



Agenda Item B.2
CONSENT CALENDAR
Meeting Date: March 17, 2009

TO: Mayor and Councilmembers

FROM: Dan Singer, City Manager

CONTACT: Steve Chase, Director, Planning and Environmental Services
Patricia S. Miller, Manager, Current Planning

SUBJECT: Case No. 08-157-OA, -DP RV; Towbes/ATK Space Systems Project;
600 Pine Avenue; APN 071-130-040

RECOMMENDATION:

- A. Conduct the second reading (by title only) and waive further reading of City Council Ordinance 09-__ entitled "An Ordinance of the City Council of the City of Goleta, California Amending Ordinance 03-04 and Adopting Revised Growth Management Regulations Applicable to Non-Residential Development within the City of Goleta". (Attachment 1)
- B. Adopt City Council Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan Revision for the Towbes/ATK Space Systems Project, Case No. 08-157-DP RV; 600 Pine Avenue; APN 071-130-040". (Attachment 2)

Refer back to staff if the City Council decides to take action other than the recommended action.

BACKGROUND:

The proposed project is described in the staff report for the March 3, 2009 City Council hearing and includes a 25,026 square foot addition to an existing 59,535 square foot building located at 600 Pine Avenue. At the March 3, 2009 hearing, the Council adopted the project CEQA Resolution 09-15 and conducted the first reading of the Ordinance (Attachment 1) for the GGMO Amendment. The Council also conceptually approved the resolution for the Towbes/ATK Space Systems Project Development Plan Revision (Attachment 2).

DISCUSSION:

The hearing of March 17, 2009 is for the purpose of conducting the second reading on the Ordinance for the GGMO Amendment and to adopt the Resolution approving the Development Plan Revision that would allow the project to be developed.

GOLETA STRATEGIC PLAN:

The Towbes/ATK Space Systems Project would be consistent with the following Goals in the Strategic Plan entitled: "Promote a Healthy Business Climate" and moves the City closer toward realizing its vision as defined within the City's Strategic Plan.

ALTERNATIVES:

None are recommended.

LEGAL REVIEW:

This staff report has been reviewed by the City Attorney.

FISCAL IMPACTS:

The processing costs associated with the Towbes/ATK Space Systems Project are paid by the applicant.

Submitted By:

Reviewed by:

Approved By:

Steve Chase, Director
Planning and Environmental
Services

Michelle Greene, Director
Administrative Services

Daniel Singer
City Manager

ATTACHMENTS:

1. City Council Ordinance 09-___; An Ordinance Of The City Council Of The City Of Goleta, California Amending Ordinance 03-04 And Adopting Revised Growth Management Regulations Applicable To Non-Residential Development Within The City Of Goleta.
2. City Council Resolution 09-___; A Resolution Of The City Council Of The City Of Goleta Approving A Development Plan Revision For The Towbes/ATK Space Systems Project, Case No. 08-157-Dp Rv01; At 600 Pine Avenue; APN 071-130-040.

ATTACHMENT 1

City Council Ordinance 09-___; An Ordinance of The City Council of The City of Goleta, California Amending Ordinance 03-04 and Adopting Revised Growth Management Regulations Applicable To Non-Residential Development Within The City Of Goleta.

ORDINANCE NO. 09-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA AMENDING ORDINANCE 03-04 AND ADOPTING REVISED GROWTH MANAGEMENT REGULATIONS APPLICABLE TO NON-RESIDENTIAL DEVELOPMENT WITHIN THE CITY OF GOLETA

WHEREAS, the City of Goleta was incorporated on February 1, 2002; and

WHEREAS, on February 1, 2002, the City Council adopted Ordinance 02-01 entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting by Reference the Santa Barbara County Code and Other Relevant Non-Codified Santa Barbara County Ordinances as City Ordinances," which code and ordinances remain in effect except as expressly repealed or amended by the City; and

WHEREAS, the ordinances adopted by the City included Ordinance No. 4350, as amended, titled "Ordinance Repealing and Replacing Chapter 35A of the County Code Establishing a Growth Management Plan and a Restricted Resource Overlay District for the Goleta Planning Area;" and

WHEREAS, Ordinance No. 4350 established regulations to manage the quantities of both residential and non-residential development allowed annually within the Goleta Valley; and

WHEREAS, the regulations set forth in Ordinance No. 4350 were specifically written to apply to lands within the entire Goleta Valley, including the unincorporated territory as well as the City of Goleta, and such regulations have not been amended to establish appropriate growth management standards and regulations that would apply exclusively to those land areas within the City of Goleta; and

WHEREAS, on May 5, 2003, the City Council adopted Ordinance No. 03-04, a revised growth management ordinance that regulates the rate of non-residential development in a manner that correlates the amount of floor area allowed with new residential development intended to assure maintenance and protection of the environment; and

WHEREAS, on December 2, 2008 the City Council adopted Ordinance No. 08-13 adding Goleta Valley Cottage Hospital to the list of projects exempt from the requirement to obtain a growth management allocation; and

WHEREAS, on March 3, 2009, the City Council held a duly noticed public hearing to consider a revised growth management ordinance and various related matters, at which times all interested persons were given an opportunity to be heard; and

WHEREAS, on March 3, 2009, the City Council adopted Resolution 09-___, adopting findings pursuant to the California Environmental Quality Act (CEQA) and adopting the Final Mitigated Negative Declaration; and

WHEREAS, the City Council has considered the entire administrative record, including the application materials, staff reports, the Draft, Revised Draft and Final Mitigated Negative Declaration and oral and written testimony from interested persons.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLETA FOLLOWS:

SECTION 1. Recitals

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. Amend Ordinance No. 03-04, Section 6

This ordinance amends City Ordinance No. 03-04, Section 6 as follows:

6.1 Exempt Projects.

The following projects are exempt from the requirement to obtain a growth management allocation pursuant to this ordinance:

- a. **Public Utilities.** Physical facilities for the transmission of electricity and gas and for the provision or transmission of water, sewage collection, treatment, and reclamation, except that associated office uses are not exempt.
- b. **Hospital Overlay** – Goleta Valley Cottage Hospital, related offices and medical services which are in the vicinity of Hollister Avenue and Patterson Avenue within the designated Hospital Overlay on the General Plan land use plan map, including up to 59,835 net new square feet on APN 065-090-022 for the hospital, up to 10,776 net new square feet on APN 065-090-023 for a medical office building, and up to 87,000 square feet of additional development on APN 065-090-028 for future medical offices or related services.
- c. **Towbes/ATK Space Systems Project** – Towbes/ATK Space Systems Project additions including approximately 25,026-square feet on APN 071-130-040 for a new clean room and office additions subject to the condition that the property owner execute an Irrevocable Offer to Dedicate the right-of-way for the extension of Ekwil Street.

The exemption set forth in item b shall expire and be of no further force or effect three years following the effective date of this ordinance amendment (January 3,

2009), unless the property owner and/or applicant requests a one-year extension in writing prior to the expiration date and approval of the request is granted by the City Council.

The exemption set forth in item c shall expire and be of no further force or effect three years following the effective date of this ordinance amendment (April 20, 2012), unless the property owner and/or applicant requests a one-year extension in writing prior to the expiration date and approval of the request is granted by the City Council.

SECTION 3. Findings

The City Council finds that revising the growth management ordinance is a matter of City-wide importance and is not directed towards nor targeting any particular parcel of property or proposed development.

SECTION 4. Effective Date

This ordinance shall take effect on the 31st day following the date of its final adoption.

SECTION 5. Certification and Publication

The City Clerk shall certify to the passage of this Ordinance and cause the same to be published and posted in the manner prescribed by California law.

INTRODUCED ON the 3rd day of March, 2009.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2009.

ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

TIM W. GILES
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 Ordinance No. 09-__ was duly adopted by the City Council of the City of Goleta at a meeting held on the __ day of _____, 2009, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

ATTACHMENT 2

City Council Resolution 09-___; A Resolution of The City Council of The City of Goleta Approving a Development Plan Revision for The Towbes/ATK Space Systems Project, Case No. 08-157-Dp Rv01; at 600 Pine Avenue; APN 071-130-040.

RESOLUTION NO. 09-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA
APPROVING A DEVELOPMENT PLAN REVISION FOR THE
TOWBES/ATK SPACE SYSTEMS PROJECT, CASE NO. 08-157-DP
RV01; AT 600 PINE AVENUE; APN 071-130-040**

WHEREAS, an application was submitted on August 20, 2008 by Laurel Perez, of Suzanne Elledge Planning and Permitting Services, agent for Towbes Group, Property Owner, and ATK Space Systems, Tenant, requesting approval of an Ordinance Amendment, and Development Plan Revision; and

WHEREAS, the application was found complete for processing on September 18, 2008; and

WHEREAS, the application is for an ordinance amendment to amend the Goleta Growth Management Ordinance to exempt the project from its provisions subject to the condition that the property owner execute and deliver an Irrevocable Offer to Dedicate the right-of-way for the extension of Ekwil Street; the application is also for a Development Plan Revision to add 25,026-square feet in additions to the existing manufacturing/research building; and

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

WHEREAS, it was determined that the proposed project, inclusive of all of its various components, was subject to the California Environmental Quality Act, that one or more significant effects on the environment may occur, and that preparation of a Mitigated Negative Declaration would be required; and

WHEREAS, on January 26, 2009, the City of Goleta Planning Commission conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and considered the entire administrative record, including application materials, staff report, the Draft and Revised Draft MND, and oral and written testimony from interested persons; and

WHEREAS, on January 26, 2009, the City of Goleta Planning Commission adopted Resolution 09-02, recommending that the City Council adopt the Final Mitigated Negative Declaration (08-MND-003) pursuant to the State CEQA Guidelines and approve Case 08-157-OA, -DP RV01, with recommended findings and conditions of approval; and

WHEREAS, on March 3, 2009, the City Council conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on March 3, 2009, the City Council adopted Resolution 09-___, adopting findings pursuant to the California Environmental Quality Act (CEQA) and adopting the Final Mitigated Negative Declaration (08-MND-003); and

WHEREAS, by adoption on March ____, 2009 of Ordinance 09-___, the City Council has approved an amendment to the Goleta Growth Management Ordinance; and

WHEREAS, a Development Plan Revision is required pursuant to Section 35-317 of Chapter 35, Article III of the Goleta Municipal Code; and

WHEREAS, the City Council considered the entire administrative record, including application materials, staff report, the Draft, Revised Draft and Final MND, and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GOLETA FINDS AND DETERMINES AS FOLLOWS:

SECTION 1. Recitals

The City Council hereby finds and determines the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. Adoption of Findings

The findings set forth in Exhibit 1 to this Resolution are hereby adopted and incorporated herein by this reference.

SECTION 3. Approval of Development Plan Revision

The Development Plan for the subject application, Case No. 08-157-DP RV01, is hereby approved subject to the conditions set forth as Exhibit 2 to this Resolution and incorporated herein by this reference. This includes the “good cause” findings for exception to the recommended maximum Floor Area Ratio (FAR) and recommended minimum landscaped area identified in the General Plan, Land Use Element, Table 2-3, for the BP Business Park land use designation.

SECTION 4. 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 5. Certification

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

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2009.

ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

TIM W. 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 City Council Resolution No. 09-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the __ day of _____, 2009, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

FINDINGS
CASE NO.08-157-DP RV01

TOWBES/ATK SPACE SYSTEMS PROJECT DEVELOPMENT PLAN REVISION
600 PINE AVENUE; APN 071-130-040
CASE NO. 08-157-DP RV

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

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 structural development, landscaping, parking, and on-site circulation for pedestrians, passenger vehicles and emergency vehicles, to accommodate the project design. Overall, there is sufficient acreage onsite to accommodate the density and intensity of development proposed.

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

Potential impacts involving Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Services, Transportation/Traffic, and Utilities and Service Systems would be reduced to less than significant levels through implementation of the mitigation measures as incorporated into required conditions of approval included in Exhibit 2.

3. *That streets and highways are adequate and properly designed.*

All existing streets and highways serving the proposed project are adequate and properly designed. As indicated by the conclusions of the ATE traffic study for the project (and concurrence by Community Services staff regarding these conclusions), project-generated traffic would not trigger traffic thresholds or Circulation Element standards for roadways or intersections and local streets and highways can accommodate the traffic generated by the project.

Community Services review and approval of the final project plans for the new access driveways will further ensure that the project will not result in traffic safety impacts. Any potential impacts to site access and circulation changes as a result

of the Ekwil Street extension will be analyzed in the Ekwil Street extension project.

The project is conditioned to execute and deliver and Irrevocable Offer to Dedicate the right-of-way for the extension of Ekwil Street and contribute Goleta Transportation Improvement Fees to fund identified improvements to the area roadway network.

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 ATK Space Systems Project. Final sign-offs from these agencies will be required prior to issuance of Land Use Permits for the research and development building.

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 existing public services and would have safe and adequate primary and emergency/secondary vehicular access. The design of the project would be compatible with surrounding development and the expanded research and development use would continue to provide a transitional land use between the residential uses to the north and the industrial area to the south and the agricultural area to the east and the industrial area to the west.

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

As discussed in the staff report, the proposed project is consistent with the General Plan land use designation of I-BP, with the exception of the recommended building standards for Maximum Floor Area Ratio (FAR) of 0.40 (the project proposes a 0.42 FAR) and Minimum Open Space/Landscaping Ratio (OS/LR) of 0.30 (the project proposes 0.165). The aforementioned Recommended Standards may be exceeded based on a “good cause” finding. “Good cause” is defined as a better site, or architectural design, will result in better resource protection, will provide a significant community benefit and/or does not create an adverse impact to the community character, aesthetics or

public views. The DRB reviewed the project on September 23, 2008, October 28, 2008, and November 12, 2008. The DRB's review considered the site plan, neighborhood compatibility, and the *Recommended Standards for Building Intensity*. At the end of the DRB's November 12, 2008, meeting, the DRB gave the project's architecture, landscaping and grading favorable comments. It is recognized that project does not comply with the Maximum FAR or Minimum Open Space/Landscaping Ratio of the *Recommended Standards for Building Intensity* due to the proposed dedication of the Irrevocable Offer to Dedicate the right of way for the extension of Ekwil Street. If the dedication right of way for the extension of Ekwil Street was not accepted, the proposed project would handily meet both the Maximum FAR and Minimum Open Space/Landscaping Ratio. The project site is essentially a developed, infill lot, with a majority of its vegetation along Pine Avenue and Old San Jose Creek. The proposed structural changes will not likely be seen from Pine Avenue but would be seen from the future Ekwil Street extension. The proposed architecture is appropriate for the land use and in context with the variety of architectural styles and building sizes surrounding the project site. The project, as conditioned, will not create an adverse impact to community character, aesthetics or public views. Therefore, the good cause finding can be made in this instance.

The project is consistent with all applicable General Plan policies, as specified in the policy consistency discussion of Planning Commission staff report for the hearing of January 26, 2009. The proposed project is also consistent with the M-RP zone district subject to approval of the requested modifications to allow parking and the existing building to encroach into the required set backs and to allow landscape coverage to be 16.5% instead of 30%. It is recognized that project does not comply with the landscaping coverage due to the proposed dedication of the Irrevocable Offer to Dedicate the right-of-way for the extension of Ekwil Street. If this offer was not accepted, the proposed project would meet the landscaping coverage requirement. As the extension of Ekwil Street is considered a public benefit, the modification can be justified.

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. The project would create an easement for use by the public at large.

**CONDITIONS OF APPROVAL
CASE NO. 07-020-DP**

**TOWBES/ATK SPACE SYSTEMS PROJECT
600 PINE AVENUE; APN 071-130-040
CASE NO. 08-157-OA, -DP RV**

1. **Authorization:** Subject to the conditions set forth below, this permit authorizes implementation of Case No. 08-157-DP RV01 marked “March 17, 2009, City Council Exhibit #1”. Any deviations from the project description in the staff report, exhibits or conditions must be reviewed and approved by the City of Goleta for conformity with this approval. Deviations may require approved changes to the permit to be approved and/or further environmental review. Deviations without the above-described approval will constitute a violation of the permit approval. The exhibits associated with this permit include:

08-157-DP RV01: ATK Space Systems Plans (dated January 28, 2009)

A0.1 Title Sheet

A1.1 Proposed Site Plan

A1.1b Proposed Future Site Plan (Reference Only)

A2.1 Proposed Floor Plans

A3.1 Proposed Roof Plan

A4.1 Proposed Exterior Elevations

Eltg Electrical Site PhotoMetrics

CL-1 Conceptual Landscape Plan

CL-1B Ekwil Extension Future Conceptual Landscape Plan

CL-2 Conceptual Mitigation Plan

C0.1 Site Topographic Map

C0.2 Preliminary Grading and Drainage Plan

C0.3 Preliminary Erosion Control Plan

2. **Authorized Development:**

Development Plan Revision (08-157-DP RV01):

The property includes a 59,535-square foot 28.25-foot tall research and development building, consisting of a 42,875-square foot first-floor and a 16,660-square foot second-floor mezzanine, a 475-square foot detached masonry building, an 875-square foot storage building, an 850 square foot storage building a 2,500-square foot mechanical yard, two existing liquid nitrogen tanks, 165 automobile parking spaces, 3 loading zones, 20 indoor bicycle parking spaces and 161,350 square feet of landscaping on a 6.58-acre parcel.

This permit authorizes construction of a 23,376-square foot manufacturing/office addition (18,694-square foot first-floor and 4,682-square foot second-floor

mezzanine) on the east end of the building and a 1,650-square foot “airlock” addition on the north side of the building for a total of approximately 25,026-square feet. The permit also includes a parking lot expansion from 165 to 226 parking spaces including 43 compact stalls (19.7%) and seven (7) accessible spaces. 218 of these spaces will be permanent while 8 spaces will be demolished when the future Ekwill extension is constructed by the City. The percentage of compact stalls (19.7%) is based on the final 218 permanent parking spaces. The existing 3 loading zones and the 20 indoor bicycle parking spaces will be retained.

Two unpermitted existing storage buildings located in the southeast corner of the property are included in this permit. Two unpermitted existing liquid nitrogen tanks (one measuring 8 feet in diameter, 20 feet vertical and one measuring 10 feet in diameter and 25 feet horizontal - screening is provided by an approximately 10 foot high fence) are also included in this permit.

The resulting 2-story structure will be 84,561 square feet with a maximum height of 35 feet, consisting of a 63,219-square foot first-floor and a 21,342-square foot second floor mezzanine.

Landscaping will be reduced to 33,994 square feet and would require the removal of 18 trees (2 Jacaranda, 1 Liquidambar, 2 Lophostemon, 3 Brazilian Pepper, 5 Tipuana, 1 mature Coast Live Oak, 3 oak tree saplings, and an Island oak tree sapling). However, 78 new trees (25 Jacaranda/Purple-Leaf Plum, 45 Australian Willow/Brisbane Box, 8 Queen Palm) and additional shrubs and ground cover are proposed. Grading would consist of 3,500-cubic yards of cut and 300-cubic yards of fill. Stormwater would be directed to two detention basins prior to reaching Old San Jose Creek.

Modifications

The following modifications are granted:

The following modifications are proposed: pursuant to Article III, Section 35-233 and 35-317.8:

- Modification to allow 12 parking stalls and a portion of the existing building to be located within the front yard setback front yard (west) along Pine Avenue.
- Modification to allow 38 parking stalls and a portion of the existing building to be located within the secondary front yard setback (north – based upon the proposed Ekwill Street extension is constructed).
- Modification to allow landscaping to be reduced from 30% to 16.5%.

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 THE MITIGATED NEGATIVE DECLARATION

Aesthetics

3. The proposed project shall be resubmitted for Preliminary/Final Review by DRB consisting of complete site plan, architectural floor plans, exterior elevations and landscape plans. 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 & Timing:** The preliminary development plans shall be revised and resubmitted to DRB for review and approval prior to issuance of a Land Use Permit (“LUP”) for the project.

Monitoring: City staff shall withhold issuance of an LUP pending 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.

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; and
 - d. Location of all planting materials.

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) visually screen parking areas from street view to the maximum extent reasonable; and (iii) screen, through plantings and other features, loading and

services areas of the proposed addition and minimize view blockages of the Santa Ynez mountains and the existing agricultural use to the east. **Plan Requirements & Timing:** The landscape plans shall be revised and resubmitted for review and approval prior to issuance of any LUP for the project. The plans shall first be submitted for review by staff of the City of Goleta, and following 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 & 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 and the adjacent Environmentally Sensitive Habitat Area (ESHA - Old San Jose Creek riparian corridor). 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 business park. 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 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 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 refuse/recycling 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 & Timing:** Prior 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 submit a composite utility plan for DRB and City staff Preliminary/Final Review. All external/roof mounted mechanical equipment on the existing building and proposed additions (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 & Timing:** Detailed plans showing all external/roof mounted mechanical equipment shall be submitted for review by DRB and City staff prior 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.

9. All new utility service connections and above-ground mounted equipment such as backflow devices, etc, shall be screened from public view, not within the public right-of-way and/or 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 & 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.

10. All new utilities on site shall be installed underground. **Plan Requirements & 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

11. 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 & Timing: These requirements shall be noted on all plans submitted for issuance of any LUP for the project.

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.

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 & Timing:** All of the aforementioned requirements shall be noted on all plans submitted for issuance of any LUP for the project. The name and telephone number of such persons shall be provided to City staff and the APCD and shall be posted in three locations along the project site's perimeter for the duration of grading and construction activities.

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. During all project grading and hauling, construction contracts must specify that construction contractors shall adhere to the requirements listed below to reduce emissions of ozone precursors and particulate emissions from diesel exhaust:
 - a. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
 - b. Diesel powered equipment should be replaced by electric equipment whenever feasible.
 - c. Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
 - d. Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed.
 - e. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
 - f. All construction equipment shall be maintained in tune per the manufacturer's specifications.
 - g. The engine size of construction equipment shall be the minimum practical size.

- h. 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.
- i. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements & Timing: The construction emission requirements shall be printed all plans submitted for any LUP, building, or grading permits.

Monitoring: City staff shall verify compliance with requirements for printing the aforementioned construction emission requirements on all plans submitted for any LUP, building, or grading permits. APCD inspectors shall verify compliance in the field.

14. Idling of diesel trucks during loading and unloading shall be limited to a maximum of five (5) minutes. In addition, drivers of diesel trucks shall not use diesel-fueled auxiliary power units for more than five (5) minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle equipped with a sleeper berth, at any location. **Plan Requirements & Timing:** The aforementioned restrictions of diesel truck idling shall be printed on all plans submitted for any LUP, building, or grading permits.

Monitoring: City staff shall monitor in the field for compliance.

15. Soils stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin. Gravel pads must be installed at the access points to the construction site to minimize tracking of mud on to public roads. **Plan Requirements & Timing:** All of the aforementioned requirements shall be noted on all plans submitted for issuance of any LUP for the project. The name and telephone number of such persons shall be provided to City staff and the APCD and shall be posted in three locations along the project site's perimeter for the duration of grading and construction activities.

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.

16. 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) Use of water-based paint on exterior surfaces;
 - b) Use of passive solar cooling/heating;

- c) Use of energy efficient appliances;
- d) Use of natural lighting;
- e) Installation of energy efficient lighting;
- f) 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;
- g) Encouragement of the use of transit, bicycling, and walking by providing infrastructure to promote their use;
- h) Provision of segregated waste bins for recyclable materials; and

Plan Requirements & 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.

Biological Resources

17. A 50-foot wide buffer zone shall be established around the perimeter of the City of Goleta GP/CLUP Figure 4-1 mapped ESHA starting from the outer edge of the riparian canopy (refer to sheet CL-2 of the plan set stamped 01/28/09). This buffer would need to be reduced around the arroyo willow and locust riparian woodlands. As such, the applicant shall plant native drought-tolerant vegetation of at least a 2 to 1 ratio for the buffer area encroached into along the Old San Jose Creek (within the existing riparian canopy and, to the City's best estimate, in a location not to interfere with the future Ekwil Street extension) to mitigate the riparian woodland buffer area lost. Any replanting that cannot be accommodated onsite may be planted at an offsite location deemed appropriate by City staff. Nonnative trees, shrubs, and herbaceous vegetation (with the exception of the locust trees) shall be removed from the buffer zone. Management, maintenance, and fuel management activities within ESHA and the buffer zones shall be performed in accordance with GP/CLUP Conservation Element Policy CE 1.10, which restricts the use of insecticides, herbicides, and artificial fertilizers within these areas and requires use of low-impact weed abatement and brush clearing methods. The landscape plan must also include ten new coast live oak tree saplings as mitigation for the loss of one mature coast live oak tree. **Plan Requirements & Timing:** The landscape plans shall be revised and resubmitted for review and approval prior to issuance of any LUP for the project. The plans shall first be submitted for review by staff of the City of Goleta, and following 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.

18. Temporary fence protection (marking the extent of allowed disturbance and the habitat buffer areas) shall be provided within the creek/buffer area during and grading and construction. Fencing material shall be approved by the City of Goleta, shall be a minimum of six (6) feet high, and shall include staking every six (6) feet. Additionally, silt/sediment fencing or other appropriate erosion control structures (as determined by the City's Community Services Department) shall be installed to prevent construction related silt/sediment from entering Old San Jose Creek. The silt/sediment fencing shall be attached to the 6-foot chain link fence and placed in other locations as appropriate as determined by the City's Community Services Department). **Plan Requirements and Timing:** Fence protection shall be identified on the final grading plan (and on future building plans as applicable) and shall be reviewed and approved by the City of Goleta prior to the approval of a land use permit. Fencing shall be in place prior to commencement of grading/construction activities.

Monitoring: The City of Goleta shall site inspect to ensure fencing and sediment fencing or other appropriate erosion control structure (as determined by the City's Community Services Department) is installed and maintained throughout grading/construction activities.

19. Should construction of the new asphalt parking lot occur during the bird breeding season (March - September), a City-approved biologist shall perform bird breeding surveys at least one month prior to construction and on a weekly basis until the start of construction to identify any active raptor or least Bell's vireo nests within 300-foot of the project area. In the event that active raptor nest(s) are found, construction shall be delayed and/or redirected to an area more than 300-foot from the active bird nest(s) and surveys shall continue on a weekly basis until the chicks have fledged and the adults have abandoned their nest. Construction activities shall resume as soon as surveys confirm that nesting activity has been completed. The 300-foot buffer from an active nest site may be adjusted by the monitoring biologist downward with City of Goleta approval based on the location of the nest relative to the construction site, the type of construction activity scheduled to occur, and susceptibility of the particular species to disturbance. **Plan Requirements and Timing:** Mitigation shall be implemented prior to construction and during construction.

Monitoring: A City qualified/approved biologist shall be used for pre-construction surveys and construction monitoring as necessary.

20. Applicant shall submit drainage and grading plans with a Storm Water Management Plan for review and approval by Community Services and Building staff and the Regional Water Quality Control Board. The plan shall incorporate

appropriate Best Management Practices to minimize storm water impacts in accordance with the City's Storm Water Management Plan and the City's General Plan. **Plan Requirements and Timing:** The plans shall also include an erosion control plan for review and approval by Community Services staff prior to the issuance of any LUP for the project. After installation of any drainage improvements or erosion control measures, the applicant shall be responsible for on-going maintenance of all improvements in accordance with the manufacturer's specifications, the approved plans and conditions of approval.

Monitoring: City staff shall verify construction of all stormwater water quality/control facilities per the City approved final grading and erosion control plans prior to issuance of any LUP.

21. 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 issuance of any LUP for the project. The washoff area shall be in place throughout construction. **Plan Requirements & Timing:** The wash off area shall be designated on all plans and shall be reviewed and approved by City staff prior to LUP issuance.

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

22. To ensure that the City approved stormwater water quality protection improvements are adequately maintained for the life of the project, the applicant shall prepare a stormwater system maintenance program for review and approval by City staff. **Plan Requirements & Timing:** Said maintenance program shall be reviewed and approved by City staff prior to issuance of any LUP for the project. The plan shall include provisions for the submittal of an annual maintenance report to City staff outlining all system maintenance measures undertaken by the applicant in the prior year reporting period for a period of five (5) years after issuance of the final certificate of occupancy for the project. Subsequent to this five year reporting period, the applicant shall maintain records of all yearly maintenance measures for review by City staff on demand for the life of the project.

Monitoring: City staff shall verify compliance prior to issuance of any LUP for the project. City staff shall review each yearly maintenance report for the required five year reporting period as well as all subsequent maintenance records if problems with the installed system are observed.

Cultural Resources

23. In the event that cultural resources are uncovered during grading/construction activities, work shall be ceased immediately and the applicant shall bear the cost of the immediate evaluation of the find's importance and any appropriate Phase 2 or Phase 3 investigations and mitigation. **Plan Requirements and Timing:** The project grading plans and improvement plans shall include provisions in the Notes/Specifications to recover cultural resources as described above. Cultural resource investigations/recovery shall be conducted by an archaeological, paleontological, historic or ethnographic expert acceptable to the Planning and Environmental Services Department.

Monitoring: Planning and Environmental Services staff shall check all plans prior to issuance of grading and construction permits and shall spot check during field investigations as necessary.

Geology and Soils

24. The project shall comply with the conclusions and recommendations contained in the Update of Geotechnical Engineering Reports for ATK Space Systems, October 16, 2008 **Plan Requirements & Timing:** Said plan must be reviewed and approved by the Fire Department and Planning and Environmental Services Department prior to issuance of any Land Use Permit for the project.

Monitoring: Santa Barbara County Fire Department and City staff shall perform periodic site inspections to verify compliance.

25. The project shall comply with the conclusions and recommendations contained in the Liquefaction Evaluation Report prepared by Earth Systems dated November 06, 2007. **Plan Requirements & Timing:** Said plan must be reviewed and approved by the Fire Department and Planning and Environmental Services Department prior to issuance of any Land Use Permit for the project.

Monitoring: Santa Barbara County Fire Department and City staff shall perform periodic site inspections to verify compliance.

Hazards and Hazardous Materials

26. The applicant shall comply with the Santa Barbara County Fire Department conditions regarding the handling and storage of hazardous materials pursuant to the letter from County Fire dated September 10, 2008 as well as the site's HMBP under the Fire Department's jurisdiction. **Plan Requirements and Timing:** Prior to the issuance of any land use or building permits, the applicant shall provide written verification from the SBCFD that all conditions related to hazardous materials use and storage pursuant to the Fire Department's letter of September

10, 2008 and the site's existing HMBP have been complied with and that the applicant has clearance from County Fire to commence project construction.

Monitoring: City staff shall not final the building permit until verification of compliance with this mitigation measure is received from SBCFD.

Hydrology and Water Quality

27. Applicant shall submit a drainage and hydrology study for review and approval by Community Services and Building staff. The drainage or hydrology study shall provide information on how the site drainage meets City's Storm Water Management Plan and General Plan requirements to provide for retention and/or detention of stormwater on site to the maximum extent feasible. **Plan Requirements:** The scope of improvements for the project shall include but not be limited to bio-swales, permeable paving, on site detention, fossil filters and other operational features. The study shall include calculations showing that the post construction stormwater runoff is at or below the pre-construction storm water runoff, and the percent of effective impervious. The study shall include the Water Quality Detention Volume per Appendix G of the City's Stormwater Management Plan. **Timing:** City staff shall verify compliance prior to the issuance of any LUP for the project.

Monitoring: City staff shall verify construction of all drainage/hydrology facilities per the final drainage and hydrology study prior to issuance of any certificate of occupancy.

28. To ensure adequate onsite filtration of all stormwater runoff prior to discharge into the City's stormdrain system and ultimately Old San Jose Creek/Goleta Slough, the applicant shall provide engineering details on the stormwater filtration elements of the proposed stormwater control system (stormdrains in landscaped planters and subsurface retardation facilities) as well as capacity specifications for such improvements for review and approval by City staff. **Plan Requirements & Timing:** Said specifications and engineering details shall be submitted to the City for staff review and approval prior to any LUP issuance for the project.

Monitoring: City staff shall verify construction of all stormwater water quality/control facilities per the City approved final drainage and grading plan prior to issuance of any certificate of occupancy.

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 reseeded and to verify the construction has commenced in areas graded for placement of structures.

30. The applicant shall obtain proof of exemption or proof that a National Pollutant Discharge Elimination System Storm Water Permit from the California Regional Water Quality Control Board has been applied for by registered mail. **Plan Requirements & Timing:** The applicant shall submit proof and City staff shall review and approve documentation prior to LUP issuance.

Monitoring: City staff shall review the documentation prior to LUP issuance.

Noise

31. 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. No construction shall occur on State holidays (e.g. Christmas, Thanksgiving, Memorial Day, 4th of July, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. 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. **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 to verify compliance and/or respond to complaints.

32. The following measures shall be incorporated to reduce the impact of construction noise:
- a. All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system.
 - b. Contractors shall implement appropriate additional noise mitigation measures including but not limited to changing the location of stationary

construction equipment, shutting off idling equipment, and install acoustic barriers around significant sources of stationary construction noise.

Plan Requirements and Timing: The above measures shall be incorporated into grading and building plan specifications.

Monitoring: Planning and Environmental Services staff shall review the grading and building permits prior to issuance to verify compliance. The Planning and Environmental Services Building & Safety Division Inspector shall verify compliance on the construction site via periodic inspections.

33. New and existing HVAC equipment and other commercial/industrial equipment shall be adequately maintained in proper working order so that noise levels emitted by such equipment remain minimal. Noise shielding or insulation for such equipment will be required if such equipment results in objectionable noise levels at adjacent properties. To be considered effective, such shielding shall provide a 5-dBA-CNEL noise reduction. **Plan Requirements and Timing:** The above measures shall be incorporated into grading and building plan specifications.

Monitoring: Planning and Environmental Services staff shall review the grading and building permits prior to issuance to verify compliance. The Planning and Environmental Services, Building & Safety Division Inspector shall verify compliance on the construction site via periodic inspections.

Public Services

34. The composite utility plan to be prepared by the applicant shall include the installation of five fire hydrants to serve the proposed project meeting all applicable Santa Barbara County Fire Department requirements. **Plan Requirements & Timing:** The composite utility plan identifying the location and specifications of the required fire hydrant shall be submitted for review and approval by the Santa Barbara County Fire Department as well as City staff and the DRB prior to LUP issuance. The required fire hydrants shall be installed and approved in the field by the Santa Barbara County Fire Department prior to any occupancy clearance.

Monitoring: City staff shall verify compliance with the requirement to prepare a Fire Department approved composite utility plan prior to DRB preliminary/final review of the project. City staff shall verify Fire Department approval of the installed fire hydrant prior to any occupancy clearance.

Transportation/Traffic

35. Construction vehicle parking and/or staging of construction equipment or materials, including vehicles of construction personnel, is prohibited along Pine

Avenue. **Plan Requirements & Timing:** The applicant shall prepare a construction vehicle parking plan, including provisions for construction personnel parking and construction equipment/materials staging, for both on and offsite locations in the vicinity of the project site the precludes the need for any construction related parking or equipment/materials staging on Pine Avenue. Said plan shall be reviewed and approved by City staff prior to issuance of any LUP for the project.

Monitoring: City staff shall ensure compliance with this requirement prior to Planning Commission consideration of the project. City staff shall periodically monitor in the field to verify compliance throughout all construction activities.

Utilities and Service Systems

36. The applicant shall obtain a Can and Will Serve letter from the Goleta Sanitary District (GSD). **Plan Requirements & Timing:** The Can and Will Serve letter shall be submitted to the City prior to issuance of any LUP for the project.

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

37. The applicant shall obtain a Can and Will Serve letter from the Goleta Water District (GWD). **Plan Requirements & Timing:** The Can and Will Serve letter shall be submitted to the City prior to issuance of any LUP for the project.

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

38. A Waste Reduction and Recycling Plan (WRRP) shall be submitted to the Community Services Department for review and approval. Said plan shall indicate how a 50% diversion goal shall be met during construction including but not limited to the following:

- a. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt).
- b. During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite.
- c. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable material. The copy of the contract is to be provided to the City. Recoverable construction material shall

include but not be limited to asphalt, lumber, concrete, glass, metals, and drywall.

Plan Requirement 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: At the end of the project, applicant shall submit a Post-Construction Waste Reduction & Recycling Summary Report documenting the types and amounts of materials that were generated during the project and how much was reused, recycled, composted, salvaged, or landfilled.

39. 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:** This requirement shall be printed on the grading and construction plans, and the applicant shall submit a post-construction waste reduction and recycling summary to the Community Services Department. **Timing:** Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance. The post-construction waste reduction and recycling summary shall be submitted within ten (10) days of waste disposal and recycling activities.

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

PROJECT SPECIFIC CONDITIONS

40. Compliance with Agency Letters:
- a. Fire Department letter dated September 10, 2008
 - b. Air Pollution Control District letter dated September 11, 2008
 - c. Community Services memorandum dated January 16, 2009
41. All drainage control facilities as noted in the Project Description and shown on sheets C0.1 Site Topographic Map (dated December 3, 2008), C0.2 Preliminary Grading and Drainage Plan (dated December 3, 2008), and C0.3 Preliminary Erosion Control Plan (dated December 3, 2008), and within the Preliminary Drainage Analysis by Penfield and Smith dated October 23, 2008, and associated plans 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 occupancy clearance. 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 building. City staff shall field inspect to verify adequate drainage system maintenance by the applicant/property owner in perpetuity.

42. All geotechnical and liquefaction conditions specified within the Geotechnical Reports and Liquefaction Evaluation Reports by Earth Systems Southern California dated October 16, 2008, and October 21, 2008 shall be indicated on all plans submitted to Building & Safety.

Monitoring: City staff shall verify conditions on all plans submitted to Building & Safety.

43. The applicant shall pay all applicable development impact fees under the City of Goleta Development Impact Fee program in full. **Plan Requirements and Timing:** Payment amounts are estimated below, and shall be based on the fees in effect and applicable at the time fees are due.

Recreation C&I	\$2,072/1000 square feet	Due at Final Inspection
Transportation	\$14,445/1000 square feet	Due at Land Use Permit
Fire Protection	\$0.20/ square foot	Due at Final Inspection
Fire Facility	\$700/1000 square feet	Due at Final Inspection
Library	\$190/1000 square feet	Due at Final Inspection
Public Admin	\$841/1000 square feet	Due at Final Inspection
Sheriff	\$433/1000 square feet	Due at Final Inspection

Monitoring: The City of Goleta shall ensure payment is made as required.

44. The applicant shall pay the required affordable housing in-lieu fee of \$80,645 prior to issuance of a land use permit.

DEVELOPMENT PLAN REVISION CONDITIONS

45. Approval of this Development Plan Revision is subject to the City Council approving the required Ordinance Amendment or granting a Goleta Growth Management Ordinance Allocation.
46. Approval of the Development Plan Revision shall expire five (5) years after approval, unless prior to the expiration date, substantial physical construction has been completed on the Development Plan Revision or a Time Extension has

been applied for by the applicant. The decision maker with jurisdiction over the project may, upon good cause shown, grant a time extension for one year.

47. If the applicant requests a 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.
48. No permits for development, including grading, shall be issued except in conformance with the approved Development Plan Revision. 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 Revision marked City Council Hearing Exhibit 1, dated March 17, 2009. Substantial conformity shall be determined by the Director of Planning and Environmental Services.
49. The Development Plan Revision 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.
50. On the date a subsequent Preliminary or Final Development Plan or Development Plan Amendment or Revision is approved for this site, any previously approved but unbuilt plans shall become null and void.
51. 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.
52. 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. 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 staff from Planning and Environmental Services and Community Services.
53. 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.

54. 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.
55. 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.
56. 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.

GENERAL CONDITIONS

57. No signs are authorized with this permit. All signs require separate permits and shall comply with City of Goleta Chapter 35, Article I, Sign Regulations, with setbacks specified in Article III, Inland Zoning Ordinance.
58. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use Permit (LUP) and Building Permit(s) if required from the Planning & Environmental Services Department. These permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Director of Planning & Environmental Services.
59. All applicable final conditions of approval shall be printed in their entirety on applicable pages of all plans submitted for approval of any LUP and/or building permit for the proposed project.
60. This permit is granted for the property described in the application on file with the Planning & Environmental Services Department and may not be transferred from one property to another.
61. When exhibits and/or written Conditions of Approval are in conflict, the written Conditions of Approval shall prevail.

62. If the applicant, owner or tenant fails to comply with any of the conditions of this permit, the applicant, owner or tenant may be subject to a civil fine pursuant to the City Code and/or permit revocation.
63. 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.
64. Any new or changed use on the site shall be subject to appropriate review by the City, including building code compliance and environmental review if applicable.
65. Revised plans and building elevations incorporating all conditions of approval for this project shall be coordinated and submitted to Planning and 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.
66. Applicant agrees, as a condition of this approval, at applicant's expense, to defend, indemnify and hold harmless the City of Goleta or its agents, officers and employees from any claim, action or proceeding against the City of Goleta or its agents, officers or employees, to attack, review, set aside, void, or annul, in whole or in part, the City of Goleta approval of the 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.
67. 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 which action is brought within the time period provided for by law, 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 of Goleta and substitute conditions may be imposed.



Fire Department

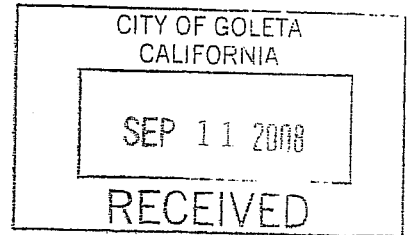
"Serving the Community Since 1926"

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX (805) 681-5563

John M. Scherrei
Fire Chief
County Fire Warden

September 10, 2008

Mr. Scott Kolwitz
City of Goleta Planning Dept.
130 Cremona Drive
Goleta, CA 93117



Dear Mr. Kolwitz:

SUBJECT: APN: 071-130-040; Permit #: 08-157-OA-DP RV
Site: 600 Pine Avenue, Goleta
Project Description: 25,026 Square Foot Addition to Existing Commercial Building

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

PRIOR TO ERECTION OF COMBUSTIBLE BUILDING MATERIALS THE FOLLOWING CONDITIONS MUST BE MET

2. All access ways (public or private) shall be installed and made serviceable. Roadway plans, acceptable to the fire department, shall be submitted for approval prior to any work being undertaken.

Driveway width shall as shown on plans dated August 18, 2008.

3. Five (5) new commercial fire hydrants shall be installed. The hydrants shall be located per fire department specifications and shall flow 1,250 gallons per minute at a 20 psi

residual pressure. Prior to installation, plans showing locations, size and type of hydrants, valves, main lines and lateral lines shall be approved by the fire department.

- One fire hydrant shall be located on Pine Avenue at the north driveway to the property. Four more hydrants shall also be added—one hydrant on the north side; one hydrant on the south side of the building approximately 250 feet in (east) from Pine Avenue on the property; one hydrant at the south driveway to the property; and one hydrant on the northeast corner of the property.

**PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET**

4. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved prior to installation. Location of any fire department connection shall be determined by the fire department.
5. Portable fire extinguisher(s) are required and shall be in accordance with the Santa Barbara County Code Chapter 15, Article 1.
6. Building address numbers shall be posted in conformance with fire department standards.
7. When access ways are gated a fire department approved locking system shall be installed.
8. A Knox Box entry system shall be installed. If one is already in place, confirm that all required access keys are located in the Knox Box entry safe.
9. If the proposed project modifies the storage, handling or dispensing of hazardous material, engineered drawings of the hazardous materials process shall be submitted for approval prior to installation and/or modifications.
10. Permits for the use and storage of hazardous and/or flammable materials/wastes are required.
11. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

- Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems
 - (25,026 square feet = \$2,502.60)
- Goleta Fees at \$723 per 1000 square feet of non-retail
 - (25,026 square feet = \$18,093.80)

ESTIMATED TOTAL FEE DUE = \$20,596.40

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

A copy of this letter will be placed in your Assessor's Parcel File in this office and the fire department advises that these conditions be listed as a disclosure item should your property ever be sold.

As always, if you have any questions or require further information please call 681-5500.

In the interest of life and fire safety,



Brian Hayden, Inspector

BH:jmd

Attachment: Knox Box Application to Bermant Development Company

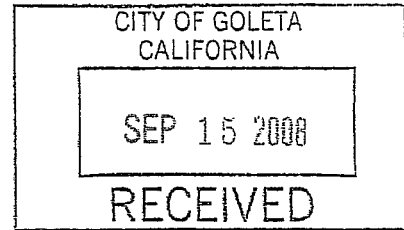
c: Bermant Development Company, 5383 Hollister Ave, Ste 150, Santa Barbara, CA 93111
Poliquin Kellogg Design Group, 6400 Canoga Ave, Ste 215, Woodland Hills, CA 91367
Penfield & Smith, 111 E Victoria St, Santa Barbara, CA 93101
Suding Design Landscape Architects, 10 E Islay, Santa Barbara, CA 93101
Goleta Water District, 4699 Hollister Ave, Goleta, CA 93110
APN



**Santa Barbara County
Air Pollution Control District**

September 11, 2008

Scott Kolwitz, Project Planner
City of Goleta Planning & Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117



Re: ATK Space Systems, #08-157-OA-DP RV: Recommended Conditions of Approval.

Dear Scott,

The Santa Barbara County Air Pollution Control District (APCD) has reviewed project information related to ATK Space Systems' construction of an additional 23,375 square foot manufacturing building, a 1,650-square foot "airlock" addition, expanded parking and modified landscaping at this existing R&D building at 600 Pine Avenue in the City of Goleta. For all land-use projects, APCD recommends including measures that support alternative modes of transportation (e.g., transit, biking, and pedestrian improvements) and the application of energy efficiency measures to offset the impacts of greenhouse gas emissions. In addition, we recommend the following conditions of approval for the proposed project:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. All portable diesel-fired engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
3. Applicant is required to complete the "Asbestos Demolition/Renovation Notification" form (available online at <http://www.sbcapcd.org/biz/asbestos.htm>) for each regulated structure to be demolished or renovated, regardless of whether asbestos is present or not. The completed form should be mailed to the Santa Barbara County Air Pollution Control District no later than 10 working days prior to starting work on the regulated structure.

Please contact me at 961-8893 (mmp@sbcapcd.org) if you have questions.

Sincerely,

Molly Pearson
Air Quality Specialist
Technology and Environmental Assessment Division

cc: Project File: ATK Space Systems (electronic copy)
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- 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 offsite. 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 for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

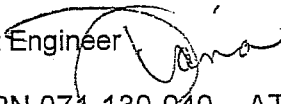
MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



MEMORANDUM

DATE: January 16, 2009

TO: Scott Kolwitz, Senior Planner
Laura Vlk, Associate Planner

FROM: Diana White, Assistant Engineer 

SUBJECT: 600 Pine Avenue, APN 071-130-040 – ATK Space Systems
Case No. 08-157-OA-DP RV

Thank you for transmitting the Draft Mitigated Negative Declaration 08-MND-003, dated December 19, 2008 for the ATK Space Systems Project.

Community Services recommended Conditions of Approval for the ATK Space Systems project at 600 Pine Avenue are as follows:

A. PRIOR TO LAND USE PERMIT

1. Payment of Development Impact Fees for Transportation (GTIP Fees).
2. A Waste Reduction and Recycling Plan (WRRP) shall be submitted to the Community Services Department for review and approval. Said plan shall indicate how a 50% diversion goal shall be met during construction.
3. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable material. (Copy of Contract to be provided to the City). Recoverable construction material shall include but not be limited to: asphalt, lumber, concrete, glass, metals, and drywall.

B. PRIOR TO BUILDING PERMIT ISSUANCE

1. Project plans shall demonstrate that internal traffic circulation system is adequate for trucks to be able to get around the building/out of the parking lot in a manner and location that does not conflict with the future Ekwil extension, for approval by Community Services. Specifically, show that trucks delivering to the new airlock can exit to the rear of the sight as far a possible from the new Ekwil round-about location.
2. Applicant shall provide an offer of dedication of public right of way for the Ekwil Extension project along the northerly property boundary, as determined by the Community Services Staff, and as shown in general on plans prepared by Poliquin Kellogg Design Group, dated 8/18/08.

January 21, 2009

3. All existing survey monuments shall be preserved and/or tied out in coordination with the County of Santa Barbara's Surveyor's Office.

B. PRIOR TO C OF O:

1. Applicant shall relocate the backflow prevention device, other utility connections, or private improvements along Pine Avenue and the future Ekwil extension to outside of the right-of-way and/or dedication area.
2. At the completion of all permitted construction, the owner shall provide the City's Solid Waste Coordinator with a Construction Phase - Final Waste Reduction and Recycling Report. Said report shall designate all materials landfilled and recycled, broken down into material types. The final report shall be approved by the Community Services Department prior to C of O.
3. Payment of Parks and Recreation Fees, as required.
4. All existing survey monuments that were preserved and/or tied out shall be reset in coordination with the County of Santa Barbara's Surveyor's Office.
5. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) caused by construction subject to the review and approval of the Community Services Department.

If you have any questions, please contact me at x7564.

DW/

cc: Steve Wagner, Community Services Director
Marti Schultz, Principal Civil Engineer