologist and local Chumash observer shall monitor the initial brushing of vegetation and earth removal activity of the first 1-foot of soils to ensure that any unknown, sparse prehistoric materials are identified and assessed consistent with City of Goleta Cultural Resources Guidelines. In the event that prehistoric cultural remains are identified, grading shall be temporarily redirected in this area. The archaeologist shall complete an assessment of the resource's extent and significance pursuant to the City's Cultural Resources Guidelines. If the resource is found to be significant, a Phase 3 Data Recovery Program shall be completed pursuant to the City's Cultural Resources Guidelines. The findings of the archaeological investigations shall be submitted to the City Planning & Environmental Services Department and reviewed and approved prior continuing grading in the area of concern. **Plan Requirements and Timing:** Measure components shall be provided on project grading plans and shall be reviewed and approved by City staff prior to issuance of any LUP for the project for grading.

Monitoring: City staff shall verify conformance with this measure on project building plans (review and approve the archaeological monitoring report) prior to issuance of LUPs and shall verify installation in conformance prior to certificate of occupancy.

Energy

27. The following energy-conserving techniques shall be incorporated into project design unless the applicant demonstrates their infeasibility to the satisfaction of Planning & Environmental Services staff:

- a. Installation of energy-efficient appliances; and
- b. Installation of energy-efficient lighting.

Plan Requirements and Timing: The applicant shall incorporate the provisions in building and improvement plans or shall submit proof of unfeasibility prior to issuance of any LUP for the project.

Monitoring: Building and Safety shall site inspect to ensure development is in accordance with approved plans prior to occupancy clearance. Planning staff shall verify landscape installation in accordance with approved landscape plans.

28. The applicant shall install exterior motion sensitive light switches. **Plan Requirements:** Type of light switch shall be denoted on building plans. **Timing:** Motion sensitive light switches shall be installed prior to occupancy.

Monitoring: Planning & Environmental Services shall inspect prior to occupancy.

29. Landscaping in common areas shall be designed in a manner to shade buildings and vehicle parking areas to lessen demand for air conditioning. **Plan Requirements:** Landscaping plan and summer shade study shall be submitted for review and approval by Planning & Environmental Services staff and the City DRB prior to issuance of any LUP for the project. **Timing:** Landscaping shall be planted prior to occupancy clearance.

Monitoring: P&D shall inspect prior to occupancy.

Geological Processes

30. The applicant shall submit grading and drainage plans with the Final Development Plan/Tract Map application and shall include, but not be limited to, the following:
- a. Temporary berms and sedimentation traps shall be installed in association with project grading to minimize erosion of soils into Devereux Creek. The sedimentation basins shall be cleaned after large rain events, and as further directed by Permit Compliance staff, and the silt shall be removed and disposed of in a location approved by Community Services.
 - b. Revegetation or restoration shall be completed, including measures to minimize erosion and to reestablish soil structure and fertility. Revegetation shall include native, fast-growing, vined plants that shall quickly cover drainage features. Local native species shall be emphasized. A landscape revegetation plan shall be included as part of the Final Redevelopment Plan.

- c. Graded areas shall be revegetated immediately after completion of installation of utilities with deep-rooted, native, drought-tolerant species, as specified in a landscape revegetation plan to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used as necessary to hold soils until vegetation is established.
- d. Drains shall be designed to cause exiting flow of water to enter sub-parallel downstream (60 degrees or less) to existing Devereux Creek stream flow to avoid eddy currents that would cause opposite bank erosion.
- e. An energy dissipater or a similar device such as trash racks or baffles shall be installed at the base end of drainpipe outlets to minimize erosion during storm events. Pipes shall be covered to prevent children from entering the storm drain.
- f. Storm drains shall be designed to minimize environmental damage and shall be shown on drainage plans.
- g. With the exception of limited ground disturbance in association with construction of the proposed bridge and adjoining walkway, grading shall be prohibited within 25 feet of the Devereux Creek top-of-bank. Where possible, hand equipment shall be utilized during ground disturbances adjacent to the proposed bridge.
- h. The applicant shall limit excavation and grading to the dry season of the year (i.e., April 15 to November 1) unless a Building & Safety approved erosion control plan is in place and all measures therein are in effect.
- i. Temporary siltation protection devices such as silt fencing, straw bales, and sand bags shall be placed at the base of all cut and fill slopes and soil stockpile areas where potential erosion may occur. P&D staff shall determine these locations.

Plan Requirements and Timing: Erosion control components shall be listed on the grading plan that shall be reviewed and approved by Planning & Environmental Services prior to issuance of any LUP for the project for grading. These measures shall be implemented prior to approval of LUPs for structural development. (*Addresses Impact GEO-1*)

Monitoring: Planning & Environmental Services shall verify as to plan in the field.

- 31. All grading and earthwork recommendations by Padre Associates (1999) or as subsequently revised and approved by Community Services shall be incorporated into the final project design, including the Final Grading Plan. A Registered Civil Engineer or Certified Engineering Geologist shall supervise all grading activities. These recommendations would include, but not be limited, to the following:

- a. Within the footprint of proposed buildings and foundations, and extending to a minimum distance of 5 feet beyond the foundation footprint, soils should be overexcavated to a depth of 3 feet below existing grade, or 1 foot below bottom of foundation, whichever is deeper.
- b. Foundations shall be constructed to compensate for consolidation settlement of 1 inch.
- c. Where feasible, building areas shall be backfilled with nonplastic, low expansion soils to mitigate the potential effects of expansive soils. If highly expansive soil is placed within the upper 3 feet below buildings, measures recommended in Padre Associates (1999) or as subsequently revised and approved by Community Services, such as providing positive drainage away from slabs, presoaking soils prior to pouring slabs, and using post-tensioned slabs, perimeter moisture barriers, and grade beam foundation systems, shall be completed.

Plan Requirements and Timing: Earthwork components recommended by Padre Associates (1999) or as subsequently revised and approved by Community Services shall be listed on the grading plan to be reviewed and approved by Planning & Environmental Services prior to issuance of any LUP for the project. These measures shall be implemented during construction.

Monitoring: Planning & Environmental Services shall verify as to plan in the field.

Hazards

32. The applicant shall provide an EMF Disclosure Statement and an EMF Information Package containing a balanced range of EMF educational and information materials to potential buyers of units along the eastern property boundary. **Plan Requirements and Timing:** The applicant shall provide this disclosure and Information Package as part of the project CCRs to the City Attorney and Planning & Environmental Services to verify the disclosure and Information Package is fair and adequate. The disclosure shall be reviewed and approved prior to recordation of the Final Map. (*Addresses Impact HAZ-1 and HAZ-3*)

Monitoring: City staff shall verify that the disclosure and Information Package has been incorporated into the CCRs prior to sale of homes and that an adequate EMF Information Package has been assembled by the applicant and has been made easily available for review by prospective buyers. Planning & Environmental Services shall review and approve the contents of the Package for objectivity, balance, and completeness.

33. The applicant shall request that the California Department of Real Estate insert the following into the final Subdivision Public Report: "the subject property is located near power lines and a power substation. Purchasers should be aware that there is ongoing research on adverse health effects associated with long-term exposure to low-level magnetic fields. Although no causal link is established, there is sufficient evidence to require reasonable safety precautions. The buyer may wish to become informed on the issue before making a decision on a home purchase in this location." **Plan Requirements and Timing:** The applicant shall provide this disclosure request to the California Department of Real Estate for inclusion in the Subdivision Public Report. The disclosure shall be reviewed and approved prior to issuance of any LUP for the project.

Monitoring: City staff shall verify that the California Department of Real Estate Subdivision Public Report contains this disclosure statement.

34. The applicant shall underground all utility lines within the project site. **Plan Requirement:** Construction plans for these improvements shall be reviewed and approved by the Community Services Department prior to Coastal Development Permit approval. **Timing:** Improvements shall be implemented prior to occupancy

Monitoring: Planning & Environmental Services shall verify as to plan in the field.

35. In the unlikely event that hazardous materials are encountered during grading, excavation shall be temporarily suspended or redirected. The applicant shall prepare and implement a soil remediation plan for these areas. **Plan Requirement and Timing:** The remediation plan shall be reviewed and approved by County Fire PSD prior to continuing excavation. The applicant shall obtain a compliance letter from County Fire PSD prior to continuing grading in the affected area. Approval and implementation of all required specifications shall be completed prior to grading in the affected area.

Monitoring: County Fire PSD shall inspect remediation activities as to plan in the field.

Noise

36. Noise generating construction activity for site preparation and for future development shall be limited to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, and no construction shall occur on State holidays (e.g. Christmas, Thanksgiving, Memorial Day, 4th of July, Labor Day). 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 & Environmental Services. Non-noise generating construction activities such as interior painting are not subject to these restrictions. Prior to commencement of activities such as pile driving operations, neighbors within the vicinity of the site shall be notified not less than 72 hours in advance of commencement. Said notice shall provide neighbors with the anticipated time and duration of such activities and shall be reissued if there is a substantial change in scheduling. **Plan Requirements:** Two signs stating these restrictions shall be provided by the applicant and posted on site prior to commencement of construction. **Timing:** The signs shall be in place prior to beginning of and throughout all grading and construction activities. Violations may result in suspension of permits.

Monitoring: City staff shall spot check to verify compliance and/or respond to complaints.

37. Stationary construction equipment that generates noise that exceeds 65 dBA at the project boundaries shall be shielded with the most modern and effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures to City staff's satisfaction and shall be located at a minimum of 200 feet from occupied residences and other noise sensitive uses as far as possible from the eastern property line of the project site. All equipment shall be properly maintained to ensure that no additional noise, due to worn or improperly maintained parts, would be generated. **Plan Requirements and Timing:** The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

Monitoring: City staff shall perform site inspections to ensure compliance.

38. Temporary noise barriers shall be used and relocated as needed to block line-of-sight between project construction equipment and the eastern property boundary (Ellwood Elementary School) and southeastern property boundary (Ali D'Oro residential development) to reduce effects of construction noise on these sensitive receptors below 65 dBA CNEL. **Plan Requirements and Timing:** The sound walls shall be included on the grading plan, and reviewed and approved by City staff prior to approval of any LUP for the project. The measure shall be implemented during construction.

Monitoring: City staff shall verify as to plan in the field during construction.

39. The project applicants shall notify the sensitive noise receptors in advance of any and all construction activities. The construction manager's (or representative's) telephone number shall also be provided with the notification so that community concerns can be communicated. **Plan**

Requirements: This notification clause shall be included on the grading plan, and reviewed and approved by City staff prior to approval of any LUP for the project. **Timing:** The measure shall be implemented prior to and during construction.

Monitoring: City staff shall verify as to plan in the field during construction.

40. The proposed 6-foot high sound wall to be constructed along the project's northerly property line shall be extended approximately 50 feet southward along the northwest and northeast property boundaries, in order to ensure that 1st floor patios and second story balconies on the northwest and northeast project site corners are properly attenuated (see Figure 18). The 6-foot sound wall height shall be measured from the 1st floor building elevation. The sound wall shall be constructed of any masonry or other material, such as wood or earthen berm, with a surface density of at least 4 pounds per square foot. The sound wall shall present a solid surface and have no openings or cracks. **Plan Requirements and Timing:** The sound wall location, construction material, base elevation and overall height shall be incorporated on building plans and reviewed and approved by a City staff and DRB prior to final map recordation.

Monitoring: City staff shall perform plan and site inspection to ensure compliance prior to occupancy clearance.

41. Second story structure windows adjacent to Hollister Avenue shall be double-glazed or incorporated with other suitable noise-attenuating design to reduce interior noise exposure to 45 dBA CNEL or below. **Plan Requirements and Timing:** Noise attenuation design for second-floor window designs for structures adjacent to Hollister Avenue shall be developed by a City-approved acoustic engineer and designated on the building plan. City staff shall review and approve the building plan prior to land use clearance.

Monitoring: Building Inspectors shall inspect in the field to ensure compliance prior to occupancy clearance.

Public Services

42. Demolition and/or excess construction materials shall be recycled where applicable (i.e., wood, cardboard, concrete, and asphalt). The applicant shall submit a Construction and Demolition Waste Management Plan. **Plan Requirements and Timing:** Applicant shall submit a Construction and Demolition Waste Management Plan for review and approval by City staff with submittal of LUPs.

Monitoring: City staff shall review and approve Construction and Demolition Waste Management Plan prior to issuance of any LUP for the project.

43. The applicant/permittee and all future tenants shall develop and implement a Solid Waste Management Program, including designated storage areas for recyclable materials, provision of recycling bins at the construction site, separation of construction materials, and composting of lawn clippings and other landscape materials. **Plan Requirements and Timing:** Applicant shall submit a Solid Waste Management Plan for review and approval by City staff with submittal of LUPs.

Monitoring: City staff shall review and approve Solid Waste Management Plan prior to approval of any LUP for the project.

44. The applicant shall notify the Goleta Union School District and Santa Barbara High School District of the expected buildout date of the project to allow the Districts to plan in advance for new students. **Plan Requirements and Timing:** A copy of the notice shall be sent to the City prior to submittal of LUPs.

Monitoring: City staff shall review and approve Solid Waste Reduction Plan prior to approval of any LUP for the project.

45. A Can and Will Serve ("CAWS) letter from GWSD shall be provided indicating that adequate water treatment capacity is available to serve the project upon demand and without exception (or equivalent guarantee). Based on the final construction drawings, the applicant shall pay the following fees as determined by GWSD: (i) sewer connection fees; and (ii) mitigation fees to offset the difference between allocated capacity to the site and projected volumes attributable to the proposed hotel, if any. **Plan Requirements and Timing:** A CAWS shall be forwarded to the City of Goleta prior to issuance of any LUP for the project.

Monitoring: A connection permit issued by GWSD, along with evidence that sewer connection and mitigation fees have been paid, shall be submitted to the City prior to and as a condition precedent to approval of any LUP for the project. City staff shall withhold occupancy until all necessary permanent or temporary measures have been taken to accommodate effluent from the hotel to the satisfaction of GWSD.

Recreation

46. The applicant shall provide for a pedestrian controlled signalized crosswalk at the corner of Hollister Avenue and Las Armas Road to provide a safe pedestrian crossing to the adjacent Santa Barbara Shores County Park.

Plan Requirements: Construction plans for this improvement shall be reviewed and approved by City staff with submittal of LUPs. **Timing:** Improvements shall be implemented prior to occupancy.

Monitoring: Community Services shall verify implementation of improvements pursuant to approved plans.

47. Recreational facilities such as play structures shall be developed within common open space areas. **Plan Requirements:** Design of the facilities shall be submitted for review and approval by City staff. Provisions for maintenance shall be discussed in the project CC&R's to be reviewed and approved by the City staff. **Timing:** Plans shall be submitted prior to LUP approval. Recreational facilities shall be installed prior to occupancy clearance.

Monitoring: City staff shall review plans prior to Coastal Development clearance.

Transportation/Circulation

48. The applicant shall prepare a Construction Transportation Plan that designates heavy equipment routes, schedules, and the need for any special flag persons to direct traffic during peak volume periods, with special attention to Ellwood School drop-off and pick-up activity. **Plan Requirement and Timing:** The Construction Transportation Plan shall be reviewed and approved by City staff prior to issuance of any LUP for the project.

Monitoring: City staff will monitor during construction for compliance with the approved plan.

49. The project applicant shall pay impact mitigation fees toward the Goleta Transportation Improvement Program (GTIP). **Plan Requirements and Timing:** The applicant shall pay GTIP fees in the amount, time and manner prescribed by Ordinance or Resolution of the City of Goleta.

Monitoring: City shall verify compliance with this mitigation measure prior to issuance of any LUP for the project.

50. Detailed improvement plans for the proposed project shall be prepared for review and approval by the City's Community Services Department. The drawings and specifications shall substantially conform to the Preliminary Development Plans and incorporate Community Service Department required improvements for the proposed driveways (on Hollister Avenue and Las Armas Road), and frontage improvements along both Hollister Avenue and Las Armas Road. **Plan Requirements and Timing:** The

project plans shall be revised, as appropriate, for review and approval by the City's Community Services Department prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: Community Services Department shall verify compliance with the requirement for submittal of final plans. City staff shall inspect and approve the completed street improvements prior to any occupancy clearance.

51. The street system shall be reviewed and approved by the Fire Department and designed to provide adequate access and circulation for emergency vehicles. **Plan Requirement and Timing:** Review by the Fire Department shall be verified by the Community Services Department prior to issuance of any LUP for the project.

Monitoring: Community Services Department shall verify implementation of improvements pursuant to approved plans.

52. The project shall be responsible for widening Hollister Avenue adjacent to the site frontage. This widening shall be completed according to the County's arterial standards and include curb, gutter and sidewalk. The improvements shall provide the required sight distance for vehicles entering or exiting the site. **Plan Requirement:** Construction plans for these improvements shall be reviewed and approved by the Community Services Department prior to issuance of any LUP for the project. **Timing:** Improvements shall be implemented prior to occupancy, or as directed by the Community Services Department.

Monitoring: Community Services Department shall verify implementation of improvements pursuant to approved plans.

53. The project shall construct half-street improvements on Las Armas Road from Hollister Avenue to Campasino Drive along the project frontage. The improvements shall provide the required sight distance for vehicles entering or exiting from the site. **Plan Requirement:** Construction plans for these improvements shall be reviewed and approved by the Community Services Department prior to issuance of any LUP for the project. **Timing:** Improvements shall be implemented prior to occupancy.

Monitoring: Community Services Department shall verify implementation of improvements pursuant to approved plans.

54. The project shall provide for a striped left-turn pocket at the Road A and Las Armas Road intersections with Hollister Avenue throughout the construction of probable future projects along the western Hollister Avenue corridor. **Plan Requirement:** A Hollister Avenue striping plan including this

improvement shall be reviewed and approved by the Community Services Department prior to issuance of any LUP for the project. **Timing:** Improvements shall be implemented prior to occupancy.

Monitoring: Community Services Department shall verify implementation of improvements pursuant to approved plans.

Water Resources

55. Outdoor water use shall be limited through the following measures: (i) landscaping shall be primarily with native and/or drought tolerant species; (ii) drip irrigation or other water-conserving methods shall be used; (iii) plant material shall be grouped by water needs; (iv) extensive mulching shall be used to improve water holding capacity of the soil by reducing evaporation and soil compaction; (v) soil moisture sensing devices shall be installed to prevent un-necessary irrigation; and reclaimed water shall be used for all common area exterior landscaping as feasible. Indoor water use shall be limited through the following measures: (i) all hot water lines shall be insulated; (ii) recirculating, point-of-use, on-demand or other energy efficient water heaters shall be installed; (iii) water efficient clothes washers and dishwashers shall be installed; and (iv) lavatories and drinking fountains shall be equipped with self-closing valves. **Plan Requirements and Timing:** The outdoor water conserving measures shall be incorporated into the final landscape plan that is submitted for review and approval by DRB. Documentation shall be provided verifying the efforts made to procure reclaimed water for irrigation purposes. If available, irrigation plans shall identify the necessary fixtures and separate plumbing systems to allow for this use. The indoor water-conserving measures shall be graphically depicted on building plans and approved prior to issuance of any LUP for the project.

Monitoring: City staff shall inspect and verify installation of all water conserving measures prior to occupancy clearance

56. To reduce and filter stormwater runoff leaving the project site, the project plans shall incorporate BMPs in compliance with the City's Stormwater Management Program Ordinance and draft NPDES permit (and component Stormwater Management Plan) including, but not limited to: installation of an on-site fossil filter to pre-treat surface water before entering into storm drain system and Devereux Creek, erosion control and sediment discharge measures during construction, and development of bioswales on-site. **Plan Requirements and Timing:** Design details of the bioswales and other operational features shall be submitted to DRB and City staff for review and approval prior and as a condition precedent to issuance of any LUP for the project. Erosion control and sediment discharge measures shall be specified on a separate sheet attached to the

grading and building plans. These measures shall be implemented during and after project construction, as appropriate after installation, the applicant shall be responsible for on-going maintenance of all on-site storm water pollution control devices in accordance with the manufacturer's specifications.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with maintenance requirements.

57. A pesticide, herbicide and fertilizer maintenance plan shall be prepared that minimizes their use, particularly during the rainy season. Biodegradable pesticides and herbicides shall be maximized. Grasses not generally susceptible to pest disease shall be planted in turf areas. **Plan Requirement and Timing:** The landscape plan shall include this maintenance plan component, which shall be reviewed and approved by DRB and City staff prior to issuance of LUPs.

Monitoring: City staff shall periodically inspect and verify compliance with the approved maintenance plan.

58. To ensure adequate design and sizing of drainage conveyance infrastructure (drop inlets, outlet pipes, connections to existing infrastructure, flood water retention areas, etc.) and positive drainage from north of the project site southward through Devereux Creek, final grading and drainage plans shall be reviewed and approved by Community Services, Caltrans, and UPRR staff prior to Land Use Permits to prevent on- and off-site flooding (in particular, to ensure effective drainage from the UPRR culvert north of the project site) and to ensure compliance with the Stormwater Management Program. **Plan Requirements and Timing:** Detailed final grading and drainage plans shall be submitted to Community Services and Planning & Environmental Services staff for review and approval prior to and as a condition precedent to issuance of any LUP for the project. After installation, the applicant shall be responsible for on-going maintenance of drainage infrastructure.

Monitoring: City staff shall review plans to ensure appropriate grading and drainage design prior to issuance of LUPs and shall perform periodic site inspections to verify installation according to approved grading and drainage plan as well to verify on-going maintenance.

59. Dog waste pollution shall be minimized in the vicinity of Devereux Creek. Mutt-mitt dispensers shall be installed on both sides of the creek. **Plan Requirement and Timing:** The location of Mutt-mitt dispensers shall be included on the landscaping plan, which shall be reviewed and approved by DRB and City staff prior to issuance of LUPs.

Monitoring: City staff shall periodically inspect and verify compliance with the approved landscaping plan.

PROJECT SPECIFIC CONDITIONS

60. All drainage control facilities as noted in the Project Description and shown on Sheets 1-6 of the civil engineering plans for the Vesting Tentative Tract Map and Development Plan dated August 18, 2008 shall be maintained for the life of the project by the applicant and/or operator. **Plan Requirements:** Maintenance of all drainage facilities for two (2) years from occupancy clearance of the last building shall be ensured through a performance security provided by the applicant. **Timing:** All drainage control facilities shall be installed (landscaped and irrigated subject to City inspection and approval) prior to approval of the first Land Use Permit for a building. The performance security shall be released upon expiration of the two (2) year period provided such facilities have been installed per plans and maintained in good working order.

Monitoring: City staff shall verify installation of all drainage improvements and posting of the required maintenance security prior to approval of the first Land Use Permit for a residential building. City staff shall field inspect to verify adequate drainage system maintenance by the applicant/Homeowners Association in perpetuity.

61. The project landscaping shall be installed per the DRB-approved landscape plan and maintained for the life of the project. **Plan Requirements and Timing:** Prior to final map recordation and/or approval of a Land Use Permit for general site grading and utility improvements, the applicant shall enter into an agreement with the City to install landscaping and water-conserving irrigation systems per the DRB approved final landscape plan. In addition, the applicant shall enter into a separate agreement for the maintenance of required landscaping for the life of the project and post a performance security for such maintenance for a period of not less than five (5) years from release of the installation security. Prior to occupancy clearance for the first residential building, installation of all street frontage right-of-way and public trail easement landscaping shall be completed. Installation of landscaping for each individual structure (outside of any sidewalk landscaping, landscaping within any public right-of-way, or public trail easement) shall be completed prior to any occupancy clearance for that structure. The performance security shall be released upon expiration of the five (5) year period provided such landscaping has been installed in accordance with the approved project plans and maintained in accordance with these Conditions.

Monitoring: City staff shall verify compliance with requirements for landscaping installation and maintenance, including posting of the required bonds, prior to approval of a Land Use Permit for general site grading and utility improvements. City staff shall verify landscape/ irrigation system installation per the DRB approved final landscape plan prior to occupancy clearance. City staff shall photo document installation and check maintenance as needed. Release of any performance security requires City staff signoff.

62. Sufficient bicycle parking areas/spaces shall be shown on final plans. Bicycle racks shall be the "Inverted U" type or other equivalent style.

RECORDATION CONDITIONS

63. The vesting tentative tract map approval shall take effect as of the date of final action by the City Council.
64. The vesting tentative map shall expire three (3) years after approval or conditional approval by the final decision maker unless otherwise provided in the Subdivision Map Act, Government Code § 66452.6.
65. Prior to recordation of the proposed Tract Map and subject to City approval as to form and content, the applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet to be recorded with the final map(s). All applicable conditions and mitigation measures for the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible. For any subsequent development on any tracts created by the project, each set of plans accompanying a Land Use Permit shall contain these conditions.
66. If the proposed Tract Map is substantially revised from the approved tentative map, or if substantial changes to conditions are sought, approval shall be in the same manner as for the originally approved tentative map. Non-substantial changes may be approved by the Director of Planning and Environmental Services. If the development plan is altered, approval shall be in the manner required by ordinance
67. Five (5) copies of the proposed Tract Map and required review fees in effect at the time shall be submitted to Planning and Environmental Services/Community Services for compliance review of conditions before Planning and Environmental Services will issue map clearance to the Surveyor.

68. If prior to City action on the proposed Tract Map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the City or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the City an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted.
69. Prior to recordation of the proposed Tract Map, public utility easements shall be provided at the locations and of widths required by the serving utilities. The subdivider shall submit to the City a set of prints of the Tract Map accompanied by a letter from each utility and water and sewer district serving the property stating that the easements shown thereon are acceptable pursuant to Section 21-30, Chapter 21 of the Goleta Municipal Code.
70. Prior to proposed Tract Map recordation, the owner shall sign and record an agreement to comply with the project description and all conditions of approval.
71. Pursuant to Section 66441 of the State Subdivision Map Act the tract map shall be based upon a field survey made in conformity with the Professional Land Surveyors Act. Property lines shall be monumented in accordance with Section 21-16 of said City Code.
72. No permit for development, including grading, shall be issued prior to recordation of the proposed Tract Map. Grading associated with any permit for site remediation would not be subject to this restriction.
73. The vesting tentative tract map approval runs with the land and the rights and obligations thereof, including the responsibility to comply with conditions of approval, and shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned.

DEVELOPMENT PLAN CONDITIONS

74. Approval of the Final Development Plan shall expire five (5) years after approval, unless prior to the expiration date, substantial physical construction has been completed on the Development Plan or a Time Extension has been applied for by the applicant. The decision maker with jurisdiction over the request, upon good cause shown, grant a time extension for one year.

75. If the applicant requests of Time Extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Fees shall be those in effect at the time of issuance of a Land Use Permit.
76. No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of buildings, walkways, parking areas, drainage facilities, and landscaped areas shall be developed in substantial conformity with the approved exhibit maps. Substantial conformity shall be determined by the Director of Planning and Environmental Services.
77. The Final Development Plan approval runs with the land and the rights and obligations thereof, including responsibility to comply with conditions of approval shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned.
78. On the date a subsequent Preliminary or Final Development Plan is approved for this site, any previously approved but unbuilt plans shall become null and void.
79. Revised plans and building elevations incorporating all conditions of approval for this project shall be coordinated and submitted to Planning & Environmental Services as one package in accordance with plan check requirements. All plans, including site, grading, landscape, irrigation, mechanical, and street improvement plans shall be reviewed for condition compliance prior to issuance of any permits such as grading, building, or encroachment permits. Any change to the size, colors, construction materials, design or location of any structure onsite, or other site or landscape improvements, except to the extent such changes are deemed in substantial conformity, shall not be made without prior City approval.

GENERAL CONDITIONS

80. If the applicant requests a time extension for this permit/project, the permit/project may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of required fee payment.
81. The applicant shall obtain preliminary and final DRB approval for the proposed project prior to Land Use Permit issuance.

82. All plans submitted for Land Use Permit issuance, building, and/or grading permit shall include all applicable conditions of project approval.
83. Revised plans and building elevations incorporating all conditions of approval for this project shall be coordinated and submitted to the Planning and Environmental Services Department as one package in accordance with plan check requirements. All plans including site, grading, landscape, irrigation, mechanical and street improvement plans shall be coordinated for consistency prior to issuance of any permits (such as grading, encroachment, building, etc.) Any changes to the size, colors, construction materials, design or location of any structure on site, or other site or landscape improvements shall not be made without prior City approval.
84. Prior to land use permit approval for each phase of development, preparation of a Monitoring and Compliance Program (MCP) shall be funded by the applicant and submitted to the City of Goleta for review and approval. The MCP shall at minimum include the following:
 - a. All conditions imposed on this project and the impact areas they are mitigating by subject area.
 - b. A plan for coordination and implementation of all conditions and the plans and programs required therein.
 - c. A description of all measures that will be implemented to assure compliance, including field monitoring, data collection, management and coordination of all field personnel and feedback to field personnel and affected agencies. Contractor feedback responsibilities include weekly, monthly, and/or quarterly reports (as specified in the MCP) to be prepared throughout grading and construction. These shall include status of development, status of conditions, incidents of non-compliance and their results and any other relevant or requested data.
 - d. The MCP preparer and contractor shall be selected by the City of Goleta. These individuals shall be under contract and responsible to the City of Goleta. All costs shall be funded by the applicant. The MCP contractor shall appoint at least one Onsite Monitor (OM) responsible for overall monitoring, but shall employ as many qualified specialists as necessary (as determined by the City of Goleta) to oversee specific conditions (e.g., archaeologists, biologists). In addition, the OM has the authority and the ability to ensure compliance with all project conditions and to stop work in an emergency. The MCP shall also provide for any appropriate procedures not specified in the conditions of approval to be carried out if they are necessary to avoid environmental impacts.

- e. Planning and Environmental Services Permit Compliance shall oversee the MCP. In addition to funding the MCP, the Developer shall pay Permit Compliance fees prior to approval of a Land Use Permit for grading/installation of tract improvements.
 - f. The decision of the Director shall be final in the event of any dispute.
83. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, demolition, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use Permit from the City of Goleta. These permits are required by ordinance and are necessary to ensure implementation of the conditions imposed on the project by the City. Before any permit may be issued by the City of Goleta, the applicant shall obtain written clearance for each development phase from all Departments/Agencies having conditions or project approval. Such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning & Environmental Services.
- Land Use Permit for grading and installation of site improvements, and for the Final Development Plan for the condominiums (07-102-DP).
84. Planning and Environmental Services Compliance Review shall be required. The applicant agrees to pay Compliance Review fees prior to Land Use Permit issuance for grading/installation of site improvements and/or structural development to cover full costs of compliance monitoring. The decision of the Director shall be final in the event of any dispute.
85. The applicant shall pay all applicable development impact fees under the City of Goleta Development Impact Fee program in full. Payment amounts are estimated below, and shall be based on the fees in effect and applicable at time of required payment:

Quimby/Park	\$9,509/unit	Due at Map Recordation
Transportation	\$13,508/unit for 9 units	Due at Map Recordation
Fire Protection	\$0.20/SF	Due at Final Inspection
Fire Facility	\$709/unit	Due at Final Inspection
Library	\$384/unit	Due at Final Inspection
Public Admin	\$1,705/unit	Due at Final Inspection

Sheriff	\$439/unit	Due at Final Inspection
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86. The applicant shall pay the statutory school fees in effect at the time of issuance of each building permit to the appropriate school districts and/or shall mitigate school impacts by other measures consistent with State law. The applicant shall submit final square footage calculations and a copy of the fee payment to the school districts prior to issuance of each building permit. The City of Goleta shall ensure payment prior to issuance of building permits.
87. Prior to approval of a land use permit for grading and/or installation of site improvements, all applicable conditions shall be printed on grading and/or site improvement plans.
88. Prior to approval of a land use permit for structural development, the applicant shall demonstrate that the private patio area for each unit is at least twenty (20) percent of the gross floor area of the unit. This shall be accomplished without decreasing the approved amount of common open space.
89. All work within the public right-of-way, including but not limited to utilities and grading, shall be explicitly noted on the building plans. The applicant shall obtain all necessary encroachment permits from the City of Goleta Community Services Department prior to issuance of building permits for all work and construction that encroach within or over the public right-of-way, including, but not limited to, water meters, backflow devices, signs, and curb/gutter/sidewalk improvements.
90. Prior to the start of any work on-site, the applicant shall request and attend a preconstruction meeting that includes monitor(s), project superintendent, architect, subcontractors, as well as City representatives including Planning and Environmental Services and Community Services.
91. Any temporary building, trailer, commercial coach, etc. installed or used in connection with construction of this project shall comply with the requirements of Section 35-281, Article III of the City's Municipal Code.
90. All trees planted or preserved in accordance with this approval shall be maintained according to the latest adopted American National Standard Institute (ANSI) guidelines for tree care, generally referred to as ANSI A300 (various parts), and the companion publications "Best Management Practices" published by the International Society of Arboriculture (ISA). Any pruning of trees, other than light pruning of no more than 25 percent

(25%) of the foliage within any one growing season, requires review and approval of the City of Goleta prior to commencement of the work.

91. The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements herein in the City of Goleta Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City as well as hours of operation requirements in the City.
92. When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail.
93. Compliance with Department/Agency Letters:
 - a. Community Services Department, letter dated April 18, 2008
 - b. Planning & Environmental Services, Building & Safety, letter dated May 10, 2008 and August 20, 2008
 - c. SB County Air Pollution Control District, letter dated August 1, 2008
 - d. County of Santa Barbara Fire Department, letter dated April 23, 2008, November 4, 2008, and November 6, 2008
 - e. Goleta Water District, May 24, 2007
 - f. Goleta West Sanitary District, letter dated September 4, 2007
 - g. SB County Surveyor, letter dated June 19, 2007
 - h. Metropolitan Transit District, letter dated March 18, 2008
 - i. SB County Public Safety Dispatch, letters of October 31, November 4, and November 6, 2008
 - j. SB County Surveyor, letters of November 5, and November 6, 2008
94. No new signs are authorized with this permit. All signs require separate permits and shall comply with, Article I, Chapter 35 of the City of Goleta Municipal Code (Sign Regulations) and with setbacks specified in Article II, Chapter 35 of the Municipal Code (Coastal Zoning Ordinance).
95. The applicant shall be responsible for the completeness and accuracy of all forms and supporting materials submitted in connection with any application. Any errors or discrepancies found therein may constitute grounds for the revocation of any approvals.
96. The Vesting Final Tract Map approval runs with the land and the rights and obligations thereof, including the responsibility to comply with conditions of approval, shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned.
97. The developer agrees, as a condition of this approval, at the developer's own expense, to indemnify, defend, and hold harmless the City and its agents, officers, and employees from and against any claim, action, or

98. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and no approval shall be issued unless substitute feasible mitigation measures are imposed.