

ATTACHMENT 1

**A Resolution of the Planning Commission of the City of Goleta Recommending to
the City Council Approval of Various Actions Related to the
Marriott Residence Inn and Hollister Center Project**

**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 MARRIOTT RESIDENCE INN and HOLLISTER CENTER
PROJECT; CASE NO. 07-007-GPA, -OA, -DP, -TPM and 07-167-DP AM;
6300 HOLLISTER AVENUE; APN 073-050-020**

WHEREAS, an application was submitted on February 1, 2007 by R.D. Olsen Development and Sares Regis Group, applicants, requesting approval of a General Plan Amendment, Ordinance Amendment, Development Plan, Vesting Tentative Parcel Map and Development Plan Amendment; and

WHEREAS, the application was found complete for processing on February 28, 2007; and

WHEREAS, the application is for a General Plan Amendment to change Land Use Element Policy LU 4.2 and Land Use Element Table 2-3, an Ordinance Amendment to create a Hotel Overlay, a Development Plan for hotel development and a Development Plan Amendment to update the permit for the existing onsite building; 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 April 28, 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 CEQA exemption, and oral and written testimony from interested persons; and

WHEREAS, the Planning Commission finds that approval of Case No. 07-007-GPA; OA, -DP, -TPM; 07-167-DP AM would be consistent with the City's General Plan, the provisions of Article III, Chapter 35 of the Goleta Municipal Code (the Inland 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 Final Mitigated Negative Declaration

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 Amendment.

The Planning Commission hereby recommends that the City Council adopt the findings set forth in Exhibit 1 of this resolution pursuant to Section 65358 of the Government Code for a General Plan Amendment to change Land Use Element Policy 4.2 and Land Use Element Table 2-3.

Section 3. Recommendation for the Ordinance Amendment.

The Planning Commission hereby recommends that the City Council adopt the findings for an Ordinance Amendment to create a Hotel Overlay, set forth in Exhibit 1 to this resolution, pursuant to Section 35-325 of Chapter 35, Article III, the Inland 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 35-317 of Chapter 35, Article III, the Inland Zoning Ordinance, of the Goleta Municipal Code.

Section 5. Recommendation for the Development Plan Amendment.

The Planning Commission hereby recommends that the City Council adopt the findings set forth in Exhibit 1 and conditions set forth in Exhibit 3 of this resolution pursuant to Section 35-317 of Chapter 35, Article III, the Inland 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 BIGGS
CITY ATTORNEY

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

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 28th day of April, 2008, by the following vote of the Commission members:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

**EXHIBIT 1
FINDINGS**

**MARRIOTT RESIDENCE INN and HOLLISTER CENTER PROJECT
CASE NO. 07-007-GPA, -OA, -DP, -TPM; 07-167-DP AM
6300 HOLLISTER AVENUE (APN 073-050-020)**

1.0 CEQA FINDINGS

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

1.1 *Consideration of the Mitigated Negative Declaration*

The Final Mitigated Negative Declaration for the Marriott Residence Inn and Hollister Center project was presented to the Planning Commission and all voting members of the Commission have reviewed and considered the Final MND, 07-MND-003, 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 April 28, 2008. The Final MND reflects the independent judgment of the Planning Commission and is adequate for this proposal pursuant to Section 15074 of the State CEQA Guidelines.

1.2 *Full Disclosure and Findings Regarding No Significant Effects*

The Planning Commission finds that the Final MND is a complete, accurate, adequate, and good faith effort at full disclosure under CEQA. The Planning Commission further finds that the Final MND has been completed in compliance with CEQA. Mitigation measures identified in the Final Mitigated Negative Declaration, which would avoid or reduce potentially significant impacts to less than significant levels, have been agreed to by the applicants and have been incorporated into the project. Based on the whole of the record before it, the Planning Commission finds that there is no substantial evidence that the Marriott Residence Inn and Hollister Center project will have a significant effect on the environment. The Planning Commission recommends to the City Council adoption of the Final Mitigated Negative Declaration, 07-MND-003.

1.3 *Environmental Reporting and Monitoring Program*

Public Resources Code Section 21081.6. requires the City to 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.

1.4 *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.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan Amendment

Government Code Section 65358 requires that any adopted general plan amendment must be in the public interest. The proposed amendment to Land Use Element Policy 4.2 and Land Use Element Table 2-3 to delete the Floor Area Ratio of 0.50 for properties with Hotel Overlays and to delete the 35-foot height limitation provides for flexibility in site design while still retaining and applying design review and other standards of the General Plan. This allows implementation of the proposed project in an aesthetically compatible manner and also allows the community and public benefit of the proposed Marriott Residence Inn. Benefits include the provision of needed hotel accommodations and increased transient occupancy tax base to the City of Goleta.

3.0 Ordinance Amendment

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

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

The proposed Ordinance Amendment provides for a Hotel Overlay District consistent with the Hotel Overlay included in the General Plan on Figure 2-1 on the subject property. The associated benefits include the provision of needed hotel accommodations and increased transient occupancy tax base to the City of Goleta. These are benefits that contribute to the general community welfare.

- 4.2 *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 III, as described in the staff report for the Planning Commission hearing of April 28, 2008.

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

The request is consistent with good zoning and planning practices in that it implements the Hotel Overlay included in the General Plan on Figure 2-1 on the subject property.

4.0 Vesting Tentative Parcel Map

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

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

The proposed parcel 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 2 of the staff report for the Planning Commission hearing of April 28, 2008. There is no specific plan that applies to the subject property.

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

The design of the proposed parcel map and associated development project are consistent with applicable General Plan policies as identified in the consistency analysis included in Attachment 2 of the staff report for the Planning Commission hearing of April 28, 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.

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

The subject property is considered physically suitable for the proposed parcel map and associated development project. The property is of

sufficient size (10.95 acres) to allow parcelization into two parcels (7.16 and 3.79 acres). The resultant parcel sizes exceed the minimum parcel sizes of 1 acre in the M-RP zone district. Existing development on proposed Parcel 1 could be accommodated on the newly created parcel. Development of the proposed Marriott Residence Inn project could be accommodated on proposed Parcel 2 (3.79 acres) while providing for adequate improvements, infrastructure, public facilities/services, parking, internal circulation, and landscaping.

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

The subject property is physically suitable for the proposed parcel map and proposed development. Parcel 2 would be the location for the proposed hotel project. The location, size, topography, and geologic conditions associated with Parcel 2 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.

3.5 *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 land division and associated development would not result in any environmental impacts, including affects on biological resources, that cannot be mitigated to less than significant levels. Potential environmental impacts and feasible means by which impacts are reduced below the level of significance are described in the Final Mitigated Declaration (07-MND-003; April 2008) and in the required conditions of approval included in Exhibit 2.

3.6 *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 public health problems. Associated improvements can safely be accommodated and water, sewer, police, and fire protection services are available and adequate to serve development facilitated by the land division.

3.7 *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 Robin Hill Road, subject to Community Services Department review and approval, that would facilitate pedestrian and transit access in this vicinity.

4.0 Final Development Plan

Pursuant to Section 35-317 of Article III, Chapter 35, of the Goleta Municipal Code (Inland Zoning Ordinance), a Preliminary or Final Development Plan shall be approved only if all of the following findings can be made:

- 4.1 *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. Overall, there is sufficient acreage onsite to accommodate the density and intensity of development proposed.

- 4.2 *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, hydrology/water quality, land use planning, noise, public services, transportation/traffic and utilities/service systems would be reduced to less than significant levels through implementation of the required conditions of approval included in Exhibit 2.

- 4.3 *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), can accommodate the traffic generated by the project. The project, through required conditions of approval, would include installation of a raised median along Hollister Avenue that would prohibit left turns into and out of the project driveway to ensure optimum operation on this arterial roadway, as well as frontage improvements on Hollister Avenue, Robin Hill Road, and La Patera Lane.

- 4.4 *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 Sanitary District, and the City of Goleta Police Department. These agencies and districts have adequate capacity to serve the proposed Marriott Residence Inn, and already adequately serve the Hollister Center.

4.5 *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), 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.

4.6 *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 I-BP, with Hotel Overlay as well as applicable policies as identified in the Planning Commission staff report for the hearing of April 28, 2008, Attachment 2. The proposed project is also consistent with the M-RP zone district subject to approval of the requested Ordinance Amendment for the Hotel Overlay District. The project would also be consistent with applicable zoning ordinance standards, subject to approval of requested modifications (see staff report, Attachment 3).

4.7 *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 Robin Hill 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.

In addition, the following findings are required for an amendment to a Development Plan:

- 4.8 *The proposed amendment is consistent with the specific findings of approval, including CEQA findings, if applicable, that were adopted when the Final Development Plan was previously approved.*

The proposed Development Plan Amendment applies only to existing development permitted under 79-DP-022. The Development Plan Amendment would update the original permit and document the parcel split, institute a reciprocal access and parking agreement between proposed Parcel 1 and proposed Parcel 2, and allow modification of development standards to account for as-built nonconforming conditions on Parcel 1 (parking encroachments within the setback areas along Hollister Avenue and La Patera and landscape coverage of less than 30%). As a result, there would be no inconsistency between prior and current findings.

- 4.9 *The environmental impacts related to the proposed change are determined to be substantially the same or less than those identified for the previously approved project.*

There would be no change to environmental impacts that were identified at the time the existing building was originally approved because no new development is proposed for the parcel on which the building would be located (Parcel 1).

EXHIBIT 2
CONDITIONS OF APPROVAL
MARRIOTT RESIDENCE INN and HOLLISTER CENTER
07-007-DP, -TPM

1. **AUTHORIZATION:** This Development Plan and Vesting Tentative Parcel Map and the conditions set forth below authorize development proposed in Case No. 07-007-DP and 07-007-TPM marked "Officially Accepted, _____, 2008, City Council 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:

07-007-DP: Marriott Residence Inn Development Plan

Project Data (Sheet A-0.1 dated April 4, 2008)
Overall Site Plan (Sheets A 1-1 dated April 4, 2008)
Site Plan (Sheet A-1.2, dated April 4, 2008)
Ground Floor Plan (Sheet A-2.1, April 4, 2008)
Second Floor Plan(Sheet A-2.2, April 4, 2008)
Third Floor Plan(Sheet A-2.3, April 4, 2008)
Roof Plan(Sheet A-2.4, April 4, 2008)
Exterior Elevations (Sheet A-4.1, April 4, 2008)
Building Sections (Sheet A-5.1, April 4, 2008)
Building Sections (Sheet A-5.2, April 4, 2008)
Preliminary Landscape Plan (Sheet 5, dated 11/07/07)
Vesting Tentative Parcel Map Preliminary Grading and Drainage Plan
(dated March 11, 2008)
Vesting Tentative Parcel Map Preliminary Hollister Avenue Plan
(dated March 11, 2008)
Vesting Tentative Parcel Map Existing Condition Map (dated March 11, 2008)
Vesting Tentative Parcel Map Preliminary Street Lighting Plan (dated March
11, 2008)

07-007-TPM: Vesting Tentative Parcel Map

Vesting Tentative Parcel Map No. 32031 dated March 11, 2008

2. **AUTHORIZED DEVELOPMENT:**

The proposed project includes the construction of a 140 room extended stay hotel and subdivision of APN 073-050-020 to create two parcels. Parcel 1 would become a 7.16 acre (gross) parcel with the existing 106,500 square foot Hollister Center multi tenant light industrial building remaining, and Parcel 2 would be created as a 3.79 acre (gross) parcel for the hotel site. The project would consist of the 99,146 square foot hotel with 140 extended stay guest rooms. A patio and pool area is proposed in a center courtyard of the hotel

(with a 152 square foot pool house), and a total of 139 parking spaces (97 standard size, 35 compact and 7 accessible) are proposed around the hotel. An additional 30 parking spaces would be available to hotel users from the adjacent site serving 6300 Hollister Avenue. Access to the site would be provided through a new driveway at the proposed lot line splitting the existing parcel from the proposed hotel, as well as a driveway to the rear of the hotel, relocating an existing driveway now serving the 6300 Hollister office building. Other onsite improvements would include landscaping for 31.3% of the project site, a meandering sidewalk along Hollister Road and another sidewalk along Robin Hill Road. The property is currently zoned MRP (Industrial Research Park). Parcel 1 would also provide up to 30 parking spaces for use by Parcel 2 through a reciprocal parking agreement.

The following modifications are approved:

- Parking encroachments within the setback areas along Hollister Avenue, Robin Hill Road, and the rear property line.
- Reduction in parking from 144 spaces to 139 spaces
- Encroachment of trash enclosure into setback of Robin Hill Road

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.

MITIGATION MEASURES FROM MND (07-MND-003)

Aesthetics/Visual Resources

1. The proposed project shall be resubmitted for Preliminary/Final Review by DRB consisting of: (i) complete site plan, architectural floor plans, and exterior elevations for Parcel 2; (ii) landscape and improvement plans for the Hollister Avenue frontage of Parcel 1; and (iii) an updated visual simulation of the proposed hotel that incorporates all design changes (if they differ from the photo simulation in Figure 7). The preliminary development plans shall be revised to address the issues raised by DRB in its Conceptual Review and shall also incorporate all applicable mitigation measures/conditions of approval. **Plan Requirements and Timing:** The preliminary development plans shall be revised and resubmitted to DRB for

review and approval prior to and as a condition precedent to issuance of a Land Use Permit (“LUP”) for the project. For purposes of determining consistency with General Plan Policy VH2.2, the updated visual simulation shall be presented to the Planning Commission in conjunction with the discretionary entitlement process.

MONITORING: City staff shall withhold issuance of an LUP pending: (i) a finding consistency with General Plan Policy VH2.2 by the City Council; and (ii) approval of the final development plans by DRB. City staff shall verify that the project is constructed per the final architectural plans approved by DRB prior to issuance of any certificate of occupancy.

2. 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 state 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: Staff shall verify compliance with this requirement prior to commencement of roofing.

3. An Overall Sign Plan for Parcel 2 shall be prepared and submitted for review and approval by DRB and City staff. **Plan Requirements and Timing:** The Overall Sign Plan shall be reviewed and approved by DRB and City staff prior to and as a condition precedent to installation of any signs for the project. Individual signs shall be reviewed and approved by the DRB and City staff prior to issuance of a Sign Certificate of Conformance.

Monitoring: City staff shall verify that project signs are approved and installed according to the Overall Sign 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 existing and proposed trees, shrubs, and groundcovers by species;
 - c. Size of all planting materials including trees;
 - d. Location of all planting materials; and
 - e. Screening of parking areas with trees approximately every 4 spaces.

The project landscaping shall consist of drought-tolerant native and/or 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 structure and shall be adjusted necessary to: (i) provide adequate vehicle stopping sight distance at all driveway entrances (as determined by the City of Goleta); (ii) comply with the Santa Barbara Airport Hollister Avenue Landscape Master Plan and the City of Santa Barbara Landscape Compliance Requirements (as determined by the City of Santa Barbara); (iii) ensure that plant material does not exceed 35 feet in height (at maturity) within areas of the Runway 15R approach (as determined by the City of Santa Barbara); (iv) visually screen parking areas from street view to the maximum extent reasonable; and (v) screen, through plantings and other features, loading and services areas of the proposed hotel. **Plan Requirements and Timing:** The landscape plans shall be revised and resubmitted for review and approval prior to and as a condition precedent to issuance of any LUP for the project. The plans shall first be submitted for review by staff of the Cities of Goleta and Santa Barbara (right-of-way area), and following their approval, the plans shall be submitted for Preliminary/Final Approval by DRB. All elements of the final landscape plan, including irrigation improvements, shall be installed prior to any occupancy clearance.

Monitoring: City staff shall withhold issuance of an LUP pending Final Approval of the landscape plans by DRB. City staff shall also field verify installation of all landscaping and irrigation system improvements per the approved final landscape plan prior to issuance of any certificate of occupancy for the project.

- 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 (3) years shall be subject to review and approval by City staff. A signed Maintenance Agreement and Performance Securities (in a form and in an amount acceptable to the City) guaranteeing installation of the landscaping and maintenance thereafter for a period of at least three years, shall be furnished by the applicant for review and approval by the City prior to issuance of any LUP 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. All exterior night lighting shall be of low intensity/low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Exterior lighting fixtures shall be kept to the minimum number and intensity needed to ensure the public safety of employees, residents, and visitors to the commercial center. All upward directed exterior lighting shall be prohibited to protect night sky views of the stars. All exterior lighting fixtures shall be appropriate for the architectural style of the proposed structure and the surrounding area. The applicant shall develop a lighting plan for Parcel 2 incorporating these requirements and provisions for dimming lights after 11:00 p.m. to the maximum extent practical without compromising public safety. **Plan Requirements:** 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. **Timing:** The preliminary/final lighting plan shall be reviewed and approved by DRB and City staff prior to and as a condition precedent 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.

7. 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 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.

8. The applicant shall prepare a detailed design of the proposed trash enclosure for Parcel 2 that exhibits good design and is compatible with the architectural style of the project. The storage area shall be enclosed with a solid wall of sufficient height to screen the area and shall include a solid gate and a roof. The trash storage area shall be maintained in good repair. **Plan Requirements and Timing:** Said trash enclosure plans shall be submitted for review and approval by DRB and City staff prior to and as a condition precedent to issuance of any LUP for the project.

- Monitoring:** City staff shall verify compliance prior to approval of any LUP for the project. City staff shall verify installation of the approved trash enclosure prior to the issuance of any certificate of occupancy for the project.
9. The applicant shall submit a composite utility plan for DRB and City staff Preliminary/Final Review. All external/roof mounted mechanical equipment on the proposed hotel located on Parcel 2 (including HVAC condensers, switch boxes, etc.) shall be included on all building plans and shall be designed to be integrated into the structure and/or screened from public view in a manner deemed acceptable to the City. **Plan Requirements and Timing:** Detailed plans showing all external/roof mounted mechanical equipment shall be submitted for review by DRB and City staff prior to and as a condition precedent to issuance of any LUP for the project.
- Monitoring:** City staff shall verify installation of all external/roof mounted mechanical equipment per the approved plans prior to the approval of any certificate of occupancy.
10. All new utility service connections and above-ground mounted equipment such as backflow devices, etc, shall be shall be screened from public view and painted in a soft earth-tone color(s) (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/or painted to match the building. All gas, electrical, backflow prevention devices 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.
11. All utilities that exist on Parcel 2 and along Hollister Avenue on the frontage of both parcels shall be installed underground. **Plan Requirements and Timing:** All composite utility plans for the project shall note this undergrounding requirement and shall be submitted for City staff review

and approval prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall verify compliance in the field prior to occupancy clearance.

Air Quality

12. Dust generated by construction activities shall be kept to a minimum with a goal of retaining dust on the site. The following dust control measures listed below shall be implemented by the contractor/builder:
 - a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

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 transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements and Timing:** All of the aforementioned requirements shall be noted on all construction plans and shall be submitted for approval by City staff prior to and as a condition precedent to issuance of any LUP for the project. The name and telephone number of such persons 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.

13. The following energy-conserving techniques, that substantially exceed the minimum Title 24 energy conservation requirements, shall be incorporated unless the applicant demonstrates their infeasibility to the satisfaction of City of Goleta staff:
 - a. Installation of low NOx residential water heaters and space heaters meeting the minimum efficiency requirements of applicable APCD rules;
 - b. Installation of Energy Star Labeled Furnaces;
 - c. Use of water-based paint on exterior surfaces;

- d. Use of solar-assisted water heating for swimming pools and tankless hot water on demand systems if their energy efficiency is demonstrated to exceed that of a central storage tank water heating system;
- e. Use of passive solar cooling/heating;
- f. Use of energy efficient appliances;
- g. Use of natural lighting;
- h. Installation of energy efficient lighting;
- i. Use of drought-tolerant native or Mediterranean landscaping subject to Planning and Environmental Services staff and Design Review Board (DRB) approval to shade buildings and parking lots;
- j. Encouragement of the use of transit, bicycling, and walking by providing infrastructure to promote their use;
- k. Provision of segregated waste bins for recyclable materials; and
- l. Prohibition against the installation and use of wood burning fireplaces.

Plan Requirements and Timing: These requirements shall be shown on applicable building plans prior to issuance of any land use permit.

Monitoring: City of Goleta staff shall site inspect for compliance prior to issuance of an occupancy permit.

14. If the construction site is graded and left undeveloped for over four weeks, the applicant shall employ the following methods immediately to inhibit dust generation:
- a. Seeding and watering to revegetate graded areas; and/or
 - b. Spreading of soil binders; and/or
 - c. Any other methods deemed appropriate by City staff.

Plan Requirements and Timing: These requirements shall be noted on all plans and submitted for approval and approval by City staff prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall perform periodic site inspections to verify compliance.

15. ROC and NOx emissions generated by construction equipment shall be reduced by implementing the following equipment control measures:
- a. The engine size of construction equipment shall be the minimum practical size;
 - b. 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;
 - c. Construction equipment shall be maintained in tune per the manufacturer's specifications;

- d. Construction equipment operating on-site shall be equipped with two-to-four degree engine timing retard or pre-combustion chamber engines;
- e. Catalytic converters shall be installed on gasoline-powered equipment, if feasible;
- f. Diesel catalytic converters shall be installed, if available;
- g. Diesel-powered equipment shall be replaced by electric equipment whenever feasible; and
- h. Construction worker trips shall be minimized by requiring carpooling and by providing for lunch on-site.

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, as appropriate.

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.

16. Wood burning fireplaces and/or similar wood burning appliances are prohibited in guest rooms. **Plan Requirements and Timing:** All fireplaces and similar appliances shown on all building plans shall be natural gas fired.

Monitoring: City staff shall inspect all building plans submitted for Land Use or building permits to verify compliance. City building inspectors shall verify compliance prior to any occupancy clearance.

Biological Resources

17. **STORMWATER WATER QUALITY:** To reduce and filter stormwater runoff leaving the project site (Parcel 2), the preliminary development plans shall be revised to 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 the public storm drain system, erosion control and sediment discharge measures during construction, development of bioswales in landscaped areas, and use of permeable paving in parking areas (where feasible). **Plan Requirements and Timing:** Design details of the bioswales, permeable paving 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.

18. During construction, washing of concrete, paint, or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified on the plans submitted for approval of any LUP for the project. The washoff area shall be in place throughout construction. **Plan Requirements and Timing:** The wash off area shall be designated on all plans and shall be reviewed and approved by City staff prior and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall site inspect throughout the construction period to ensure compliance and proper use.

Cultural Resources

19. The applicant, at its sole expense, shall retain a City-qualified archaeologist to undertake a Phase 3 data recovery program for the Parcel 2 project encompassing the following components:
 - a. Nine 1 X 1 meter (3.3 X 3.3 foot) units shall be located approximately every 20 meters (66 feet) within the intact CA-SBA-58 midden. A backhoe shall be used to remove the soil that has been determined to be previously disturbed and, therefore, not intact; no analysis of these soils shall occur. Excavation units within the intact midden shall be excavated by hand, in 20-centimeter (8-inch) levels. Excavated soil shall be water-screened in the field through 1/4-inch wire mesh. A 30 to 40 centimeter (12 to 16 inch) square column sample shall also be excavated from within each unit. The column sample shall be screened through 1/16 inch mesh, and used for more specific analyses of food remains and recovering very small artifacts.
 - b. Based on results of initial unit excavations, units shall be expanded to a 1 X 2 meter (3.3 X 6.6 foot) exposure, where appropriate, to further characterize horizontal variability as evidenced by differences in midden constituents. These large exposures will also increase the ability to evaluate the potential for features.
 - c. A Chumash Native American most likely descendant shall be retained as an observer during all excavations. The observer shall satisfy the

requirement as a most likely descendant of any human remains identified within CA-SBA-58, as required by the Native American Heritage Commission.

- d. In order to confirm the dating of the prehistoric occupation at CA-SBA-58, up to four radiocarbon dates shall be collected if suitable organic material is recovered from reliable stratigraphic contexts. Additionally, four obsidian hydration dates shall be taken if suitable stone tool flake samples are recovered.
- e. Following analysis, all of the cultural materials shall be curated at either the Santa Barbara Museum of Natural History or the Repository for Archaeological and Ethnographic Collections at UCSB.
- f. The Phase 3 Data Recovery proposal shall include a research design that guides preparation of laboratory research about coastal Chumash environments and interpret intra-site as well as inter-site patterning of artifacts and activities at CA-SBA-58, including food remains, chipped stone tools, macrobotanical remains, etc. The Phase 3 report shall document the final results of the excavations and laboratory activities. It shall include all necessary artifact photographs, excavation unit profiles, tabulated data, and artifact catalog. The Phase 3 report shall address the research questions identified in the Phase 3 Data Recovery proposal.

Plan Requirements and Timing: A detailed work Phase 3 Data Recovery Program proposal, including identification of the City-qualified archeologist and Chumash Native American most likely descendant monitor, shall be submitted to the City for review and approval prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall periodically perform site inspections to verify compliance with the approved Phase 3 work program.

- 20. Subsequent to conclusion of the Phase 3 archaeological data recovery program excavations, the applicant, at its sole expense, shall retain a City-qualified archaeologist and Chumash Native American most likely descendant observer to hand-excavate all piling locations not evaluated during the Phase 3 data recovery program. The remaining 12-inch piling locations shall be excavated to 4 feet from ground surface, or until the depth of CA-SBA-58 site deposits are exceeded, as determined by the project archaeologist. The soils shall be dry-screened in the field to identify any unknown, but potential isolated prehistoric human remains. The City-qualified archaeologist and Chumash Native American most likely descendant observer shall have the authority to temporarily halt excavation if any potentially significant discovery is identified, to allow for adequate Phase 3 data recovery recordation, evaluation, and mitigation, as described in Condition 21 below. **Plan Requirements and Timing:** The

Pre-Construction Controlled Piling Excavations work plan shall be submitted as a component of the Phase 3 Data Recovery Program proposal, including identification of the City-qualified archeologist and Chumash Native American most likely descendant observer. It shall be submitted to the City for review and approval prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall periodically perform site inspections to verify compliance with the approved Pre-Construction Controlled Piling Excavations program.

21. The applicant, at its sole expense, shall retain a City-qualified archaeologist and Chumash Native American most likely descendant observer to monitor all ground disturbing construction activities within the top 4 feet of the ground surface, or until the depth of CA-SBA-58 site deposits are exceeded, as determined by the project archaeologist. A Construction Monitoring Treatment Plan shall be developed and implemented to ensure that any new discoveries are adequately recorded, evaluated, and, if significant, mitigated. The Construction Monitoring Treatment Plan shall describe the following:
 - a. specifications that all ground disturbances within the documented CA-SBA-58 site boundary shall be monitored by a City-qualified archaeologist and a Chumash Native American most likely descendant observer;
 - b. qualifications and organization of monitoring personnel;
 - c. procedures for notifying the City and other involved or interested parties in case of a new discovery;
 - d. procedures that would be used to record, evaluate, and mitigate new discoveries with a minimum of delay; and
 - e. procedures that would be followed in case of discovery of disturbed as well as intact human burials and burial-associated artifacts. The City-qualified archaeologist and Chumash Native American most likely descendant observer shall have the authority to temporarily halt or redirect construction in the vicinity of any potentially significant discovery to allow for adequate Phase 3 data recovery recordation, evaluation, and mitigation. Evaluation and mitigation could require additional archaeological testing and data recovery. In the highly unlikely event that isolated human remains are encountered, consultation with the most likely Native American descendant, pursuant to Public Resources Code sections 5097.97 and 5097.98, would apply.
 - f. Results of the monitoring program shall be documented in a short report after completion of all ground disturbing activities.

Plan Requirements and Timing: A contract for the Constructing Monitoring Plan, including identification of the City-qualified archeologist and Chumash Native American most likely descendant observer, shall be submitted to the City for review and approval prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall periodically perform site inspections to verify compliance with the approved Phase 3 work program.

22. A pre-construction workshop shall be conducted by a City-qualified archaeologist and a Chumash Native American most likely descendant observer. Attendees shall include the applicant, City staff, construction supervisors, and equipment operators to ensure that all parties understand the monitoring program and their respective roles and responsibilities. All construction personnel who would work during any phase of ground disturbance within the documented site boundary of CA-SBA-58 shall be required to attend. The names of all personnel who attend the workshop shall be recorded. The workshop shall:
- a. explain why monitoring is required and identify monitoring procedures;
 - b. describe what would temporarily stop construction and for how long;
 - c. describe a reasonable “worst case” new discovery scenario such as the discovery of intact human remains or a substantial midden deposit;
 - d. explain reporting requirements and responsibilities of the construction supervisor;
 - e. discuss prohibited activities including unauthorized collecting of artifacts; and
 - f. identify the types of archeological materials that may be uncovered and provide examples of common artifacts to examine.

Plan Requirements and Timing: The minutes and attendance sheet from the Preconstruction Workshop shall be submitted to the City for review and approval prior to and as a condition precedent to issuance of any LUP for grading for the project.

Monitoring: City of Goleta staff shall participate in the Preconstruction Workshop to ensure completion of this requirement.

Geology and Soils

23. The applicant shall demonstrate through a structural soils report, prepared by a certified engineering geologist, that site preparation, structural design criteria, and final footings and foundation design accounts for liquefaction in accordance with the State Building Code and complies with the Preliminary Foundation Investigation previously prepared for the proposed project. The structural soils report shall also prescribe recommendations

for design and construction of site improvements to minimize long term damage to paved driveways, parking areas, sidewalks and other similar surface features that may be susceptible to possible settlement and lateral movement. The recommendations prescribed in the structural soils report shall be implemented through construction plans and documents. **Plan Requirements and Timing:** The structural soils report shall be reviewed and approved by the City Building Official prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall periodically perform site inspections to verify compliance with the approved construction documents.

Hazardous Materials/Risk of Upset

24. Prior to commencement of ground disturbance activities, the applicant shall incorporate a vapor barrier to inhibit the migration of soil vapor into the building. The applicant shall confirm a work plan for construction with the Fire Prevention division, based on its March 19, 2008 letter, and potentially including the following tasks, if still deemed necessary by the Fire Prevention division (i) prepare a Remedial Action Plan (“RAP”) incorporating appropriate mitigation measures (e.g., vapor barriers, vents, etc.) or site remediation to reduce contaminants to acceptable concentrations; (ii) devise a soils management plan in the event that contamination is encountered during construction; and (iii) develop a dewatering plan if any groundwater is removed during construction, including required permits to discharge into the City’s sewer or storm drain system. **Plan Requirements and Timing:** The applicant shall comply with directives of the Santa Barbara County Fire Department, Fire Prevention Division, prior to commencing work, concerning any follow up work required pursuant to the March 19, 2008 Fire Prevention division letter, and notify this division in the event contaminated soil is encountered during construction. Thereafter, the various site assessment and remediation actions, if any are required, shall be reviewed and approved by the Fire Department prior to and as a condition precedent to issuance of any LUP for the project. All required remediation shall be completed prior to occupancy.

Monitoring: City staff shall verify that the County Fire Department’s submittal requirements are satisfied prior to issuance of any LUP for the project. Thereafter, City staff shall verify that all required mitigation is performed before any certificate of occupancy is granted.

25. Prior to commence of ground disturbance activities, the applicant shall prepare a Worker Awareness Program to acquaint workers (including archeological data recovery personnel) on the hazards and potential exposure to contaminated groundwater and soil. The program shall

described measures to minimize such exposure and medical procedures to be employed in the event of exposure. The applicant shall ensure that all workers are properly briefed on the Worker Awareness Program and that proper precautions are being taken throughout the duration of grading and construction. **Plan Requirements and Timing:** The Worker Awareness Program shall be reviewed and approved by the City and prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall periodically perform site inspections to verify that workers are properly informed and safety procedures are being followed.

26. The applicant shall complete and file Form 7460-1 with the FAA, and verify that the project is either exempt from applicable construction regulations or complies with those regulations that govern the project. **Plan Requirements and Timing:** Form 7460-1, with evidence of FAA approval, shall be filed with the City prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall verify compliance with FAA filing requirements prior to any issuance of any LUP for the project.

27. The applicant shall modify its landscape plans for the proposed project as may be necessary to comply with height restrictions dictated by the Santa Barbara Municipal Airport. Of specific concern are street trees along the frontage of Hollister Avenue (applicable to both Parcels 1 and 2), as well as accent trees located onsite within the Airport Approach – Clear Zone. **Plan Requirements and Timing:** The landscape plans shall be revised and resubmitted to the Santa Barbara Municipal Airport for review and approval prior to and as a condition precedent to: (i) Preliminary/Final Approval by DRB; and (ii) issuance of an LUP for the project.

Monitoring: City staff shall withhold issuance of an LUP pending Final Approval of the landscape plans by DRB and the Santa Barbara Municipal Airport. City staff shall also field verify installation of all landscaping and irrigation system improvements per the approved final landscape plan prior to issuance of any certificate of occupancy for the project.

Hydrology and Water Resources

28. The exact location and height of the mapped BFE for the project site in relation to the hotel footprint shall be verified by the applicant. The finished floor elevation and grading plans shall be adjusted (if necessary) to maintain a two-foot height differential in compliance with the City's Floodplain Management Ordinance (Chapter 15 of the City Code). **Plan**

Requirements and Timing: The revised site, grading, and building plans shall be submitted for review and approval by DRB and City staff prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall verify compliance prior to issuance of any LUP for the project.

29. The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15th to November 1st) unless a City approved erosion control plan, incorporating appropriate BMPs identified in the EPA guidelines for construction site runoff control (EPA Fact Sheet 2.6, Construction Site Runoff Minimum Control Measures, 01/00), is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within four (4) weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion.

Monitoring: City staff shall site inspect during grading to monitor dust generation and four (4) weeks after grading to verify reseeding and to verify the construction has commenced in areas graded for placement of structures.

Land Use

30. Development plans for the Parcel 2 shall be modified to incorporate the revised parking lot shown in the recent plan submittal dated November 6, 2007. Landscape coverage and related development features shall be updated to reflect the revisions. **Plan Requirements and Timing:** The project plans shall be updated and resubmitted for review and approval by DRB and City staff prior to and as a condition precedent to issuance of any LUP for the project.

MONITORING: City staff shall verify compliance with the requirement to prepare modified plans and shall verify installation prior to any occupancy clearance.

Noise

31. Noise generating construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 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 and Environmental Services. Non-noise generating construction activities such as interior painting are not subject to these restrictions. Prior to commencement of pile driving operations, businesses within the vicinity of the site shall be notified not less than 72 hours in advance of commencement. Said notice shall provide businesses with the anticipated time and duration of pile driving 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.

32. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to the City of Goleta's satisfaction and/or shall be located at a minimum of 1,600 feet from sensitive receptors. **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: The City of Goleta compliance staff shall perform site inspections to ensure compliance.

Public Services

33. Utility plans for new development on Parcel 2 shall be modified to include the installation of necessary fire hydrants to comply with applicable Santa Barbara County Fire Department requirements. **Plan Requirements and Timing:** The project plans shall be updated to identify the location and specifications of the required fire hydrants and shall be submitted for review and approval by the Santa Barbara County Fire Department as well as City staff prior to and as a condition precedent to issuance of any LUP for the project. The required fire hydrants shall be installed and approved in the field by Santa Barbara County Fire Department personnel prior to any occupancy clearance.

Monitoring: City staff shall verify compliance with the requirement to prepare modified plans prior to DBR Preliminary/Final Review of the project. City staff shall verify Fire Department approval of the installed fire hydrants and driveway widths prior to any occupancy clearance.

34. The applicant shall retain a qualified Fire Protection Specialist, approved by the Fire Department, to evaluate the project and devise a fire protection plan. Minimum project requirements include an alarm system, fire sprinklers, stand pipes, and roof access with signage (through one or more interior stair wells). **Plan Requirements and Timing:** The Fire Protection Plan shall be submitted for review and approval by the Fire Department prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall verify that a Fire Protection Plan has been prepared and approved by the Fire Department prior to issuance of any LUP for the project.

35. Guest stays at the proposed hotel shall be limited to a maximum of 30 consecutive days. Exceptions to this requirement may be granted on a case-by-case basis at the sole discretion of the City. **Plan Requirements and Timing:** An enforceable covenant with the foregoing occupancy stipulation shall be prepared by the applicant and submitted for review and approval by the City. The covenant, following approval, shall be recorded against the property prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall verify that the occupancy covenant has been recorded prior to issuance of any LUP for the project.

Transportation/Circulation

36. Street improvement plans for the proposed project shall be provided that include: (i) a raised landscaped center median along Hollister Avenue at the new proposed driveway and extending to the Robin Hill intersection, prohibiting left-in and left-out vehicle movements while allowing right-in and, right-out movements; (ii) restriping of the southbound Robin Hill Road approach at the Hollister Avenue intersection to provide one right lane and one left lane; (iii) directional handicap access ramps per City of Santa Barbara construction standard details - dual direction at the intersections of Robin Hill Road and La Patera Lane and single directional at driveway crossings; (iv) a six-foot wide frontage sidewalk along Hollister Avenue in compliance with the City of Santa Barbara Pedestrian Master Plan; and (v) a striped bikelane along the Hollister frontage. **Plan Requirements and Timing:** The project plans shall be updated and resubmitted for review and approval by staff of the Cities of Goleta and Santa Barbara prior to and as a condition precedent to issuance of any LUP for the project. The required street improvements shall be installed by the applicant and approved by staff of the Cities of Santa Barbara and Goleta prior to any occupancy clearance.

Monitoring: City staff shall verify compliance with the requirement to prepare modified plans. City staff shall verify approval and acceptance of the completed street improvements by the City of Santa Barbara prior to any occupancy clearance.

37. Development plans for the proposed project shall be modified to include: (i) installation of on-site stop signs, controlling traffic in the east-west direction, where parking lots on Parcels 1 and 2 connect immediately north of the new driveway on Hollister Avenue; (ii) installation of on-site traffic control measures (i.e., signage and striping), where new two-way aiseways on Parcel 2 interconnect with existing one-way aiseways on Parcel 1; (iii) the existing parallel parking stalls along the southern project site aisleway should be removed; (iv) the eastern north-south project site aisleway should be restriped or reconstructed (as appropriate) to provide two-way vehicle access; (v) an offer to dedicate future reciprocal access in perpetuity shall be provided between the project site and the properties to the north of the project site; (vi) the existing parking lot circulation system to the north of the existing full-access driveway on Hollister Avenue should be signed and striped more efficiently; (vii) total compact parking spaces shall not exceed 20%. **Plan Requirements and Timing:** The project plans shall be updated and resubmitted for review and approval by DRB and City staff prior to and as a condition precedent to issuance of any LUP for the project. The on-site traffic control improvements shall be installed and approved in the field by City staff prior to any occupancy clearance.

Monitoring: City staff shall verify compliance with the requirement to prepare modified plans and shall verify installation prior to any occupancy clearance.

38. Public improvement plans for the proposed project shall be modified to include renovation of the existing bus stop located at the Hollister Avenue/La Patera intersection (along the frontage of Parcel 1) to conform with current standards including, but not limited to, a pull out area, concrete pad, sign, bench, trash receptacle and shelter. In addition, new sidewalks along the frontage of Parcels 1 and 2 shall be designed and constructed so as to provide ADA access to the nearest bus stop location. **Plan Requirements and Timing:** The project plans shall be updated and resubmitted for review and approval by City staff and the Metropolitan Transit District prior to and as a condition precedent to issuance of any LUP for the project. The required street improvements shall be installed and approved in the field by City staff and MTD prior to any occupancy clearance.

Monitoring: City staff shall verify compliance with the requirement to prepare modified plans. City staff shall verify approval and acceptance of

- the completed street improvements by MTD prior to any occupancy clearance.
39. The applicant shall prepare and record a shared parking and reciprocal access agreement to facilitate conjunctive use of parking on Parcels 1 and 2. The agreement shall be in a form acceptable to the City and shall be recorded as a covenant against both parcels. **Plan Requirements and Timing:** The reciprocal access and shared parking agreement shall be submitted for review and approval by City staff, and thereafter recorded against Parcels 1 and 2, prior to and as a condition precedent to issuance of any LUP for the project.
- Monitoring:** City shall verify recordation of the reciprocal access and shared parking agreement prior to issuance of any LUP for the project.

Utilities and Service Systems

40. A Can and Will Serve (“CAWS”) letter from the Goleta Sanitary District (GSD) for Parcel 2 shall be provided indicating that adequate water treatment capacity is available to serve the project upon demand and without exception (or equivalent guarantee). In the event that planned upgrades to the existing sewer lift station are not fully operational prior to completion of the proposed hotel: (i) the applicant shall implement the temporary holding tank contingency measure described in the letter and associated design exhibits from Penfield & Smith dated October 16, 2007; and (ii) abide by the conditions of approval issued by GSD in its letter dated October 23, 2007. Based on the final construction drawings, the applicant shall pay the following fees as determined by GSD: (i) sewer connection fees; and (ii) mitigation fees to offset the difference between allocated capacity to Parcel 2 and projected volumes attributable to the proposed hotel. **Requirements and Timing:** A CAWS letter shall be forwarded to the City of Goleta prior to recordation.
- Monitoring:** A connection permit issued by the GSD, along with evidence that sewer connection and mitigation fees have been paid, shall be submitted to the City prior to recordation. 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 GSD.
41. A CAWS letter from the Goleta Water District (GWD) for Parcel 2 shall be provided indicating that adequate water supply is available to serve the project upon demand and without exception (or equivalent guarantee). **Plan Requirements and Timing:** A CAWS letter shall be forwarded to the City of Goleta prior to recordation.

Monitoring: A CAWS letter, with firm reservation of water availability for the project from the GWD shall be submitted to the City prior recordation.

42. 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 irrigation shall be installed; (iii) plant material shall be grouped by water needs; (iii) no turf shall be allowed on slopes of over 4%; (iv) extensive mulching (2" minimum) shall be used in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and soil compaction; and (v) soil moisture sensing devices shall be installed to prevent unnecessary irrigation. 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 in commercial structures 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 pursuant to Mitigation Measure #4 under Aesthetics. The indoor water-conserving measures shall be graphically depicted on building plans and approved prior to and as a condition precedent 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.

43. The applicant shall develop and implement a Solid Waste Management Program. The program shall identify the amount of waste generation projected during processing of the project. The program shall include the following measures, but is not limited to those measures:

General

- a. Provision of at least 50 ft² of space and/or bins for storage of recyclable materials within the project site.
- b. Implementation of a green waste source reduction program focusing on recycling of all green waste generated onsite.

Commercial Only

- a. Development of a Source Reduction Plan ("SRP"), describing the recommended program(s) and the estimated reduction of the solid waste disposed by the project. For example, the SRP may include a description of how fill will be used on the construction site, instead of sending excess fill material to a landfill, or a detailed set of office procedures such as use of duplex copy machines and purchase of office supplies with recycled content.

- b. Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). The program could include requesting suppliers to show recycled materials content. To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of such programs, subject to City staff review and approval prior to issuance of any certificate of occupancy

Plan Requirement and Timing: The applicant shall submit the Solid Waste Management Program to City staff for review and approval prior to approval of any LUP for the project. Program components shall be implemented prior to occupancy clearance and throughout the life of the project.

Monitoring: City staff shall site inspect during construction and prior to occupancy to ensure solid waste management components are established and implemented.

44. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements and Timing:** This requirement shall be printed on the grading and construction plans. Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.

Monitoring: City staff shall verify compliance prior to occupancy clearance.

PROJECT SPECIFIC CONDITIONS

45. 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 Parcel Map and Development Plan dated March 11, 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.
46. 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.

RECORDATION CONDITIONS

47. The vesting tentative parcel map approval shall take effect as of the date of final action by the City Council.
48. The vesting tentative parcel map shall expire three (3) years from the effective date of approval unless Parcel Map documents have been recorded prior to the expiration date.

49. Prior to recordation of the proposed Parcel 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 parcels created by the project, each set of plans accompanying a Land Use Permit shall contain these conditions.
50. If the proposed Parcel 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.
51. Five (5) copies of the proposed Parcel 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.
52. If prior to City action on the proposed Parcel 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.
53. Prior to recordation of the proposed Parcel 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 Parcel 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.
54. Prior to proposed Parcel Map recordation, the owner shall sign and record an agreement to comply with the project description and all conditions of approval.

55. The proposed Parcel Map shall be prepared by a licensed land surveyor or registered civil engineer in conformance with current Subdivision Map Act requirements and in conformance with the requirements of City of Goleta Subdivision Regulations.
56. No permit for development, including grading, shall be issued prior to recordation of the proposed Parcel Map. Grading associated with any permit for site remediation would not be subject to this restriction.
57. The vesting tentative parcel 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

58. 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 project map, upon good cause shown, grant a time extension for one year.
59. 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.
60. 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 development plan marked City Council Hearing Exhibits 1 and 2, dated _____, 2008. Substantial conformity shall be determined by the Director of Planning and Environmental Services.
61. 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.

62. 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.
63. 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

64. The applicant shall obtain preliminary and final DRB approval for the proposed project prior to Land Use Permit issuance.
65. All plans submitted for Land Use Permit issuance, building, and/or grading permit shall include all applicable conditions of project approval.
66. 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.
67. Planning and Environmental Services Compliance Review shall be required. The applicant agrees to pay Compliance Review fees prior to Land Use Permit issuance to cover full costs of compliance monitoring. The decision of the Director shall be final in the event of any dispute.
68. Prior to approval of the first Land Use Permit for general grading and/or buildings for development, the applicant shall pay all applicable City of Goleta permit processing fees in full.
69. 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.
70. 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.
 71. 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.
 72. 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.
 73. 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.
 74. 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.
 75. When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail.
 76. The applicant shall pay all applicable development impact fees under the City of Goleta Development Impact Fee program.

77. Compliance with Department/Agency Letters:
 - a. Community Services Department, letter dated April 18, 2008
 - b. SB County Air Pollution Control District, letter dated April 23, 2008
 - c. County of Santa Barbara Fire Department, letters dated October 10, 2007, November 5, 2007, and March 19, 2008
 - d. Goleta Water District, April 17, 2008, confirming letter of October 19, 2007
 - e. Goleta Sanitary District, October 23, 2007
 - f. SB County Surveyor, letter dated June 21, 2007

78. 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 III, Chapter 35 of the Municipal Code (Inland Zoning Ordinance).

79. 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.

80. 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 proceeding to attack, review, set aside, void or annul, in whole or in part, the City's approval of the vesting tentative map and development plan or any condition attached thereto or any proceedings, acts, or determinations taken, done or made prior to the approval that were part of the approval process.

81. 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.