

CEQA ADDENDUM

Attachment 6

Biological Resources



Denise Duffy & Associates, Inc.
PLANNING AND ENVIRONMENTAL CONSULTING

RECEIVED
JUL 22 2008
City of Goleta
Planning & Environmental Svcs

July 17, 2008

Chuck Lande
Chadmar Group
1933 Cliff Drive Suite 6
Santa Barbara, CA 93109

RE: Native Grassland Habitat within the Haskell's Landing Project Site -- 2008 Survey Results

Dear Mr. Lande:

Denise Duffy & Associates, Inc. (DD&A) was requested to conduct a native grassland survey at the Haskell's Landing Project site in Goleta, California, and compare the results with the proposed Development Plan (dated July 15, 2008) to determine whether the plan continues to avoid and minimize impacts to the native grassland. In addition, DD&A was requested to review the Final Supplemental EIR for The Residences at Sandpiper Project (September 2001, SCH#1993121097) (SEIR) to evaluate site conditions for consistency with the environmental setting described in the Final SEIR.

DD&A conducted a field survey on February 27 and April 11, 2008, when purple needlegrass (*Nassella pulchra*) and meadow barley (*Hordeum brachyantherum*) were easily identifiable within the project site. The occurrences of the purple needlegrass and meadow barley within the project site were generally consistent with the descriptions in the Final SEIR. The 2008 survey results show a slight variation in the location, size, and density of some of the occurrences, as shown in Figure 1 (attached). However, these variations from year to year are expected in natural communities as a result of changes in weather conditions (e.g., amount and timing of precipitation, temperature). In addition, different survey methodology may contribute to the variations in the location, size, and density of occurrences. However, the largest concentrations of purple needlegrass occurrences running east-west in the center of the project site remain within the preserve areas identified in the Development Plan. The meadow barley populations running north-south along the creek also remain outside of the development area and within the 50-foot setback of the creek. The occurrences of native grassland have not significantly changed since 2001, and the proposed Development Plan continues to avoid and minimize impacts to native grassland, as required by the Final EIR.

In addition to the site visits in 2008, DD&A visited the site on May 10 and June 21, 2007, to evaluate site conditions for consistency with the Final SEIR. The field surveys conducted by DD&A found that the upland, creek, and wetland habitats within the project site were consistent with the habitat descriptions in the Final SEIR. The following discussion summarized from the Final SEIR describes the habitats and wildlife that occur or have the potential to occur within the project site.

Habitat Descriptions

Upland Habitats

The upland habitats of the project site are dominated by non-native annual grasses and forbs (broad-leaved species). The project site also supports several shrub and tree species that add biodiversity and



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physical structure to the upland plant community. Common non-native grass species include slender wild oats (*Avena barbata*), annual ryegrass (*Lolium multiflorum*), brome grasses (*Bromus diandrus*, *B. rubens*, *B. hordeaceus*), and harding grasses (*Phalaris aquatica*). Common weedy forbs include fennel (*Foeniculum vulgare*), sow thistle (*Sonchus oleraceus*), dock (*Rumex crispus*, *R. acetosella*), vetch (*Vicia sativa*), black mustard (*Brassica nigra*), Australian saltbush (*Atriplex semibaccata*), oxalis (*Oxalis corniculatus*), filaree (*Erodium botrys*, *E. moschatum*), wild radish (*Raphanus sativa*), common plantain (*Plantago lanceolata*), and pimpinell (*Anagalis arvensis*). The most common tree species are non-native eucalyptus (*Eucalyptus globules* and *E. cladocalyx*); these are mostly mature trees with some recruitment occurring. There are also several scattered Monterey cypress (*Cupressus macrocarpa*) on the project site. Monterey cypress are native to California but not indigenous to Santa Barbara County. Other non-native species on the project site include ornamentals that may have been dumped on the project site or escaped from a garden setting.

Native species observed in the upland community include peppergrass (*Lepidium nitidum*), blue-eyed grass (*Sisyrinchium bellum*), California morning glory (*Calystegia macrostegia*), western ragweed (*Ambrosia psilostachya*), spurrey (*Spergularia sp.*), green everlasting (*Gnaphalium californicum*), coyote brush (*Baccharis pilularis*), and tarplant (*Hemizonia fasciculata*). Coyote brush and ragweed are the two most widespread species on the project site. Several patches of native grasses are prominent on the project site. These patches are dominated by two native grass species; purple needlegrass and meadow barley. Most patches are dominated by purple needlegrass, but there is a relatively extensive patch of meadow barley along the west bank of the Devereux Creek outside the development area.

Devereux Creek Habitats

As described in the Final SEIR, the creek running north-south in the central portion of the project site is a mapped blue line creek (USGS 7.5 minute Dos Pueblos Quadrangle) and is identified as environmentally sensitive habitat in the adopted City of Goleta General Plan. The creek flows intermittently with its mapped source located in the area now known as Winchester Commons. Flow south of the railroad tracks appears to ephemeral due to sediment deposition in the culvert under the tracks as described below and the redirection of flow westward along the north side of the railroad tracks.

Drainage from the Winchester Commons flows into an existing 36-inch culvert underlying U.S. Highway 101, through an open channel between that culvert and the railroad tracks, and then through a concrete box culvert under the UPRR tracks. The latter culvert is nearly filled with sediment. The creek channel downstream from the railroad tracks has several inches of accumulated sediment in its bottom, raising the invert of the channel for some distance downstream. Part of the deposition in the creek channel downstream from the railroad track is due to bank slumping.

The riparian corridor on the project site lacks the typical scrub-shrub vegetation, such as willow (*Salix spp.*) and mulefat (*Baccharis salicifolia*) found along creeks in coastal Santa Barbara County. The stream banks are dominated by coyote brush in the northern half, and weedy annual grasses and eucalyptus in the southern half, although coyote brush is spreading into the southern half. Scattered umbrella sedge (*Cyperus eragrostis*) and rabbitsfoot grass (*Polypogon monspeliensis*) occur in the northern half of the drainage. Patches of mugwort (*Artemisia douglasiana*) are present along the banks.



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Wetland Habitats

An earlier wetland delineation identified four isolated and adjacent wetlands on the project site. One of the wetlands identified is associated with Devereux Creek and supports creeping spike rush (*Eleocharis macrostachya*), an obligate wetland plant, and exhibits wetland hydrology, including abundant oxidized root channels in the upper 12 inches of soil. The three other wetland areas on-site are all dominated by hydrophytic vegetation. Several native species are associated with these wetland areas including; yard rush (*Juncus occidentalis*), creeping spike rush, meadow barley, mugwort, western ragweed, poverty weed (*Iva axillaries var. robustior*), and blue-eyed grass.

Wildlife Species

The open grassland habitat supports common wildlife including; California ground squirrel (*Spermophilus beecheyi*), Botta's pocket gopher (*Thomomys bottae*), gopher snake (*Pituophis catenifer*), western fence lizard (*Sceloporus occidentalis*) and alligator lizard (*Elgaria coerulea*). Several bird species utilize the upland habitat for foraging and possible nesting habitat including; several finch species, red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*B. lineatus*), European starling (*Sturnus vulgaris*), Bewick's wren (*Thryomanes bewickii*) and Brewer's blackbird (*Euphagus cyanocephalus*).

During the wet season, the drainage associated with Devereux Creek could support several species usually observed in riparian habitat including common yellowthroat (*Geothlypis trichas*), Hutton's vireo (*Vireo huttoni*), black phoebe (*Sayornis nigricans*), and pacific chorus frog (*Hyla regilla*).

The dense stands of blue gum eucalyptus trees are likely to be used by several raptor/bird species including white-tailed kite (*Elanus leucurus*), Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), red-shouldered hawk, red-tailed hawk, American kestrel (*Falco sparverius*), great horned owl (*Bubo virginianus*), and barn owl (*Tyto alba*). The dense stand that occupies the southern extent of the stream on-site is suitable for autumnal aggregations and patrolling individuals of Monarch butterflies (*Danaus plexippus*).

Special Status Species

Three special-status species may utilize aquatic habitat in Devereux Creek, Devereux Slough, or adjacent aquatic habitats such as Bell Canyon Creek or Tecolote Creek; steelhead (*Oncorhynchus mykiss irideus*), California red-legged frog (*Rana aurora draytonii*) and tidewater goby (*Eucyclogobius newberryi*) are all known to occur within the vicinity of the project site. Devereux Creek may provide marginal habitat for these species; however, the very short duration of water on the project site does not provide desirable or optimal habitat for any of these species.

Conclusions

The Development Plan creates open space areas that include stands of the native grasslands, creek, and wetland habitats. The open space area forms a continuous corridor from the northern boundary of the project site to its southern boundary along both sides of Devereux Creek. The open space area contains a mosaic of interconnected habitats that includes the riparian corridor along Devereux Creek, the small wetlands in the grassland depressions, and the patches of native grassland. The Development Plan also



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creates an open space area around the small wetland near Hollister Road and an open area in the center of the lots in the western portion of the project site.

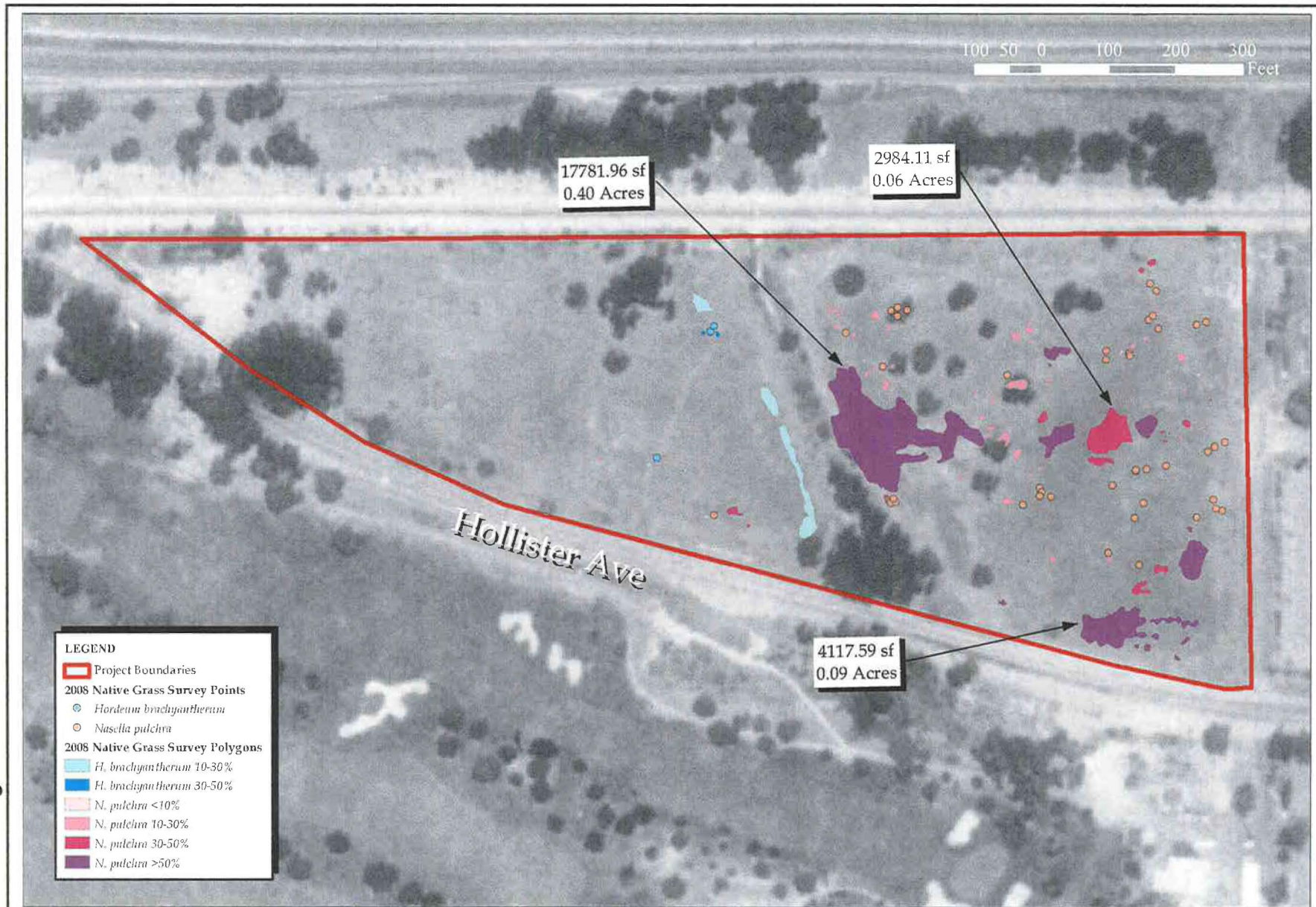
There have not been any significant changes in the environmental setting related to habitat types and descriptions, general locations of the habitats, and the wildlife species known or expected to occur within the project site since the publishing of the Final EIR in 2001. The occurrences of native grassland within the project site have not significantly changed since 2001, and the proposed Development Plan continues to avoid and minimize impacts to native grassland and other sensitive habitats, as required by the Final EIR.

As always, please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

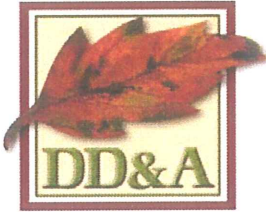
A handwritten signature in cursive script, appearing to read "Erin Harwayne", is located below the "Sincerely," text.

Erin Harwayne
Senior Project Manager/Environmental Scientist
DENISE DUFFY & ASSOCIATES, INC.



2008 Native Grass Survey Results

Figure
1



Denise Duffy & Associates, Inc.

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November 4, 2008

Chuck Lande
Chadmar Group
1933 Cliff Drive Suite 6
Santa Barbara, CA 93109

Subject: Methodology Techniques Utilized to Review Wetland/Upland Interface for "Native Grassland Habitat within the Haskell's Landing Project Site – 2008 Survey Result, July 2008"

Dear Mr. Lande,

This letter outlines the methods and techniques employed by Denise Duffy and Associates, Inc. (DD&A) Senior Environmental Scientist, Erin Harwayne, and Associate Biologist, Matt Johnson, to confirm the wetland boundaries for the Haskell's Landing project located in the City of Goleta.

DD&A visited the site on May 10 and June 21, 2007, to evaluate site conditions for consistency with the *Final Supplemental EIR for The Residences at Sandpiper Project* (September 2001, SCH#1993121097) (SEIR). The field surveys conducted by DD&A found that the upland, creek, and wetland habitats within the project site were consistent with the habitat descriptions in the Final SEIR.

Wetland boundaries were confirmed by comparing the existing maps from the Final SEIR with the hydrophytic vegetation and soil indicators observed during project site visits. The existing maps from the Final SEIR were used in the field to identify the original wetland boundaries on the project site. The vegetation along these borders was then evaluated to create the unique suite of flora that represented the interface between wetland and upland. There are two unique vegetation suites used to estimate the wetland/upland interface on the Haskell's Landing project site. These vegetation suites are described in further detail below.

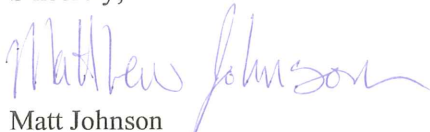
As described in the Final SEIR the Devereux Creek wetland/upland interface was estimated using spike rush (*Eleocharis macrostachya*). The Devereux Creek wetland/upland interface was also estimated by the observation of oxidized root channels in the upper 12 inches of soil. Devereux Creek is also a well defined channel that runs through the Haskell's Landing property which aided in the identification of the wetland/upland interface.

The boundaries for the three other wetland sites located within the Haskell's Landing project were estimated using a suite of hydrophytic vegetation including: yard rush (*Juncus tenuis*), spike rush, meadow barley (*Hordeum brachyantherum*), mugwort (*Artemisia douglasiana*), western ragweed (*Ambrosia psilostachya*), poverty weed (*Iva axillaries var. robustior*), and blue-eyed grass (*Sisyrinchium bellum*). Plant species were identified using The Jepson Manual: Higher

Plants of California (Hickman, 1993)¹, and were assigned a wetland status according to the *National List of Plant Species That Occur in Wetlands: 1988 National Summary* (Reed, 1988).²

Using these techniques DD&A biologists were able to estimate the size and location of the wetland features found on the Haskell's Landing property and compare them to the original wetland features mapped in the SEIR. DD&A did not perform a wetland delineation at the project site. One of the plant species (meadow barley) that was used to estimate the wetland/upland interface was also mapped to update the native grass populations occurrences as a result there are some instances where the two classifications overlap. DD&A confirmed that the size and location of the wetland features on the project site were consistent with the Final SEIR.

Sincerely,



Matt Johnson
Associate Biologist
DENISE DUFFY & ASSOCIATES, Inc.

1. Hickman, J.C. (ed.). 1993. The Jepson manual: higher plants of California. University of California Press, Berkeley, CA. 1400 pp.
2. Reed, Porter B.; for U.S. Fish and Wildlife Service in cooperation with the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Soil Conservation Service. 1988. National List of Plant Species That Occur in Wetlands: 1988 National Summary: California Region (R0). Available online at: <http://www.fws.gov/nwi/bha/download/1988/region0.txt>



Erin Harwayne

Senior Environmental Scientist/Planner/Project Manager

Education

Bachelor of Science, Earth Systems
Science & Policy (Marine and
Coastal Ecology), California
State University Monterey Bay,
2000

Continuing Education, Land
Use/Natural Resources, through
University of California
Extension Program

Professional Affiliations

Board, Monterey Dunes Natural
History Association
Member, Friends of Moss Landing
Marine Labs
Member, Association for
Environmental Professionals
Member, California Native Plant
Society
Member, California Native Grass
Association

Registrations/ Certifications

CEQA and NEPA Intensive
Workshop Certifications
Fairy and Tadpole Shrimp
Identification Class and
USFWS Test Certification
PADI Certified SCUBA Diver
U. S. Fish and Wildlife Service
Endangered Species Permit No.
TE-091857-0, California tiger
salamander
California Department of Fish and
Game Research Permit for
Listed Plant Species No. 04-
08-RP – Sand gilia
California Department of Fish and
Game Scientific Collection
Permit No. CS-007722 –
Aquatic invertebrates

Work Experience

Environmental Scientist/Planner/
Project Manager - Denise
Duffy & Associates, Inc.

Research Assistant - Monterey Bay
National Marine Sanctuary

With over 8 years at DD&A, Ms. Harwayne has managed and prepared numerous environmental documents in compliance with CEQA and NEPA for a wide variety of projects involving water resources, education, natural resources, public works, and transportation. She has experience preparing all types and levels of environmental documents, including:

- Initial Studies/Mitigated Negative Declarations (IS/MND)
- Environmental Assessments/Finding of No Significant Impact (EA/FONSI)
- Environmental Impact Reports (EIR)
- Environmental Impact Statements (EIS)
- Biological Assessments (BA)
- Natural Environment Studies (NES)
- Wetland Delineation Reports
- Mitigation Monitoring and Reporting Programs

Integrating her extensive background in ecology with land use planning, Ms. Harwayne utilizes an innovative approach toward solving complex environmental issues. Her technical capabilities include:

- Adeptness in regulatory permitting processes, including Clean Water Act Section 401 and 404, CDFG 1602, federal Endangered Species Act Section 7 and 10 consultation and permit processes, state Endangered Species Act Section 2081 Incidental Take Permits
- Management and preparation of environmental documents in accordance with CEQA and NEPA requirements and local, state, and federal policies and regulations, including the Clean Water Act and the federal and State Endangered Species Act
- Proficiency in conducting biological surveys, including protocol-level surveys for special-status wildlife and plant species such as the San Joaquin kit fox, California tiger salamander, black legless lizard, California red-legged frog, vernal pool crustaceans (fairy and tadpole shrimp), sand gilia, Monterey spineflower, and seaside bird's beak
- Experience in conducting wetland delineations per U.S. Army Corps of Engineers and Coastal Act criteria
- Service as the environmental consultant for California State University, Monterey Bay, managing the 2007 Master Plan EIR process and ongoing specific campus projects
- Excellent communication and presentation skills
- Skill in technical writing and editing
- Expertise in preparing scopes, managing subconsultants, and keeping projects within established budgets and timeframes

Section 10 and Section 7 Projects:

- *Santa Lucia Preserve Habitat Conservation Plan EA, Rancho San Carlos Partnerships and the U.S. Fish and Wildlife Service*
- *Fort Ord Habitat Conservation Plan EIR and EIS, Fort Ord Reuse Authority and the U.S. Fish and Wildlife Service*

Educational Facility Projects:

- *North Quad Student Housing IS/MND, CSUMB*
- *Outdoor Pool IS/MND, CSUMB*
- *Master Plan EIR, CSUMB*
- *North Campus Housing EIR, CSUMB*
- *Land Exchange Addendum to Master Plan EIR, CSUMB*

Erin Harwayne

Senior Environmental Scientist / Planner / Project Manager

- *Environmental Analysis for CSUMB's Master Plan Near-Term Projects: Building Demolition Pilot Project, Library Project, Visitor's Center Project, Sports Complex Project, Co-Generation Plant, and Telecommunications Infrastructure Upgrade Project*

Biological and Wetland Assessment Projects:

- *Regional Water Augmentation EIR, MCWD*
- *Marina Station EIR, City of Marina*
- *Seaside Main Gate EIR, City of Seaside*
- *LaTourette Subdivision EIR, County of Monterey*
- *The First Tee EIR, City of Seaside*
- *Urban Service Area Amendment EIR, City of Gilroy*
- *General Plan Update EIR, City of Gilroy*
- *Regency Center EIR, City of Gilroy*
- *KPIG Generator Project, Mapleton Communications*
- *Chili's Restaurant IS/MND – Biological Report and Wetland Delineation, City of Seaside*
- *Biological Assessment for General Plan Update, City of Monterey*
- *Snowcreek Biological Assessment Town of Mammoth Lakes, Chadmar, Inc.*
- *Bay Avenue Outfall IS/MND, City of Seaside*
- *Laguna Seca Raceway Ticket Booth EA/IS, U.S. Army Corps of Engineers and Monterey County Parks*
- *Arroyo Seco Road Guardrail NES, Monterey County Department of Public Works*
- *Thorne Road Bridge NES, Monterey County Department of Public Works*
- *Highway 25 Safety Improvement NES, Caltrans District 4*

Water Resources Projects:

- *Storm Drain Improvements Project IS/MND, City of Carmel-by-the-Sea*
- *Tank Design and Improvements Project EA/IS, MCWD*
- *Water Master Plan EIR, MCWD*
- *Castroville Storm Drain Master Plan Improvements Project, Monterey County Department of Public Works*
- *Pond A-4 Sediment Storage Environmental Analysis, Santa Clara Valley Water District*

Permitting and Condition Compliance Monitoring Projects:

- *Marina Heights CDFG Incidental Take Permit, Chadmar, Inc.*
- *Bridge Improvement Projects, San Benito County Department of Public Works*
- *Highway 25 Safety Improvement Project, San Benito COG*
- *Bayer Tank Demolition and Intertie Project, MCWD*
- *Endangered Species Act Educational Workshop, MCWD*

Linear Projects:

- *Uvas Creek Park Preserve Trail Improvements IS/MND, City of Gilroy*
- *Carmel Valley Class I Bicycle Trail IS/MND, Monterey County Department of Public Works*
- *Carmel Valley Road Improvements IS/MND, Monterey County Department of Public Works*

**REVISIONS DATED MARCH 27, 2009 TO THE ADDENDUM
DATED NOVEMBER 10, 2008
TO THE ENVIRONMENTAL IMPACT REPORT
FOR THE ARADON PROJECT (94-EIR-9),
THE RESIDENCES AT SANDPIPER PROJECT
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, AND THE
GOLETA GENERAL PLAN/COASTAL LAND USE PLAN EIR**

**HASKELL'S LANDING PROJECT
07-102-GP, -TM, -DP, -OA, -RN
ASSESSOR PARCEL NUMBER 079-210-049**

The following revisions to the EIR Addendum to 94-EIR-9 of November 10, 2008 result from responses to public comments generated during City of Goleta Planning Commission Hearings of November 17, 2008 and February 9, 2009.

As previously noted in the November 10, 2008 Addendum to 94-EIR-9, the revisions identified herein are not associated with any new significant impacts (i.e. no new Class I, significant and unavoidable or Class II, significant, but feasibly mitigated to less than significant impacts) or a substantial increase in the severity of previously identified impacts (i.e. a Class III impact identified in 94-EIR-9 or the Sandpiper Project EIR Supplement is not characterized as a Class II or Class I impact with the Haskell's Landing Project; a Class II impact identified in 94-EIR-9 or the Sandpiper Project EIR Supplement is not characterized as a Class I impact with the Haskell's Landing Project).

Changes are noted below by section of the November 10, 2008 EIR Addendum.

B. BACKGROUND

Goleta General Plan / Coastal Land Use Plan EIR (2006)

The assessment of impacts associated with City of Goleta General Plan Policies that would be amended as part of the proposed project was previously identified in the Goleta General Plan/Coastal Land Use Plan EIR (City of Goleta 2006). Impacts associated with Conservation Element Policy CE 2, Protection of Creeks and Riparian Areas, and Housing Element Policy HE 11, Inclusion of Very-Low, Low-, and Moderate-Income Housing in New Development were identified as *significant but feasibly mitigated* impacts (Class II). Excerpts from the Goleta General Plan/Coastal Land Use Plan EIR Summary Impact Tables are included as Attachment 3 to the Addendum dated November 10, 2008.

D. REVISED PROJECT DESCRIPTION

General Plan Amendments (07-102-GP)

The project description included several proposed amendments that have been adopted by the City of Goleta through the Track 2 General Plan Amendment process. Only two amendments to Goleta General Plan policies and tables specific to development on the project site remain as part of the project. These amendments address issues including: allowing for a 50-foot development setback from Devereux Creek top of bank (Conservation Element Policy 2.2); and affordable housing inclusionary standards (Housing Element Policy 11.5).

The proposed project CE-2.2 and HE 11.5 GPAs mirror the City proposal that is being evaluated in the Track 3 GPA Process. The proposed General Plan Amendment text is identified below.

Conservation Element Policy CE 2.2

CE 2.2 Streamside Protection Areas. [GP/CP] *A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the SPA in a natural state in order to protect the associated riparian habitats and ecosystems. The SPA shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the SPA upland buffer shall be as follows:*

- a. *The SPA upland buffer shall be 50 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. The City may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review. The City may allow portions of a SPA upland buffer to be less than 50 feet wide based on a site specific assessment if (1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and (2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.*
- b. *If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land-use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.*

Housing Element Policy HE 11.5

HE 11.5 Establishment of Unit Percentages and Income Levels. [GP] *The inclusionary housing requirement shall be as follows:*

- a. *Proposed for-sale projects, including subdivisions for purposes of condominium conversions, will be required to provide 5 percent of the units at prices affordable to very low-income households, 5 percent affordable to low-income households, 5 percent affordable to moderate-*

income households, and 5 percent affordable to households earning 120 to 200 percent of the median income.

Requirements for provision of inclusionary units in for-sale projects for very low- and low-income households may be satisfied by providing the same number of rental units at rent levels affordable to these households.

Road Naming (07-102-RN)

The proposed project would include naming of eight internal street segments, as approved by the Santa Barbara County Fire Department, Public Safety Dispatch, and Surveyor (November 6, 2008): Sanderling Lane; Whimbrel Lane; Samwill Court; Willet Drive, Curlew Drive, Scaup Court, Stilt Court; and Grebe Drive.

Final Development Plan (07-102-DP)

Unit and Building Design

The proposed project would provide five (5) studios (equal to 5 percent of all units) affordable to moderate-income (80 to 120 percent of median) households, and five (5) one-bedroom units (equal to 5 percent of all units) affordable to households earning 120 to 200 percent of the median income, all subject to a 55-year resale restriction. In addition, the proposed project would provide in-lieu fees equivalent to five (5) units (equal to 5 percent of all the units) at prices affordable to very low-income households, and five (5) units (or 5 percent of all the units) affordable to low-income households. As illustrated in Table 1, the ten (10) affordable units would be distributed throughout the project site.

Table 1: Haskell’s Landing Residential Habitable Building Areas

Unit Type	Unit Count	Gross Floor Area	Garage Square Footage	Sales Category
Three-Bedroom* SFR	19	2,981	576	Market
Three-Bedroom* SFR Detached	3	2,981	576	Market
Three-Bedroom SFR	19	2,612	543	Market
Three-Bedroom SFR Detached	1	2,612	543	Market
Three-Bedroom * T.H.	17	2,324	415	Market
Two-Bedroom* T.H.	17	1,834	412	Market
Two-Bedroom* T.H. Detached	2	1,834	412	Market
Two-Bedroom* T.H. Carriage	11	1,365	225	Market

One-bedroom T.H. Carriage	1	764	225	Market
Studio T.H. Carriage	1	570	0	Market
One-bedroom T.H. Carriage	5	764	225	Affordable
Studio T.H. Carriage	5	570	0	Affordable

Gross Floor Area as defined by the City of Goleta General Plan

*Note: * Option for one additional bedroom. Additional bedroom square footage is included within the gross floor area calculation with the exception of the Two-Bedroom* T.H. Carriage. The additional 128 square foot bedroom option would result in a total unit size of 1,493 s.f., (up to an additional 1,408 s.f. of total project gross floor area for 11 such optional bedrooms), but as a second story unit, would not change the project's building coverage calculation.*

Access and Parking

The project provides 218 spaces (173 enclosed and 45 on-street within designated pockets) for residents and visitors. These 218 spaces meet the Zoning Ordinance requirements for the entire project. In addition, 40 additional parking spaces in excess of the 218 spaces required under Zoning Ordinance requirements can be accommodated within driveways. An additional estimated 19 parking spaces could be located offsite on Las Armas Road resulting from completion of required standard road improvements.

1. Air Quality

Regulatory Setting

The criteria pollutants of primary concern that are considered in this air quality assessment include ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), particulate matter less than 10 microns in diameter (PM₁₀), and particulate matter less than 2.5 microns in diameter (PM_{2.5}). A major source of PM₁₀ is diesel engine exhaust. The ARB has identified diesel particulates as the number one toxic contaminant that represents 70 percent of the estimated cancer risk in the state of California (Molly Pearson, APCD, 12/8/08).

Santa Barbara County Attainment Status

Presently, Santa Barbara County is in attainment for all NAAQS with the exception of the PM₁₀ standard. Currently, there is not enough data available to determine whether the County attains the national PM_{2.5} standards. Santa Barbara County is designated as a federal ozone attainment area for the 8-hour ozone NAAQS (the 1-hour federal ozone standard was revoked for Santa Barbara County).

Health Risk Issues

The California Air Resources Board *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) addresses the importance of considering health risk issues when siting sensitive land uses including residential

development within the vicinity of intensive air quality emission sources including: freeways on high traffic roads; distribution centers; ports; petroleum refineries; chrome plating operations; dry cleaners; and gasoline dispensing facilities. As stated in the EIR Addendum provided in the Staff Report of 11/17/08, the Handbook draws upon studies evaluating the health effects of traffic traveling on major interstate highways in metropolitan California centers within Los Angeles (the I-405 and I-710), Sacramento (I-80), San Francisco Bay, and San Diego. Recommendations identified by CARB, including siting residential uses no closer than 500 feet from freeways, are consistent with those adopted by the State of California for location of new schools. The APCD cites this guidance and considers that the proposed residential development on the Haskell's Landing project site would result in a potentially significant impact on future sensitive receptors, particularly younger residents.

Importantly, the CARB Handbook Introduction identifies these guidelines as strictly advisory: "Land use decisions are a local government responsibility. The Air Resources Board is advisory and these recommendations do not establish regulatory standards of any kind." Also, CARB recognizes that there may be land use objectives that need to be considered by a governmental jurisdiction relative to the general recommended setbacks: "These recommendations are advisory. Land use agencies have to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues (page 4)."

The Handbook provides abundant evidence that truck traffic generating diesel particulates poses a health risk to sensitive receptors, particularly children. The numerous studies cited in the Handbook identify a health risk within 500 feet of a freeway. As stated above, these studies are based on emissions generated by traffic on major interstate commerce freeways. The study states: "On a typical urban freeway (truck traffic of 10,000-20,000 day), diesel particulate matter (PM) represents 70 percent of the potential cancer risk from the vehicle traffic (page 9)." US 101 currently carries approximately 3,400 trucks a day. About 1,700 of these trucks are larger 4- and 5-axle sizes that are powered by diesel engines, while the remaining are 2- and 3-axle vehicles that are mostly gasoline powered (personal communication Dan Dawson, Associated Transportation Engineers, Caltrans 2007 data).

This comparison illustrates that the CARB land use advisories are based on data collected from substantially larger freeways throughout metropolitan California centers compared to those trucks traveling on US 101.

No thresholds of significance have been established by CARB or by the APCD. ADT on US 101 (conservatively estimated in the EIR Addendum to be 38,000 in 2008) are substantially below the CARB guideline established for rural roadways of 50,000 ADT.

In summary, the recommendations of the CARB *Air Quality and Land Use Handbook: A Community Health Perspective* are characterized by the following:

1. They are not intended to be land use restrictions, but are completely advisory. Therefore, the guidelines do not reflect a CEQA threshold of significance under CEQA.
2. They are based on studies that identify health risks primarily related to trucks generating diesel particulates.
3. These studies have gathered data from traffic on extremely large interstate freeways in major metropolitan centers including San Diego, Los Angeles, San Francisco, and Sacramento.

Project Specific Impacts

Impact AQ-1: Construction Activity Ground Disturbances. The project site grading of approximately 21,050 c.y. of cut and 20,900 c.y. of fill is decreased from the previous 77,958 c.y. of cut and 75,126 c.y. of fill for the Residences at Sandpiper Project. Due to shrinkage and compaction, graded soils would be balanced on site. The Santa Barbara County APCD does not maintain significance thresholds for short-term construction grading dust activity (Santa Barbara County APCD (Scope and Content of Air Quality Sections in Environmental Documents, Revised June 2008, page 6). Impacts of grading short-term PM₁₀ emissions would remain *adverse, but less than significant* (Class III). The short-term construction emissions are quantified for information purposes below:

Table 3a Construction Emissions Associated with the Proposed Project (lbs/day)							
Emission Source	ROC	NO_x	CO	SO₂	PM₁₀	PM_{2.5}	CO₂
Construction (Unmitigated)	129.58	68.54	52.97	0.01	42.89	12.11	6,493.00
Construction (Mitigated)	67.19	68.54	52.97	0.01	14.74	6.23	6,493.00
Significance Threshold	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Threshold Exceeded?	No	No	n/a	n/a	n/a	n/a	n/a

Impact AQ-5: Exposure to HAP emissions within the region.

US 101 traffic within the vicinity of the proposed project site, and particularly truck traffic generating harmful diesel particulates, are substantially below those modeled by CARB. The closest proposed residences to US 101 are

approximately 200 feet to south of the freeway; the farthest are approximately 700 feet away.

Mitigation Measures

Although no significant adverse impacts related to air quality pursuant to the City's CEQA Guidelines are identified, the following measures are recommended to ensure consistency with Goleta General Plan Policy CE12.1.

AQ-7 Ventilation systems that are rated at Minimum Efficiency Reporting Value of "MERV13" or better for enhanced particulate removal efficiency shall be provided on all units. The residents of these units shall also be provided information regarding filter maintenance/replacement. **Plan Requirements and Timing:** The aforementioned requirement shall be shown on applicable plans submitted for approval of any Land Use and Building permits.

Monitoring: City of Goleta staff shall ensure that the aforementioned requirements are included on plans submitted for approval of any Land Use and Building permits and shall verify compliance onsite prior to occupancy clearance. Staff shall also review the future Covenants, Conditions, and Restrictions (CC&Rs) for inclusion of guidelines pertaining to the proper maintenance/replacement of filters.

AQ-8 The applicant shall provide an Air Quality Disclosure Statement to potential buyers of units, summarizing the results of technical studies that reflect a health concern resulting from exposure of children to air quality emissions generated within 500 feet of a freeway. **Plan Requirements and Timing:** The applicant shall provide this disclosure statement as part of the project CCRs to the City Attorney and Planning & Environmental Services to verify the disclosure statement is fair and adequate. The disclosure shall be reviewed and approved prior to recordation of the Final Map.

Monitoring: City staff shall verify that the Air Quality Disclosure Statement has been incorporated into the CCRs prior to sale of homes. Planning & Environmental Services shall review and approve the statement for objectivity, balance, and completeness.

Residual Impacts

With implementation of the above mitigation measures, residual project-specific and cumulative air quality impacts would be considered *adverse, but less than significant*. Implementation of recommended mitigation measures would minimize adverse project specific and cumulative air quality impacts.

Air Quality, Greenhouse Gas Impacts

Construction Impacts

Greenhouse gas emissions would be associated with the construction phase of the proposed project through the use of heavy equipment and vehicle trips. Emissions of greenhouse gases would be short-term. The complete URBEMIS modeling results are in the EIR Addendum, Attachment 5 Air Quality. The project would generate an estimated 6,493.00 lbs/day (3.25 tons/day) during construction.”

Project Cumulative Impacts

While global climate change is, by definition, a cumulative environmental impact and the impacts of climate change on California human and natural systems would also be substantial, there currently is no agreed-upon methodology to adequately identify, under CEQA, when project-level GHG emissions contribute considerably to this cumulative impact.

While no significant impacts have been identified due to the speculative nature of greenhouse gas impact assessment, Mitigation Measures AQ-1 through AQ-6 would reduce the amount of GHG emissions generated during construction and operation.

At this time, there are no adopted thresholds of significance for GHG emissions and the methodology of analysis is evolving. The project-specific and cumulative contribution to impacts associated with GHG emissions is considered less than significant in the absence of an adopted threshold and given that climatic change is global in scale.”

3. Biological Resources

Project-Specific Mitigation Measures

BIO-1 The applicant shall submit a final Vegetation Enhancement Plan (VEP) for Devereux Creek and adjacent wetland and native grassland habitat for review and approval by City Planning & Environmental Services. The VEP shall include specific goals for habitat restoration and include performance criteria by which replanting success is measured; any necessary stream channel and creek flow modifications to ensure restoration success; a planting plan including native wetland plants of known local genotype and an irrigation plan; an exotic vegetation management plan; methods to protect the plantings until established; and a contingency plan in the event performance criteria are not met. The plan shall include provisions for maintaining and enhancing the native grassland areas onsite. In addition, the plan shall specifically provide for redirection of the Creek from its current course along the UPRR tracks to the Devereux Creek channel crossing the property. This would potentially require excavation of the channel invert to remove accumulated sediment and to provide appropriate elevations. Construction and habitat improvement activities in the channel shall be limited to dry season (May

1 to October 31) unless otherwise stipulated in permits from the Army Corps of Engineers or CDFG (see BIO-5). It may also require contributing to the design and construction of a structural solution to ensure continued flow across the UPRR and onto the project property in cooperation with UPRR. The plan shall include details of planting and maintenance of barrier plantings identified in BIO-4 (below). **Plan Requirements:** The plan shall be reviewed and approved by City staff prior to issuance of any LUP for the project. Performance securities for installation and maintenance for at least five (5) years shall be subject to review and approval by City staff. At a minimum, performance securities guaranteeing installation of the habitat restoration shall be furnished by the applicant prior to issuance of any LUP for the project. The habitat restoration maintenance agreement shall be signed and filed with the city prior to approval of issuance of any LUP for the project. **Timing:** Implementation of the VEP, including redirection of the channel and plantings, shall be in place prior to occupancy of the last building. *(Addresses Impact BIO-1, BIO-2, BIO-3, BIO-7, BIO-11, BIO-14, BIO-15)*

BIO-2 An open space easement including the protected area and creek corridor of Devereux Creek shall be established and recorded on the Final Map to ensure that the restoration area shall remain in perpetuity. Within this approximately 2-acre area, riparian habitat and adjacent wetland, native grassland, and related upland habitat shall be enhanced through eradication of invasive non-native plants and the planting of native species, of known local genotype according to a plan developed by a City-approved biologist. **Plan Requirements:** The terms and conditions of the easement to cover initial restoration and maintenance costs (trail, planting, etc.), ongoing habitat restoration, and limited public access shall be indicated as a note on the Final Map and shall be reviewed and approved by City staff. The Homeowners Association will be the party responsible for ongoing restoration and providing maintenance costs, including regular pick up of trash and litter and barrier plantings. **Timing:** The applicant shall record the open space easement on the final map.

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

BIO-4 The final landscape plan shall include barrier plantings of native riparian shrub and understory species (e.g., blackberry, California rose, and other thorny species) on the existing margin of the proposed protected area and the Devereux Creek channel to reduce encroachment into the area by humans and domestic pets. **Plan Requirements:** The vegetation barrier between the protected area and the development shall be identified on the final landscape plan. Details of its planting and maintenance shall be included in the Vegetation Enhancement Plan. **Timing:** The final landscape plan shall be reviewed and approved by Planning & Environmental Services and Community Services prior to issuance of any LUP for the project.

The additional language is removed to address concerns identified by Design Review Board members relative to providing on open visual quality to the proposed Devereux Creek greenbelt. No new significant impacts on biological resources would result.

BIO-9 Improvements to the hydrology and water quality of Devereux Creek channel shall be effectuated. This shall be accomplished by grading and designing the site to facilitate runoff to riparian and wetland habitats rather than to the sewer system, as described below:

- a. Include sediment and erosion control measures in the grading/drainage plan, and maintain these measures throughout the construction period. Install and maintain erosion control measures (such as jute netting or coir fabric/rolls) along the creek channel and in protected areas until native plants or landscaping is established.
- b. Install native wetland plants (of known local genotype) that shall filter or absorb runoff or pollutant materials that may enter the Devereux Creek channel.
- c. Include pervious surfaces in the project design in key areas (adjacent to concrete walkways and impervious roads) so that runoff percolates into the ground to the maximum extent feasible.
- d. Collect and filter all runoff prior to its discharge into the Devereux Creek channel.
- e. Direct runoff from rooftops and large impervious areas to a filtering system and thence to the Devereux Creek channel to provide supplemental water to the riparian corridor and aquatic biota.

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

BIO-10 The Enhancement Plan area shall contain indigenous native plant material of known local genotypes only.

- a. Where native plants are proposed in natural protected areas or in landscape plans, seed, cuttings or plants shall be obtained from known sources in the watershed or in the Goleta Valley. Local experts shall be contacted to assist with verifying and contract growing plant stock from appropriate known local genotypes.
- b. Invasive non-natives shall be eradicated from the site. Invasive ornamentals (such as periwinkle, fountain grass, cape ivy, English ivy, Algerian ivy, bamboo, etc.) shall not be included in the landscape plan. The California Exotic Plant Pest Council (CalEPPC) list of Exotic Invasive Species should also be consulted to ensure that species on this list are not introduced to the site.

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

place prior to implementation of the Enhancement Plan. Removal of exotic species shall be ongoing, as necessary. (*Addresses Impact BIO-1, BIO-11, BIO-15*)

4. Cultural Resources

The following measure has been revised to incorporate a recommendation made by Larry Spanne, archaeologist, on behalf of the Santa Ynez Indian Reservation.

Project-Specific Mitigation Measures

CR-1 A City-qualified archaeologist and local Chumash observer shall monitor the initial brushing of vegetation and earth removal activity of the first 1-foot of soils to ensure that any unknown, sparse prehistoric materials are identified and assessed consistent with City of Goleta Cultural Resources Guidelines. After grading has reached below a one-foot depth, the monitoring archaeologist shall periodically spot check excavations after construction activity has ceased for the day to ensure that no previously unknown deeply buried cultural remains are encountered. In the event that prehistoric cultural remains are identified, grading shall be temporarily redirected in this area. The archaeologist shall complete an assessment of the resource's extent and significance pursuant to the City's Cultural Resources Guidelines. If the resource is found to be significant, a Phase 3 Data Recovery Program shall be completed pursuant to the City's Cultural Resources Guidelines. The findings of the archaeological investigations shall be submitted to the City Planning & Environmental Services Department and reviewed and approved prior continuing grading in the area of concern.

7. Hazards

Previous Review

As a result of the revised project, there would be no changes to impacts from exposure to electro-magnetic fields described in the Final EIR (Class I).

8. Noise

Project-Specific Mitigation Measures

The following revisions are proposed to maximize feasibility of the mitigation measure.

NS-5 The proposed 6-foot high sound wall as measured from finished grade to be constructed along the project's northerly property line shall be extended approximately 50 feet to the west and east beyond along the northwest and northeast property boundaries in City right of way, in order to ensure that 1st floor patios and second story balconies on the northwest and northeast project site corners are properly attenuated. The 6-foot sound wall height shall be measured from the finished grade. The sound wall shall be constructed of any masonry or other material, such as

wood or earthen berm, with a surface density of at least 4 pounds per square foot. The sound wall shall present a solid surface and have no openings or cracks. **Plan Requirements and Timing:** The sound wall location, construction material, base elevation and overall height shall be incorporated on building plans and reviewed and approved by a City staff and DRB prior to issuance of a land use permit. (*Addresses Impact NOI-3*)

10. Recreation

Project-Specific Mitigation Measures

The following revisions are included to provide for the unlikely, but possible event the Cathedral Oaks Overpass improvements are not completed prior to project occupancy.

REC-1 Should the Cathedral Oaks Overpass improvements not be completed, the applicant shall provide for a pedestrian controlled signalized crosswalk at the corner of Hollister Avenue and Las Armas Road to provide a safe pedestrian crossing to the adjacent City-owned Sperling Preserve. **Plan Requirements:** Construction plans for this improvement shall be reviewed and approved by City staff with submittal of LUPs. **Timing:** Improvements shall be implemented prior to occupancy, if required. (*Addresses Impact REC-1*)

11. Traffic and Circulation

Project-Specific Mitigation Measures

Mitigation Measure TR-6 is revised to provide for a Reimbursement Agreement between the Applicant and City for improvement of the eastern half of the street frontage, as the timing of other related projects in the vicinity and their ability to provide for these improvements coincident with proposed project buildout is uncertain. This would maximize project consistency with General Plan Policy TE 13.4 Facilities in New Development [GP].

TR-6 Owner shall submit to the Community Services Department two copies of separate public improvement plans prepared by a registered civil engineer for review and approval by the City Engineer. This plan may be incorporated into the Building Plan set, with additional public improvement plan sheets provided unbound. The PIP shall include but not be limited to:

Las Armas Road Public Improvements:

- a) Full width improvements with sidewalk, parkway, curb, gutter, street lights and asphalt paving on base for a 60-foot right of way.
- b) Installation of city street tree(s) and other approved landscaping within the public right of way (parkway). Type and location of city street tree(s) and planting(s) shall be as approved by the City Engineer.
- c) Slurry seal the street except for new paving areas.

- d) An approved terminus to the end of the street to the satisfaction of the City Engineer and the Fire Department.
- e) The developer may request an Agreement for Reimbursement for the improvements on the easterly half of Las Armas Road. The estimated reimbursement costs shall be reviewed and approved by the City Engineer prior to the execution of the Reimbursement Agreement.

Hollister Avenue Public Improvements:

- f) Provide full width improvements with sidewalk, parkway, street lights, curb and gutter, and asphalt paving on base for northerly side of Hollister Avenue.
- g) Installation of city street tree(s) and other approved landscaping within the public right of way (parkway). Type and location of city street tree(s) and planting(s) shall be as approved by the City Engineer.
- h) Slurry seal at a minimum to the centerline of the street along entire subject property frontage and a minimum of fifty feet (50') beyond the limits of all trenching and new street striping in the roadway.
- i) Install pavement traffic striping as determined by the City Engineer to facilitate ingress/egress from the westerly driveway on Hollister Avenue and to and from Las Armas Road.

Plan Requirements and Timing: The project public improvement plans shall be reviewed and approved by the City's Community Services Department prior to map recordation. Reproducible Record Drawings and an electronic signed copy of the Record Drawings for the revised street striping and public improvements (i.e., sidewalk, curb cut, drainage/bio filter, etc.) on Hollister Avenue and Las Armas Road shall be reviewed and approved by the City's Community Services Department prior to certificate of occupancy.

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

ATTACHMENT 7

General Plan Policy Consistency Analysis

**GENERAL PLAN CONSISTENCY ANALYSIS
HASKELL'S LANDING PROJECT
07-102- GP, -OA, - TM, -DP, -RN
NORTHWESTERN CORNER OF
HOLLISTER AVENUE/LAS ARMAS ROAD INTERSECTION;
APN 079-210-049**

Land Use Element

LU 1.2 Residential Character. [GP/CP] — *The Land Use Plan map shall ensure that Goleta's land use pattern remains predominately residential and open, with the majority of nonresidential development concentrated along the primary transportation corridor—east and west along Hollister Avenue and US-101. The intent of the Land Use Plan is to protect and preserve residential neighborhoods by preventing intrusion of nonresidential uses that would be detrimental to the preservation of the existing character of the neighborhoods.*

LU 1.7. — New Development and Protection of Environmental Resources. [GP/CP] *Approvals of all new development shall require adherence to high environmental standards and the preservation and protection of environmental resources, such as environmentally sensitive habitats, consistent with the standards set forth in the Conservation Element and the City's Zoning Code.*

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

Consistent. These policies are intended to ensure that new development is compatible with the surrounding neighborhood. The development is located adjacent to Hollister Avenue, Goleta's main transportation corridor. The two-story, mostly attached single family and multiple family structures' bulk, mass, and scale would be compatible with the surrounding commercial and residential uses, including The Bluffs residential project directly to the southeast, across Hollister Avenue. While the project would result in some viewshed interruption as experienced from Hollister Avenue when compared to the currently unobstructed view across a vacant parcel, a substantial view corridor of over 500 feet closest to Hollister Avenue would remain in open space, on either side of the enhanced Devereux Creek riparian corridor. This area would maintain a view corridor to portions of the foothills and the Santa Ynez Mountain skyline. The maximum height of the structures as measured from finished floor and finished grade is proposed to be 27 feet, 8

feet below the maximum height of 35' allowed by the Article II, Coastal Zoning Ordinance. Consistency with recommended building density and intensity standards are discussed below under Policy LU 2.5, Planned Residential (R-P). Aesthetic impacts would be addressed through use of landscaping that is appropriately sized and located to screen and soften the visual impacts of buildings fronting Hollister Avenue. Therefore, the proposed project is considered consistent with this policy.

LU 1.9. Quality Design in the Built Environment. [GP/CP] — *The City shall encourage quality site, architectural, and landscape design in all new development proposals. Development proposals on sites larger than 5 acres shall be subject to requirements of a “planned development” to achieve the advantages of coordinated site planning, circulation, and design. Public open spaces with quality visual environments shall be included to create attractive community gathering areas with a sense of place and scale.*

Consistent. The proposed project is clustered, consistent with planned development concepts, which allows for preservation and restoration of the Devereux Creek riparian corridor, as well as all designated wetlands, and primary native grassland concentrations.

LU 1.11. Multiple-Use Development. [GP/CP] — *New larger developments, including multifamily, commercial, retail, office, and industrial uses, shall be designed to incorporate features that enable a choice of various alternative modes of travel, such as transit, biking, and walking. Mixed-use development, where certain commercial and residential uses are provided in a single integrated development project, shall be allowed in appropriate areas, including, but not limited to, the Hollister corridor in Old Town.*

Consistent. The proposed project would provide sidewalks along Hollister Avenue and Las Armas Road, and would provide access to the Elwood Shores preserve south of Hollister Avenue. It would be located on a Metropolitan Transit District bus route traveling Hollister Avenue, allowing for access on the Hollister corridor through Goleta.

LU 1.13. — Adequate Infrastructure and Services. [GP/CP] — *For health, safety, and general welfare reasons, approvals of new development shall be subject to a finding that adequate infrastructure and services will be available to serve the proposed development. This includes water, sewer, roads, parks, energy availability and any other necessary services and infrastructure. Funding for costs associated with project-related infrastructure improvement and/or project related service extensions shall be the responsibility of the developer.*

Consistent. This policy is intended to ensure that new development is coordinated with the availability and/or provision of adequate public facilities

and infrastructure to adequately serve it. Adequate water, sewer, and utility services are already available from the Goleta Water and Goleta West Sanitary Districts, local utility service providers, fire and police protection services, based on letters received from these agencies during project review. Project impacts on local school enrollment would be mitigated pursuant to State statute by payment of development impact fees to the various school districts so impacted. As such, the proposed project is considered consistent with this policy.

LU 2.2. Residential Use Densities. [GP/CP] — *All proposed residential projects shall be consistent with the standards for density and building intensity set forth in this plan. The densities described in the policies for the residential use categories and in Table 2-1 are maximum permitted densities but are not guaranteed. Density of development allowed on any site shall reflect site constraints, including:*

- a. *Environmentally sensitive habitat areas (ESHA).*
- b. *Areas prone to flooding and geologic, slope instability, or other natural hazards.*
- c. *Areas with stormwater drainage problems.*
- d. *Presence of other significant hazards or hazardous materials.*
- e. *Protection of significant public and private views.*
- f. *Exposure to exterior noise levels that exceed a Community Noise Exposure Level (CNEL) of 60 dBA (see related Subpolicy NE 1.2).*
- g. *Areas with archaeological or cultural resources.*
- h. *Deficiencies in the type or level of services necessary for urban development, such as transportation facilities (roadway and pedestrian), sewer and water service, and emergency service response time.*
- i. *Prevailing densities of adjacent developed residential areas.*

Consistent: The project site is designated for up to 8 units per acre under the Planned Residential designation. The proposed project would result in development at 7 units per acre, and would preserve and restore the Devereux Creek ESHA, wetlands, and native grasslands.

LU 2.3. Residential Development Standards. [GP/CP] — *The following standards or criteria shall be applicable to residential development proposals:*

- a. *The privacy of existing residential uses in the immediate area shall be protected in the design of new or expanded structures.*
- b. *Solar access of residential uses shall be protected in the design of new or expanded structures.*
- c. *Proposals for construction of new or expanded homes shall be required to have a size, bulk, scale, and height that are compatible with the character of the immediate existing neighborhood.*

Consistent: Proposed residential structures on the north side of Hollister Avenue would be distanced from existing development to the south on Elwood

Shores by the roadway and screening landscaping. The two-story, mostly attached single family and multiple family structures' bulk, mass, and scale would be compatible with the surrounding commercial and residential uses, including The Bluffs residential project, adjacent and south of Hollister Avenue.

LU 2.5. Planned Residential (R-P). [GP/CP] — *The intent of the Planned Residential designation is to allow flexibility and encourage innovation and diversity in design of residential developments. This is accomplished by allowing a wide range of densities and housing types while requiring provision of a substantial amount of open space and other common amenities within new developments. Clustering of residential units is encouraged where appropriate to provide efficient use of space while preserving natural, cultural, and scenic resources of a site. Planned residential areas may also function as a transition between business uses and single-family residential neighborhoods. This designation permits single-family detached and attached dwellings, duplexes, apartments in multiunit structures, and accessory uses customarily associated with residences. This designation is intended to provide for development of residential units at densities ranging from 5.01 units per acre to 13.0 units per acre, with densities for individual parcels as shown on the map in Figure 2-1. Assuming an average household size of 2.0 to 3.0 persons, this use category will allow population densities between 10 persons per acre and 39 persons per acre.*

LAND USE ELEMENT, TABLE 2-1:

**TABLE 2-1
ALLOWABLE USES AND STANDARDS FOR RESIDENTIAL USE CATEGORIES**

Allowed Uses and Standards	Residential Use Categories				
	R-SF	R-P	R-MD	R-HD	R-MHP
Residential Uses					
One Single-Family Detached Dwelling per Lot	X	X	-	-	-
Single-Family Attached and Detached Dwellings	X	X	X	X	-
Multiunit Apartment Dwellings	-	X	X	X	-
Mobile Home Parks	-	-	-	-	X
Second (Accessory) Residential Units	X	X	-	-	-
Assisted-Living Residential Units	-	-	X	X	-
Other Uses					
Religious Institutions	X	X	X	X	-
Small-Scale Residential Care Facility	X	X	-	-	-
Small-Scale Day Care Center	X	X	X	X	X
Public and Quasi-public Uses	X	X	X	X	-
Accessory Uses					
Home Occupations	X	X	X	X	X
Standards for Density and Building Intensity					
Recommended Standards for Permitted Density					
Maximum Permitted Density (units/acres)	5 or less	5.01–13	20	30	15
Minimum Permitted Density (units/acres)	N/A	N/A	15	15	N/A

Allowed Uses and Standards	Residential Use Categories				
	R-SF	R-P	R-MD	R-HD	R-MHP
Recommended Standards for Building Intensity					
Maximum Floor Area Ratios (FAR)	N/A	0.30	0.50	1.10	N/A
Maximum Structure Height (Inland Area)	25 feet	35 feet	35 feet	35 feet	25 feet
Maximum Structure Height (Coastal Zone)	25 feet	25 feet	25 feet	25 feet	25 feet
Maximum Lot Coverage Ratio	N/A	0.30	0.30	0.40	N/A
Minimum Open Space Ratio	N/A	0.40	N/A	N/A	N/A
Minimum Lot Size	7,000 s.f.	4,500 s.f.	N/A	N/A	2,500 s.f.

Notes:

1. Use Categories: R-SF– Single-Family Residential; R-P – Planned Residential; R-MD – Medium-Density Residential; R-HD – High-Density Residential; R-MHP – Mobile Home Park.
2. X indicates use is allowed in the use category; - indicates use not allowed.
3. General Note: Some uses requiring approval of a conditional use permit are set forth in text policies, and others are specified in the zoning code.
4. The standards for building intensity recommended by this General Plan pursuant to Government Code Section 65302(a) may be revised by a Resolution of the decision-making body of the City for specific projects based upon a finding of good cause.
5. N/A = Not applicable.

Consistent. This policy designated the project site as Planned Residential with a maximum allowable density of 8 units/acre. The proposed density is 7.0 units/acre and as such, is consistent with this policy.

The applicable land use table for the proposed project, Table 2-1, Allowable Uses and Standards for Residential Use Categories, shown above states a recommended maximum residential floor area ratio (FAR) of 0.30 for the Planned Residential Land Use Designation. The applicant proposes a FAR of 0.22 with 42 studio, two-story, and three bedroom (with an option for a fourth bedroom in some models), ranging from 570 to 2,981 gross floor area square feet, with garages between 225 and 576 square feet. The Open Space Ratio would be 0.63. This would meet the recommended FAR and Open Space standards outlined in Table 2-1. The proposed heights from finished floor and finished grade to roof ridgeline of 26.5 feet and 27.0 feet would be 1.5 and 2 feet above the Land Use Element standard. For such exceptions to be granted, a good cause finding must be made, per the GP/CLUP Glossary, if the exception is:

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

This good cause finding can be made based on:

- a. The supportive comments received from the City DRB for the overall building configuration and size, bulk and scale;
- b. The reduction from 46 detached residential units as originally proposed down to 6 units translates into a reduction in the total number of buildings from 83 to 42. The substantial increase in

- clustering of structures compensates for a slightly higher roof line. The central area of the property would remain open, maintaining a view corridor through the parcel to the backdrop of the foothills and Santa Ynez Mountain skyline, which does not create an adverse impact to the community character, aesthetics, or public views.
- c. The project would provide five (5) studios (equal to 5 percent of all the units) to affordable to moderate-income (80 to 120 percent of median) households, and five (5) one-bedroom (equal to 5 percent of all the units) affordable to households earning 120 to 200 percent of the median income, all subject to a 55-year resale restriction. In addition, the proposed project would provide in-lieu fees equivalent to five (5) units (equal to 5 percent of all the units) at prices affordable to very low-income households, and five (5) units (equal to 5 percent of all the units) affordable to low-income households.
 - d. The Ordinance Amendment Development Agreement provides a contribution of \$1.5 million for the construction of a Santa Barbara County Fire Station No. 10.

The scale and design of the Haskell's Landing project would allow it to function as a gateway to the western Hollister Avenue corridor transition to business uses and single-family residential neighborhoods. These project components and conditions of approval for the development would make the project consistent with this policy.

Open Space Element

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

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

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

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

Consistent. These policies are intended to provide for protection of archaeological and cultural resources. Two Phase 1 Archaeological Surveys of the project site have not identified any potentially significant archaeological resources, though archaeological sites are recorded in other reaches of the Devereux Creek watershed in the vicinity. The project site soils are not known to contain paleontological resources, and the site is vacant, so no historical resources exist. Implementation of the conditions of approval would provide for monitoring of grading activities by a city-qualified archaeologist and local Native American, that would ensure identification and assessment of unknown cultural resources if they are encountered during grading/construction activities. As such, the project is considered consistent with these policies.

Conservation Element

CE 1.6: Protection of ESHAs. [GP/CP] — ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:

- a. No development, except as otherwise allowed by this policy, shall be allowed within ESHAs.
- b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in

subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.

- c. Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures such as signage, placement of boardwalks, and limited fencing or other barriers—shall be implemented as necessary to protect ESHAs.*
- d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible; 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, and 5) biological research.*
- e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. This use shall not exceed a development footprint of 20 percent of the parcel area and shall be subject to approval of a conditional use permit. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.*
- f. Any land use, construction, grading, or removal of vegetation that is not listed above is prohibited.*

Consistent. The project incorporates a 50-foot development setback from the Devereux Creek top bank within the ESHA. The Vegetation Enhancement Plan would restore riparian habitat, as well as improve drainage capabilities throughout the creek prism, such that intermittent flows would be conveyed from north of the project site, through the project site, and southward towards the Devereux Slough. A proposed creek crossing along the northern project boundary would incorporate a 10-foot wide clear span bridge that would allow for restoration on creek banks, and wildlife passage underneath. A second pedestrian trail and bridge crossing in the central portion of the project site would also be designed to avoid encroachment within the restored riparian corridor. Mitigation measures requiring that all utility excavations that would require crossing the drainage be directionally drilled under the ESHA area would ensure avoidance and potential erosion and sedimentation during construction. These conditions would ensure project consistency with this policy.

CE 1.7. Mitigation of Impacts to EHSAs. [GP/CP] — New development shall be sited and designed to avoid impacts to ESHAs. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Any impacts that cannot

be avoided shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on site. If impacts to onsite ESHAs occur in the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. All mitigation sites shall be monitored for a minimum period of 5 years following completion, with changes made as necessary based on annual monitoring reports. Where appropriate, mitigation sites shall be subject to deed restrictions. Mitigation sites shall be subject to the protections set forth in this plan for the habitat type unless the City has made a specific determination that the mitigation is unsuccessful and is to be discontinued.

Consistent. The project incorporates a 50-foot development setback from the Devereux Creek top bank within the ESHA. The Vegetation Enhancement Plan would restore riparian habitat, as well as improve drainage capabilities throughout the creek prism, such that intermittent flows would be conveyed from north of the project site, through the project site, and southward towards the Devereux Slough. This would ensure project consistency with this policy.

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

- a. Site designs shall preserve wildlife corridors or habitat networks. Corridors shall be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds.*
- b. Land divisions for parcels within or adjacent to an ESHA shall only be allowed if each new lot being created, except for open space lots, is capable of being developed without building in any ESHA or ESHA buffer and without any need for impacts to ESHAs related to fuel modification for fire safety purposes.*
- c. Site plans and landscaping shall be designed to protect ESHAs. Landscaping, screening, or vegetated buffers shall retain, salvage, and/or reestablish vegetation that supports wildlife habitat whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect, support, and enhance wildlife habitat values. Planting of nonnative, invasive species shall not be allowed in ESHAs and buffer areas adjacent to ESHAs.*
- d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.*
- e. Light and glare from new development shall be controlled and directed away from wildlife habitats. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs.*
- f. In order to minimize adverse impacts related to fish and wildlife habitat*

conservation areas and noise, noise levels from new development should not exceed an exterior noise level of 60 Ldn (day-night noise level) at the habitat site. During construction, noise levels may exceed these levels when it can be demonstrated that significant adverse impacts on wildlife can be avoided or will be temporary.

- g. All new development shall be sited and designed to minimize the need for fuel modification, or weed abatement, for fire safety in order to preserve natural vegetation within and adjacent to ESHAs. Development shall use fire-resistant materials and incorporate alternative measures, such as firewalls and landscaping techniques, that will reduce or avoid fuel modification activities.
- h. The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons.
- i. Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, except where necessary to protect or enhance the ESHA itself. An exception to this prohibition may be allowed if these actions are necessary to remediate hazardous flooding or geologic conditions that endanger public health and safety.
- j. In areas that are not adjacent to ESHAs and where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations.

Consistent. The project incorporates a 50-foot development setback from the Devereux Creek top bank within the ESHA. The Vegetation Enhancement Plan would restore riparian habitat, as well as improve drainage capabilities throughout the creek prism, such that intermittent flows would be conveyed from north of the project site, through the project site, and southward towards the Devereux Slough. Mitigations would require that only indigenous native species be used in the Vegetation Enhancement Plan within the ESHA. Mitigation measures would ensure that lighting is hooded and directed away from the Devereux Creek area, erosion control and Best Management Practices would be used during grading, and grading in this area would avoid the rainy season (November 1 to May 1) unless Planning & Environmental Services and a City-qualified biologist or restoration specialist determine that erosion and sediment control measures are sufficient to avoid impacts during the rainy season. This would ensure project consistency with this policy.

CE 1.10. Management of ESHAs [GP/CP] — The following standards shall apply to the ongoing management of ESHAs.

- a. The use of insecticides, herbicides, artificial fertilizers, or other toxic chemical substances that have the potential to degrade ESHAs shall be

- prohibited within and adjacent to such areas, except where necessary to protect or enhance the ESHA itself.*
- b. The use of insecticides, herbicides, or other toxic substances by City employees and contractors in construction and maintenance of City facilities and open space lands shall be minimized.*
 - c. Mosquito abatement within or adjacent to ESHAs shall be limited to the implementation of the minimum measures necessary to protect human health and shall be undertaken in a manner that minimizes adverse impacts to the ESHAs.*
 - d. Weed abatement and brush-clearing activities for fire safety purposes shall be the minimum that is necessary to accomplish the intended purpose. Techniques shall be limited to main and other low-impact methods such as hand crews for brushing, tarping, and hot water/foam for weed control. Disking shall be prohibited.*
 - e. Where there are feasible alternatives, existing sewer lines and other utilities that are located within an ESHA shall be taken out of service, abandoned in place, and replaced by facilities located outside the ESHA to avoid degradation of the ESHA resources, which could be caused by pipeline rupture or leakage and be routine maintenance practices such as clearing of vegetation.*
 - f. Removal of nonnative invasive plant species within ESHAs may be allowed and encouraged, unless the nonnatives contribute to habitat values.*
 - g. The following flood management activities may be allowed in creek and creek protection areas: desilting, obstruction clearance, minor vegetation removal, and similar flood management methods.*

Consistent. The project proposes to avoid use of all insecticides and herbicides within the ESHA. Fire suppression brushing would not be required within this corridor, as is not within a high fire hazard area. Reestablishment of positive drainage through the ESHA would be accomplished by desilting the creek prism.

Existing Text:

CE 2.2. Stream Protection Area [GP/CP] — A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the streamside protection area in a natural state in order to protect the associated riparian habitats and ecosystems. The streamside protection area shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the streamside protection area shall be as follows:

- a. In areas where land has already been fully subdivided and developed, the SPA shall not be less than 50 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands*

and/or riparian vegetation, whichever is greater. Exceptions may be allowed in instances where existing permitted development on a subject parcel encroaches within the 50-foot buffer if: (1) there is no feasible alternative siting for the development that will avoid the SPA; (2) the new development will not extend into the ESHA, and the resulting buffer will not be less than 25 feet; and (3) the new development will not encroach further into the SPA than the existing development on the parcel.

- b. In all other instances, the SPA shall not be less than 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of associated wetlands and/or riparian vegetation, whichever is greater.*
- c. If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.*

Proposed Text:

CE 2.2 Streamside Protection Areas. [GP/CP]

A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the SPA streamside protection area in a natural state in order to protect the associated riparian habitats and ecosystems. The SPA streamside protection area shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the SPA upland buffer streamside protection area shall be as follows:

- a. In areas where land has already been fully subdivided and developed, the SPA upland buffer shall not be less than 50 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. The City may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review. The City may allow portions of a SPA upland buffer to be less than 50 feet wide based on a site specific assessment if (1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and (2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream. Exceptions may be allowed in instances where existing permitted development on a subject parcel encroaches within the 50-foot buffer if: (1) there is no feasible alternative siting for the development that will avoid

~~the SPA; (2) the new development will not extend into the ESHA, and the resulting buffer will not be less than 25 feet; and (3) the new development will not encroach further into the SPA than the existing development on the parcel.~~

~~b. In all other instances, the SPA shall not be less than 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of associated wetlands and/or riparian vegetation, whichever is greater.~~

~~b-e.~~ If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land-use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.

Consistent. The proposed General Plan Policy Amendment would reduce the development buffer identified in CE 2.2 b. from 100 to 50 feet from top of bank. The proposed project provides for a minimum 50-foot development setback from the Devereux Creek top bank, a reduction from the existing 100-foot standard in Policy CE.2.2 b. The minimum project building setback from top of bank is 51 feet on the west side of the creek, while the minimum building setback on the east side of the creek is 127 feet. The maximum building setback on the west and east sides of the creek is 360 and 218 feet, respectively; the average building setback on the west and east sides of the creek is 145 and 189 feet, respectively (these measurements were calculated by the applicant based on 20 reference points measured perpendicular from the Devereux Creek top of bank to proposed structures). The change proposes a different minimum width buffer, but does not eliminate the requirement for an upland buffer. The proposed project would be consistent with all other applicable General Plan/Coastal Land Use Plan Conservation Element Policies. In particular, the Devereux Creek VEP and the 50-foot setback would ensure consistency with the intent of this policy, as well as CE Policies:

- CE 1.6 Protection of ESHAs.
- CE 1.7 Mitigation of Impacts to ESHAs.
- CE 1.8 ESHA Buffers.
- CE 1.9 Standards Applicable to Development Projects.
- CE 1.10 Management of ESHAs
- CE 2.3: Compatible land uses and activities in Streamside Protection Areas (SPAs).
- CE 2.5: Maintenance of Creeks as Natural Drainage Systems.
- CE 2.6 Restoration of Degraded Creeks.

A 50-foot development setback from the Devereux Creek top bank, in combination with the project's consistency with the above CE policies relative to compatible uses within the creek corridor, the corridor's

revegetation and enhancement, and improvement of the creek's hydrological capacity, would ensure consistency with the intent of the streamside protection area identified in Conservation Element Figure 4-1.

Similarly, a reduction in the City of Goleta General Plan/Coastal Land Use Plan Policy CE.2.2 b., Streamside Protection Areas top of bank setback from 100 to 50 feet, would provide for sufficient opportunities to achieve consistency with all other Conservation Element Policies such as CE 1.6-1.10, and CE 2.3, 2.5, and 2.6. Some areas that would no longer be part of the mandated SPA buffer would be protected under other CE policies that require protection of Environmentally Sensitive Habitat Areas (ESHAs) and buffers around ESHAs (including wetlands). Several of the creeks in the City have various non-riparian ESHA types within 50 feet of the riparian along the creek (e.g., butterfly roost buffers).

CE 2.3. Allowable Uses and Activities in Streamside Protection Areas.
[GP/CP] — *The following compatible land uses and activities may be allowed in SPAs, subject to all other policies of this plan, including those requiring avoidance or mitigation of impacts:*

- a. *Agricultural operations, provided they are compatible with preservation of riparian resources.*
- b. *Fencing along property boundaries and along SPA boundaries.*
- c. *Maintenance of existing roads, driveways, utilities, structures, and drainage improvements.*
- d. *Construction of public road crossings and utilities, provided that there is no feasible, less environmentally damaging alternative.*
- e. *Construction and maintenance of foot trails, bicycle paths, and similar low-impact facilities for public access.*
- f. *Resource restoration or enhancement projects.*
- g. *Nature education and research activities.*
- h. *Low-impact interpretive and public access signage.*

Any land use, construction, grading, or removal of vegetation that is not listed above is prohibited.

Consistent. A sound wall and trail would be constructed along the northern property boundary, but would be constructed as to allow for drainage and wildlife passage below and through the Devereux Creek prism. Positive drainage through the ESHA would be reestablished so that flows would drain southward and continue to the Devereux Slough. Vegetation would be restored and enhanced as part of the Vegetation Enhancement Plan. A second trail second pedestrian trail crossing through the south central portion of the ESHA would provide for potential nature educational opportunities. Therefore, the proposed project would be consistent with this policy.

CE 2.5. Maintenance of Creeks as Natural Drainage Systems. [GP/CP] — *Creek banks, creek channels, and associated riparian areas shall be maintained or restored to their natural condition wherever such conditions or opportunities exist. Creeks carry a significant amount of Goleta's stormwater flows. The following standards shall apply:*

- a. The capacity of natural drainage courses shall not be diminished by development or other activities.*
- b. Drainage controls and improvements shall be accomplished with the minimum vegetation removal and disruption of the creek and riparian ecosystem that is necessary to accomplish the drainage objective.*
- c. Measures to stabilize creek banks, improve flow capacity, and reduce flooding are allowed but shall not include installation of new concrete channels, culverts, or pipes except at street crossings, unless it is demonstrated that there is no feasible alternative for improving capacity.*
- d. Drainage controls in new development shall be required to minimize erosion, sedimentation, and flood impacts to creeks. Onsite treatment of stormwater through retention basins, infiltration, vegetated swales, and other best management practices (BMPs) shall be required in order to protect water quality and the biological functions of creek ecosystems.*
- e. Alteration of creeks for the purpose of road or driveway crossings shall be prohibited except where the alteration is not substantial and there is no other feasible alternative to provide access to new development on an existing legal parcel. Creek crossings shall be accomplished by bridging and shall be designed to allow the passage of fish and wildlife. Bridge abutments or piers shall be located outside creek beds and banks.*

Consistent. The project incorporates a 50-foot development setback from the Devereux Creek top bank within the ESHA. The Vegetation Enhancement Plan would restore riparian habitat, as well as improve drainage capabilities throughout the creek prism, such that intermittent flows would be conveyed from north of the project site, through the project site, and southward towards the Devereux Slough. No other development improvements such as driveways or utility corridors would occur within the ESHA.

CE 3.3. Site-Specific Wetland Delineations. [GP/CP] — *In considering development proposals where an initial site inventory or reconnaissance indicates the presence or potential for wetland species or indicators, the City shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations. A preponderance of hydric soils or a preponderance of wetland indicator species will be considered presumptive evidence of wetland conditions. At a minimum, the delineation report shall contain:*

- a. A map at a scale of 1":200' or larger showing topographic contours.
- b. An aerial photo base map.
- c. A map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the locations of sampling points.
- d. A description of the survey methods and surface indicators used for delineating the wetland polygons.
- e. A statement of the qualifications of the person preparing the wetland delineation.

Consistent. Biological investigations completed during preparation of the 2001 Residences at Sandpiper Project Supplemental EIR identified several wetlands onsite based on variables defined in Section 13577(b) of Title 14 of the California Code of Regulations, including hydric soils and wetland indicator species. The wetlands were reassessed in the Spring of 2008 for the proposed project by a city-qualified botanist, Erin Harwayne. The previous wetlands were systematically reassessed on the basis of wetland indicator species. The distribution of the wetlands was determined to be consistent with that previously identified in the 2001 Residences at Sandpiper Project Supplemental EIR study. The Spring 2008 wetland reassessment has been reviewed and approved by the City of Goleta biologist. The project would be consistent with this policy.

CE 8.2. Protection of Habitat Areas. [GP/CP] — All development shall be located, designed, constructed, and managed to avoid disturbance of, or adverse impacts to, special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.

Consistent. Biological assessments for the 2001 Residences at Sandpiper Project Supplemental EIR and for the proposed project by city-qualified biologists concluded that the segment of Devereux Creek onsite was found to not provide desirable or optimal habitat for any special status species identified elsewhere in the project site vicinity, including steelhead, California red-legged frog, or tidewater goby. Devereux Creek habitat, however, would be restored and enhanced as part of the project's Vegetation Enhancement Plan. The project would be consistent with this policy.

CE 8.4. Buffer Areas for Raptor Species [GP/CP] — Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If the biological study described in CE 8.3 determines that an active raptor nest site exists on the subject property, whenever feasible no vegetation clearing, grading, construction, or other development activity shall be

allowed within a 300-foot radius of the nest site during the nesting and fledging season.

Consistent. This policy requires buffer areas for special status species. There are no known active historical nest sites for protected species of raptors within 100 feet of the project. However, to ensure that the potential for impacts to protected species is avoided, conditions of approval require surveys of possible raptor nesting sites within 100 feet of any construction area during the nesting and fledging season. Implementation of this condition would ensure project consistency with this policy.

CE 10.1. New Development and Water Quality. [GP/CP] — *New development shall not result in the degradation of the water quality of groundwater basins or surface waters; surface waters include the ocean, lagoons, creeks, ponds, and wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources.*

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

- a. Protection of areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota, and areas susceptible to erosion and sediment loss.*
- b. Limiting increases in areas covered by impervious surfaces.*
- c. Limiting the area where land disturbances occur, such as clearing of vegetation, cut-and-fill, and grading, to reduce erosion and sediment loss.*
- d. Limiting disturbance of natural drainage features and vegetation.*

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

- a. Retention and detention basins;*
- b. Vegetated swales;*
- c. Infiltration galleries or injection wells;*
- d. Use of permeable paving materials;*
- e. Mechanical devices such as oil-water separators and filters;*
- f. Revegetation of graded or disturbed areas.*

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

Consistent: Development would be setback a minimum of 50 feet from the Devereux Creek ESHA top of bank. Surface runoff from the project site would be controlled pursuant to requirements of the State Water Resources Control Board, and City Storm Water Pollution Prevention Plan. Best Management Practice measures would be implemented during both the construction period and the long-term project occupation. Therefore, the proposed project would substantially minimize adverse effects on Devereux Creek water quality, and be consistent with this policy.

CE 10.4. New Facilities. [GP/CP] — *New bridges, roads, culverts, and outfalls shall not cause or contribute to creek bank erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality. BMPs shall include construction phase erosion control, polluted runoff control plans, and soil stabilization techniques. Where space is available, dispersal of sheet flow from roads into vegetated areas, or other onsite infiltration practices, shall be incorporated into the project design.*

Consistent: Development would be setback a minimum of 50 feet from the Devereux Creek ESHA top of bank, except for two, 10-foot wide clear span bridges providing pedestrian access. The bridges would allow for restoration and enhancement of creek vegetation, and positive drainage though the site to the south.

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

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

Consistent. Project design provides numerous storm water BMPs in the site design, including but not limited to permeable pavement in parking areas, and bioswales (including existing wetlands). Through the use of these measures, the City's water quality standards will be met and storm water impacts will be minimized to the maximum extent feasible, in accordance with the City's Storm Water Management Plan. Therefore, the project is consistent with this policy.

CE 10.8. Maintenance of Stormwater Management Facilities [GP/CP] — *New development shall be required to provide ongoing maintenance of BMP measures where maintenance is necessary for their effective operation. The permittee and/or owner, including successors in interest, shall be responsible for all structural treatment controls and devices as follows:*

- a. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year.
- b. Additional inspections, repairs, and maintenance should be performed after storms as needed throughout the rainy season, with any major repairs completed prior to the beginning of the next rainy season.
- c. Public streets and parking lots shall be swept as needed and financially feasible to remove debris and contaminated residue.
- d. The homeowners association, or other private owner, shall be responsible for sweeping of private streets and parking lots.

Consistent. This policy requires new development to provide long-term maintenance of all stormwater runoff control facilities and water quality protection best management practices (BMPs). The City will require through the conditions of approval that the homeowners association CC&Rs include provisions for such long-term BMP maintenance in accordance with the manufacturer's specifications, with enforcement authority granted to the City.

CE 12.1. Land Use Compatibility [GP] — *The designation of land uses on the Land Use Plan Map (Figure 2-1) and the review of new development shall ensure that siting of any new sensitive receptors provides for adequate buffers from existing sources of emissions of air pollutants or odors. Sensitive receptors are a facility or land use that includes members of the population sensitive to the effects of air pollutants. Sensitive receptors may include children, the elderly, and people with illnesses. If a development that is a sensitive receptor is proposed within 500 feet of U.S. Highway 101 (US-101), an analysis of mobile source emissions and associated health risks shall be required. Such developments shall be required to provide an adequate setback from the highway and, if necessary, identify design mitigation measures to reduce health risks to acceptable levels.*

Consistent. This policy is intended to ensure that adequate buffers are provided for sensitive receptors for air pollutants. The closest proposed residences to US 101 are approximately 200 feet to south of the freeway; the farthest are approximately 700 feet away. An analysis of mobile source air emissions and associated health risks was conducted and found that exposure to mobile source emissions would not be significant. The project has been conditioned, however, to require that state of the art internal ventilation systems that are rated at Minimum Efficiency Reporting Value of "MERV13" or better for enhanced particulate removal efficiency be provided on all units. Also, the project is conditioned to provide an Air Quality Disclosure Statement to potential buyers of units, summarizing the results of technical studies that reflect a health concern resulting from exposure of children to air quality emissions generated within 500 feet of a freeway. Therefore, this project is considered consistent with this policy.

CE 12.2. Control of Air Emissions from New Development. [GP] — *The following shall apply to reduction of air emissions from new development:*

- a. *Any development proposal that has the potential to increase emissions of air pollutants shall be referred to the Santa Barbara County Air Pollution Control District for comments and recommended conditions prior to final action by the City.*
- b. *All new commercial and industrial sources shall be required to use the best-available air pollution control technology. Emissions control equipment shall be properly maintained to ensure efficient and effective operation.*
- c. *Wood-burning fireplace installations in new residential development shall be limited to low-emitting State- and U.S. Environmental Protection Agency (EPA)-certified fireplace inserts and woodstoves, pellet stoves, or natural gas fireplaces. In locations near monarch butterfly ESHAs, fireplaces shall be limited to natural gas.*
- d. *Adequate buffers between new sources and sensitive receptors shall be required.*

Any permit required by the Santa Barbara County Air Pollution Control District shall be obtained prior to issuance of final development clearance by the City.

Consistent. The project is conditioned to incorporate all long-term operation air quality reduction Best Management Practices as identified by *Santa Barbara County Air Pollution Control District*. An analysis of mobile source air emissions was conducted and found that generation of mobile source air emissions would be less than significant. Therefore, this project is considered consistent with this policy.

CE 12.3. Control of Emissions during Grading and Construction. [GP] — *Construction site emissions shall be controlled by using the following measures:*

- a. *Watering active construction areas to reduce windborne emissions.*
 - b. *Covering trucks hauling soil, sand, and other loose materials.*
 - c. *Paving or applying nontoxic solid stabilizers on unpaved access roads and temporary parking areas.*
 - d. *Hydroseeding inactive construction areas.*
 - e. *Enclosing or covering open material stockpiles.*
- Revegetating graded areas immediately upon completion of work.*

Consistent. The project is conditioned to incorporate all short-term construction air quality Best Management Practices as identified by *Santa Barbara County Air Pollution Control District*. Therefore, this project is considered consistent with this policy.

CE 12.4. Minimizing Air Pollution from Transportation Sources. [GP] — *The following measures are designed to reduce air pollution from transportation sources:*

- a. *Hollister Corridor Mixed Use. The Land Use Plan for the Hollister Corridor is*

designed to:

- 1) Provide new housing near existing workplaces and commercial services to encourage short trips by foot and bicycle.
 - 2) Provide new housing near existing bus routes with convenient and high frequency service.
 - 3) Provide new housing near the US-101 ramps so as to minimize the length of auto trips on streets within the community.
 - 4) Provide new housing at locations near the existing Amtrak line, which could be considered for commuter rail service in the future.
- b. *Other Land Use Policies:* The following land use policies are designed to reduce demand for auto travel and promote less polluting modes such as bus transit, walking, and bicycling:
- 1) Clustering of moderate density housing and incorporation of residential apartments on upper floors of buildings, particularly in Goleta Old Town.
 - 2) Integration of new housing into existing neighborhood commercial centers.
 - 3) Emphasis on moderate density residential development rather than low-density sprawl.
 - 4) Integrating pedestrian, bicycle, and transit facilities into new development.
 - 5) Establishment of a fixed urban boundary to reduce sprawl outward from the existing urbanized area.
- c. *Transportation Policies:* The following transportation measures are designed to lower emissions of air pollutants by promoting efficient use of the street system:
- 1) Fine-tuning of intersections and their operations to minimize delays.
 - 2) Coordinated signal timing to improve traffic flow.
 - 3) Promotion of improved transit services.
 - 4) Creation of a linked pedestrian circulation system.
 - 5) Provision of a bikeway system.
 - 6) Encouragement of employer-based trip reduction measures such as subsidized bus fares, flexible work hours, vanpools, and similar measures.

Consistent. The residential project location adjacent to Hollister Avenue and the U.S. 101 Winchester Canyon southbound onramp makes the site consistent with this policy.

CE 15.3. Water Conservation for New Development. [GP] — In order to minimize water use, all new development shall use low water use plumbing fixtures, water-conserving landscaping, low flow irrigation, and reclaimed water for exterior landscaping, where appropriate.

Consistent. State plumbing codes require the installation of low flush toilets. Conditions of approval require the use of drought-tolerant native or

Mediterranean landscaping and drip irrigation. Therefore, this project is considered consistent with this policy.

Safety Element

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

Consistent. This policy is intended to protect new development against geologic hazards such as earthquake faults, liquefaction, slope instability and seismic related settlement. Potentially significant impacts were identified related to expansive and compressible soils. Conditions of approval require implementation of requirements identified in a final Geotechnical and Engineering Geology report related to excavation, recompaction, removal and replacement of fill materials and expansive soils, thus ensuring project consistency with these policies.

SE 1.4. Deed Restriction in Hazardous Areas. [GP/CP] — *As a condition of development on property subject to the hazards addressed in this Safety Element, the property owner shall be required to execute and record a deed restriction that acknowledges and assumes responsibility for the risks; waives any future claims of damage or liability against the City; and agrees to indemnify and hold harmless the City against any and all liability, claims, damages, and/or expenses arising from any injury to any person or damage to property due to such hazards.*

Consistent. The project would be conditioned to require that the applicant provide an EMF Disclosure Statement and an EMF Information Package containing a balanced range of EMF educational and information materials to potential buyers of units along the eastern property boundary. The applicant would also be required to request that the California Department of Real Estate provide a buyer beware statement in the final Subdivision Public Report. The project would therefore be consistent with this policy.

SE 1.9. Reduction of Radon Hazards. [GP] — *The City shall require the consideration of radon hazards for all new construction and require testing of radon levels for construction of homes and buildings located in areas subject to moderate or high potential for radon gas levels exceeding 4.0 picocuries as shown on maps produced by the California Division of Mines and Geology. The City shall require*

new homes to use radon-resistant construction where needed based on U.S. Environmental Protection Agency guidelines.

Consistent. The project is not located within an area of moderate or high potential for radon gas levels exceeding 4.0 picocuries as shown on maps produced by the California Division of Mines and Geology. The project would therefore be consistent with this policy.

SE 4.11. Geotechnical Report Required. [GP/CP] — *The City shall require geotechnical and/or geologic reports as part of the application for construction of habitable structures and essential services buildings (as defined by the building code) sited in areas having a medium-to-high potential for liquefaction and seismic settlement. The geotechnical study shall evaluate the potential for liquefaction and/or seismic-related settlement to impact the development, and identify appropriate structural-design parameters to mitigate potential hazards.*

SE 5.2. Evaluation of Soil-Related Hazards [GP/CP] —*The City shall require structural evaluation reports with appropriate mitigation measures to be provided for all new subdivisions, and for discretionary projects proposing new nonresidential buildings or substantial additions. Depending on the conclusions of the structural evaluation report, soil and geological reports may also be required. Such studies shall evaluate the potential for soil expansion, compression, and collapse to impact the development; they shall also identify mitigation to reduce these potential impacts, if needed.*

Consistent. These policies are intended to protect new development against geologic hazards such as earthquake faults, liquefaction, slope instability and seismic related settlement. Potentially significant impacts were identified related to expansive and compressible soils. Conditions of approval require implementation of requirements identified in a final Geotechnical and Engineering Geology report related to excavation, recompaction, removal and replacement of fill materials and expansive soils thus ensuring project consistency with these policies.

SE 6.6. Enforcement of Watercourse Setback Ordinance. [GP/CP] — *A minimum 50-foot setback shall be required from streambanks and flood control channels for all new development (see related Subpolicy CE 2.2). For projects that would be rendered infeasible by the application of such minimum setbacks, the project applicant shall provide a site-specific engineering study with recommended mitigation measures to allow for a reduced setback that would not expose development to unacceptable risk. Furthermore, in these cases, the City shall consult with the Santa Barbara County Flood Control District to determine whether the proposed lesser setback would be appropriate, in that it would allow access for flood control maintenance and enable proper operation of the channels. The City shall maintain and enforce the policies and standards within a Water Course Setback Ordinance.*

Consistent. Project development would be setback a minimum 50 feet from the Devereux Creek top of bank. The minimum project building setback from top of bank is 51 feet on the west side of the creek, while the minimum building setback on the east side of the creek is 127 feet. The maximum building setback on the west and east sides of the creek is 360 and 218 feet, respectively; the average building setback on the west and east sides of the creek is 145 and 189 feet, respectively.

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

Consistent. This policy is intended to ensure adequate fire protection infrastructure is incorporated into the design of new development. Access to the residential development would be provided from Hollister Avenue and the driveway design has been approved by the Fire Department.

SE 10.7. Identification, Transport, and Disposition of Potentially Contaminated Soil. [GP] — The City shall require a Soil Management Plan and a project-specific Health and Safety Plan for all new development and redevelopment within areas containing potentially contaminated soil. The Soil Management Plan and Health and Safety Plan should establish standards and guidelines for the following:

- *Identification of contaminated soil.*
- *Identification of appropriate personal protective equipment to minimize potential worker exposure to contaminated soil.*
- *Characterization of contaminated soil.*
- *Soil excavation.*
- *Interim and final soil storage.*
- *Verification sampling.*
- *Soil transportation and disposal.*

The Soil Management Plan and Health and Safety Plan should also address naturally occurring hazardous materials that may be present in the soil, such as methane and Radon-222, and include contingencies (e.g., characterization, management, and disposal) if they are present.

Consistent: No evidence of previous hazardous material storage has been identified associated with Elwood Oil Field exploration south of Hollister Avenue. In the event that potentially hazardous materials were encountered during grading, the project is conditioned to implement the Soil Management Plan and a project-specific Health and Safety Plan. Therefore, the project would be consistent with this policy.

Visual & Historic Resources Element

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

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

VH 1.4. Protection of Mountain and Foothill Views [GP/CP] — *Views of mountains and foothills from public areas should be preserved. View preservation associated with development that may affect views of mountains or foothills should be accomplished first through site selection and then by use of design alternatives that enhance, rather than obstruct or degrade, such views. To minimize structural intrusion into the skyline, the following development practices should be used where appropriate:*

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

- g. Revegetation of disturbed areas.*
- h. Limitations on the use of reflective materials and colors for roofs, walls (including retaining walls), and fences.*
- i. Selection of colors and materials that harmonize with the surrounding landscape.*
- j. Clustering of building sites and structures.*

VH 2.3. Development Projects Along Scenic Corridors [GP] — *Development adjacent to scenic corridors should not degrade or obstruct views of scenic areas. To ensure visual compatibility with the scenic qualities, the following practices shall be used, where appropriate:*

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

Consistent. These policies are intended to protect the City's scenic resources as defined in Policy VH 1.1 of the General Plan, public views of the mountains and foothills, public views of open space, and natural landforms, as well as ensure that new development adjacent to designated scenic corridors does not obstruct or degrade public views of scenic resources as seen from these view corridors. The maximum height of the structures is proposed to be 26.5 and 27 feet, 8.5 and 8 feet below the maximum height of 35' allowed by the Article II Coastal Zoning Ordinance. The heights would exceed Land Use Element height recommendations of 25 feet for Planned Residential Development. The project, however, received supportive comments from the City DRB for the overall building configuration and size, bulk and scale. Additionally, the reduction of 46 detached residential units originally proposed to the current 5 units, as requested by DRB, translates to a reduction in the total number of buildings from 83 to 42. The substantial

increase in clustering of structures compensates for a slightly higher roof line. With the reduction of detached units to five total, open space has been maximized and the central area of the property would remain open, maintaining a view corridor through the parcel to the backdrop of the foothills and Santa Ynez Mountain skyline. Although the project site is directly visible from Hollister Avenue, a scenic corridor in the General Plan, it would not block a continuous view from the roadway, given the open space dedicated to Devereux Creek preservation through the middle of the project site, such that mountain views would remain. Therefore, with implementation of conditions of approval relating to submittal of final improvement plans for DRB review identifying colors and materials, shielded lighting fixtures, and landscaping that is appropriately sized and located to screen and soften the visual impacts of buildings fronting Hollister Avenue, the proposed project is considered consistent with these policies.

VH 3.2 Neighborhood Identity [GP] — *The unique qualities and character of each neighborhood shall be preserved and strengthened. Neighborhood context and scale shall be maintained. New development shall be compatible with existing architectural styles of adjacent development, except where poor quality design exists.*

VH 3.3 Site Design [GP] — *The City's visual character shall be enhanced through appropriate site design. Site plans shall provide for buildings, structures, and uses that are subordinate to the natural topography, existing vegetation, and drainage courses; adequate landscaping; adequate vehicular circulation and parking; adequate pedestrian circulation; and provision and/or maintenance of solar access.*

VH 3.4. Building Design [GP] — *The City's visual character shall be enhanced through development of structures that are appropriate in scale and orientation and that use high quality, durable materials. Structures shall incorporate architectural styles, landscaping, and amenities that are compatible with and complement surrounding development.*

Consistent. These policies are intended to ensure that the architectural design of new development is compatible with the City's visual character. The proposed architecture proposed for both detached and attached units is described as a mix of Coastal, Ranch, and Monterey styles. Perimeter units would be oriented toward Hollister Avenue; no wall along the roadway is proposed. Units adjacent to Devereux Creek would be oriented to take advantage of proposed restoration of this biologically sensitive area. All units would have private outdoor areas. The maximum height of the structures is proposed to be 26.5 and 27 feet, 8.5 and 8 feet below the maximum height of 35' allowed by the zoning ordinance. The heights would exceed Land Use Element height recommendations of 25 feet for Planned Residential Development. The project, however, received supportive comments from the

City DRB for the overall building configuration and size, bulk and scale. Additionally, the reduction of 46 detached residential units originally proposed to the current 5 units, as requested by DRB, translates to a reduction in the total number of buildings from 83 to 42. The substantial increase in clustering of structures compensates for a slightly higher roof line. The central area of the property would remain open, maintaining a view corridor through the parcel to the backdrop of the foothills and Santa Ynez Mountain skyline, which would not create an adverse impact to the community character, aesthetics, or public views. A total of 87 eucalyptus and 8 cypress trees would be replaced with a total of 282 drought tolerant Mediterranean and native tree species, both ornamental (e.g., Melaluca, London Plane Tree, etc.) and indigenous to the area (e.g., coast live oak and sycamore). Project perimeter and internal landscaping is proposed to screen and soften views of the buildings. Total project open space would be 63% of all the project area and include the Devereux Creek ESHA and wetlands.

Access to the residential development would be provided from Hollister Avenue and Las Armas Road, and the private drive design has been approved by the Fire Department. The project exceeds the parking space requirement per the zoning ordinance. The project's scale, site design, mass, and height of the project along with its architecture would be compatible with the surrounding visual character and as such, the project is considered consistent with these policies.

VH 3.5. Pedestrian-Oriented Design [GP] — *The city's visual character shall be enhanced through provision of aesthetically pleasing pedestrian connections within and between neighborhoods, recreational facilities, shopping, workplaces, and other modes of transportation, including bicycles and transit.*

Consistent. The project is located in an area within walking distance to public transit for access to jobs opportunities, retail outlets, and recreational facilities. Therefore, the project is considered consistent with this policy.

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

- a. Landscaping that conforms to the natural topography and protects existing specimen trees is encouraged.*
- b. Any specimen trees removed shall be replaced with a similar size tree or with a tree deemed appropriate by the City.*
- c. Landscaping shall emphasize the use of native and drought-tolerant vegetation and should include a range and density of plantings including trees, shrubs, groundcover, and vines of various heights and species.*
- d. The use of invasive plants shall be prohibited.*

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

Consistent. This policy establishes guidelines for project landscaping. Open space would cover 63% of the parcel and include the Devereux Creek ESHA and wetlands. The proposed single family residences include a drought tolerant plant palette in the landscape plan that integrates with the proposed structures to break up their mass and scale. Large canopy trees proposed along the northern property boundary and retention of the existing eucalyptus grove along the southern property boundary would provide a buffer to Hollister Avenue traffic. As such, the project is considered consistent with these policies as conditioned.

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

- a. *Outdoor lighting shall be the minimum number of fixtures and intensity needed for the intended purpose. Fixtures shall be fully shielded and have full cut off lights to minimize visibility from public viewing areas and prevent light pollution into residential areas or other sensitive uses such as wildlife habitats or migration routes.*
- b. *Direct upward light emission shall be avoided to protect views of the night sky.*
- c. *Light fixtures used in new development shall be appropriate to the architectural style and scale and compatible with the surrounding area.*

Consistent: The Haskell's Landing project would be reviewed by DRB for preliminary and final approval prior to approval of land use permit. This review would include provision of appropriate lighting standards, fixtures, and styles to minimize night sky lighting and maintain consistency with the surrounding area. Therefore, with conditions of approval, the project would be considered consistent with this policy.

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

Consistent. This policy requires all utilities serving new development to be placed underground. Conditions of approval for the project require all new

utility service connections to be undergrounded. Therefore, the proposed project is considered consistent with these policies as conditioned.

VH 4.15. Site-Specific Visual Assessments. [GP] — *The use of story poles, physical or software-based models, photo-realistic visual simulations, perspectives, photographs, or other tools shall be required, when appropriate, to evaluate the visual effects of proposed development and demonstrate visual compatibility and impacts on scenic views.*

Consistent. The project application includes aerial views of the existing project site. Artistic representations of how the 101-unit project would look from Hollister Avenue were provided.

Transportation Element

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

TE 9.3. Parking in Residential Neighborhoods. [GP/CP] — *Any proposed new or expanded use in residential areas shall provide adequate onsite parking to support the use. Adequate parking shall be provided to minimize the need for parking in public rights-of-way and to avoid spillover of parking onto adjacent uses and into other areas. The existing supply of on-street parking spaces shall be preserved to the maximum extent feasible. Off-street parking for proposed new single-family dwellings in all residential use categories shall be provided in enclosed garages. Driveway aprons in single-family residential neighborhoods shall have sufficient widths and depths to allow parking of two standard-sized vehicles in front of the garage.*

Consistent. The project provides 218 spaces (173 enclosed and 45 on-street within designated pockets) for residents and visitors. These 218 spaces meet the Zoning Ordinance requirements for the entire project. All market-rate SFR and Townhomes units would include a private 2-car garage, while two-bedroom (market rate and affordable) and one-bedroom (affordable) carriage would include a private 1-car garage. Additional uncovered parking would be provided within 200-feet of the affordable units, as required by ordinance. In addition, 40 parking spaces in excess of the 218 spaces required can be accommodated within driveways, for a total of 258 spaces. An additional estimated 19 parking spaces could be located offsite on Las Armas Road resulting from completion of required standard road improvements. As such, the project is considered consistent with these policies.

TE 11.4. Facilities in New Development [GP] — *Bicycle facilities such as lockers, secure enclosed parking, and lighting shall be incorporated into the design of all new development to encourage bicycle travel and facilitate and encourage bicycle commuting. Showers and changing rooms should be incorporated into the design of all new development where feasible. Transportation improvements necessitated by new development should provide onsite connections to existing and proposed bikeways.*

Consistent. This condition is intended to focus on non-residential development; therefore it includes provisions for bicycle commuters that are standard for any residential unit and not applicable to this project. As described in reference to the previous policy, the project includes on site connections to existing bikeways as well as a proposed new bikeway through the project site. As such, the project is considered consistent with this policy.

TE 13.4. Facilities in New Development [GP] — *If the transportation capital improvements needed to maintain adopted transportation LOS standards are **not** able to be funded, then the City shall take one of the following three actions:*

- a. Phase or delay development until such time that adequate fiscal resources can be provided to build the necessary facilities transportation improvements (or to include them in the impact fee system).*
- b. Require the developer to construct the necessary transportation system improvements, with a reimbursement agreement which utilizes future payments of impact fees by other projects.*
- c. Reduce the scope of the development to reduce the traffic generation below the thresholds set in Policy TE-4.*
- d. Require the developer to identify alternative strategies to mitigate minimize potential traffic impact to achieve the thresholds set in Policy TE-4.*

Consistent. The project-specific and contributions to cumulative impacts on transportation systems would be adverse, but less than significant. The project applicant would be conditioned to pay impact mitigation fees toward the Goleta Transportation Improvement Program (GTIP).

Public Facilities Element

PF 3.1. Fire Protection Standards. [GP] — *The Santa Barbara County Fire Department employs the following three standards with respect to provision of fire protection services:*

- a. A firefighter-to-population ratio of one firefighter on duty 24 hours a day for every 2,000 in population is considered "ideal," although a countywide ratio (including rural areas) of one firefighter per 4,000 population is the absolute minimum standard. Considering the daytime population in Goleta due to*

employees and customers, all fire stations within Goleta fell short of this service standard as of 2005.

b. A ratio of one engine company per 16,000 population, assuming four firefighters per station, represents the maximum population that the Santa Barbara County Fire Department has determined can be adequately served by a four-person crew. Fire stations 11 and 12 (see Table 8-1) did not satisfy this standard as of 2005. Currently, all three fire engines that serve Goleta are staffed with only three-person crews. The National Fire Protection Association (NFPA) guidelines state that engine companies shall be staffed with a minimum of four on-duty personnel.

c. The third fire protection standard is a 5-minute response time in urban areas.

Consistent. Existing deficiencies in service to the project site currently served by Fire Station 11, on Storke Road and Phelps Road, would be alleviated by the establishment of a new Fire Station 10. The new station would be located adjacent to and west of the project site. This would ensure adequate fire protection response times in the vicinity, and the project's consistency with this policy.

PF 3.2. New Fire Station in Western Goleta [GP/CP] — The Santa Barbara County Fire Department has determined that the most under-served area in Goleta is the extreme western portion near Winchester Canyon. In conjunction with the fire department, the City shall provide a site consisting of approximately two acres of land for a new Fire Station 10 to serve the western area of the City, as shown on the map in Figure 8-1. The Santa Barbara County Fire Department will construct Fire Station 10 as soon as funding becomes available.

Consistent. Existing deficiencies in service to the project site currently served by Fire Station 11, on Storke Road and Phelps Road, would be alleviated by the Development Agreement between the applicant and the City of Goleta that would provide for funding earmarked for the establishment of a new Fire Station 10 west of the project site. This would ensure adequate fire protection response times in the vicinity, and the project's consistency with this policy.

PF 9.3. Coordination of Facilities with Future Development. [GP/CP] — *Except for needed public facilities that are expressly provided for in other polices of this Public Facilities Element, (e.g. PF 3.3 regarding Fire Station 10), construction permits shall not be granted until the developer provides for the installation and/or financing or there is in existence a fair share cost-sharing agreement among developers/property owners desirous of developing property in the geographic area of the needed public facility. If adequate facilities are currently unavailable and public funds are not committed to provide such facilities, the burden shall be on the developer to arrange appropriate financing, or provide such facilities in order to develop. Developers shall provide or pay for the costs of generating technical information as to impacts the impacts the*

proposed development will have on public facilities and services. The City shall require new development to finance the facilities needed to support the development wherever a direct connection or nexus of benefit of impact can be demonstrated.

Consistent. A Development Agreement between the applicant and the City of Goleta addresses terms relative to funding development, including facility construction and provision of infrastructure, of the Fire Station 10 adjacent to and west of the project site. When completed, the Fire Station would ensure adequate fire protection response times in the vicinity, and the project's consistency with this policy.

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

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

Consistent. These policies are intended to ensure that new development is coordinated with the availability and/or provision of adequate public facilities and infrastructure to adequately serve it. Adequate water, sewer, and utility services are already available from the Goleta Water and Goleta West Sanitary Districts, local utility service providers, fire and police protection services, based on letters received from these agencies during project review. Project impacts on local school enrollment would be mitigated pursuant to State statute by payment of development impact fees to the various school districts so impacted. As such, the proposed project is considered consistent with these policies.

Noise Element

NE 1.1. Land Use Compatibility Standards. [GP] — The City shall use the standards and criteria of Table 9-2 to establish compatibility of land use and noise

exposure. The City shall require appropriate mitigation, if feasible, or prohibit development that would subject proposed or existing land uses to noise levels that exceed acceptable levels as indicated in this table. Proposals for new development that would cause standards to be exceeded shall only be approved if the project would provide a substantial benefit to the City (including but not limited to provision of affordable housing units or as part of a redevelopment project), and if adequate mitigation measures are employed to reduce interior noise levels to acceptable levels.

NE 1.2. Location of New Residential Development. [GP] — Where sites, or portions of sites, designated by the Land Use Element for residential use exceed 60 dBA CNEL, the City shall require measures to be incorporated into the design of projects that will mitigate interior noise levels and noise levels for exterior living and play areas to an acceptable level. In the event that a proposed residential or mixed-use project exceeds these standards, the project may be approved only if it would provide a substantial benefit to the City, including, but not limited to, provision of affordable residential units. Mitigation measures shall reduce interior noise levels to 45 dBA CNEL or less, while noise levels at exterior living areas and play areas should in general not exceed 60 dBA CNEL and 65 dBA CNEL, respectively.

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

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

- a. All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system.
- b. Contractors shall implement appropriate additional noise mitigation measures including but not limited to changing the location of stationary construction equipment, shutting off idling equipment, and installing acoustic barriers around significant sources of stationary construction noise.

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

NE 7.5. Implementation of Recommendations from Acoustical Analyses. [GP] — *For projects where an acoustical analysis is required because of potential noise impacts, the City, through its development review and building permit processes, shall ensure that all appropriate noise reduction measures are incorporated.*

NE 7.6. Noise-Insulation Standards for Multi-Family Dwellings. [GP] — *In compliance with state law, the City shall require all multi-family residential developments that are proposed within the 60-dBA-CNEL noise contour to include appropriate noise-insulation measures.*

NE 7.7. Acoustic Design Manual Requirements. [GP] — *For residential projects where mitigation is required to reduce interior noise levels to 45 dBA CNEL, the City Building Official shall require incorporation of measures listed in the current version of the Acoustic Design Manual for the appropriate amount of noise reduction.*

Consistent. These policies are intended to ensure that new development is not exposed to unacceptable noise levels for the type and nature of the use involved and to protect sensitive noise receptors such as residential units from excessive levels of construction noise. The northern project boundary would be exposed to exterior noise levels exceeding 65 dB CNEL. Conditions of approval require that a proposed noise wall along the northern project boundary be extended approximately 50 feet to the west and east beyond the northwest and northeast property boundaries in City right of way, in order to ensure that 1st floor patios and second story balconies on the northwest and northeast project site corners are properly attenuated. The 6-foot sound wall height shall be measured from finished grade. Implementation of standard construction techniques would reduce interior noise levels below 45 dBA CNEL. Short-term construction activities would generate a potentially significant short-term impact in the immediate vicinity, particularly on residences to the south, and the Elwood School to the east. Therefore, construction hours would be limited according to conditions of approval for the project, and temporary construction sound walls would be erected on the eastern and southeastern project boundaries. Therefore, as conditioned, the project is considered consistent with these policies.

Housing Element

HE 11.2 Applicability of Inclusionary Requirements. [GP] — *Inclusionary requirements shall apply to residential projects as follows:*

- c. *Projects of five or more units shall be required to construct the applicable number of units, except that the City, at its sole discretion, may allow the inclusionary requirement for these projects to be satisfied by alternative means as set forth in Subpolicies HE 11.3 and 11.4.*

HE 11.3 Priorities for Meeting Inclusionary Requirements. [GP] — *The primary intent of the inclusionary requirement is to achieve the construction of new units on-site. A second priority is construction of units off-site or the transfer of sufficient land and cash to the City or a nonprofit housing organization to develop the required number of affordable units. If these options are determined to be infeasible by the City, other alternatives of equal value, such as, but not necessarily limited to, payment of in-lieu fees or acquisition and rehabilitation of existing units, may be considered at the sole discretion of the City.*

Existing Text:

HE 11.5 Establishment of Unit Percentages and Income Levels. [GP] —

Except for designated affordable housing sites as set forth in HE 11.6, the inclusionary housing requirement shall be as follows:

- a. *Proposed rental projects shall be required to provide 5 percent of the total number of units within the project at rent levels affordable to very low- and low-income households.*
- b. *Proposed for-sale projects, including subdivisions for purposes of condominium conversions, will be required to provide 5 percent of the units at prices affordable to very low-income households, 5 percent affordable to low-income households, 10 percent affordable to moderate-income households, and 10 percent affordable to households earning 120 to 150 percent of the median income.*

Requirements for provision of inclusionary units in for-sale projects for very low- and low-income households may be satisfied by providing the same number of rental units at rent levels affordable to these households.

Proposed Text:

HE 11.5 Establishment of Unit Percentages and Income Levels. [GP]

~~Except for designated affordable housing sites as set forth in HE 11.6,~~

The inclusionary housing requirement shall be as follows:

~~a. Proposed rental projects shall be required to provide 5 percent of the total number of units within the project at rent levels affordable to very low- and low-income households.~~

~~a.b.~~ Proposed for-sale projects, including subdivisions for purposes of condominium conversions, will be required to provide 5 percent of the units at prices affordable to very low-income households, 5 percent affordable to low-income households, 5_40 percent affordable to moderate-income households, and 5_40 percent affordable to households earning 120 to 200-150 percent of the median income.

Requirements for provision of inclusionary units in for-sale projects for very low- and low-income households may be satisfied by providing the same number of rental units at rent levels affordable to these households.

Consistent. The proposed project would provide for 20 of the 101 units in the affordable range: five (5) studio housing units in the affordable range of 80-120 of median income, which will be subject to a 55-year resale restriction; five (5) one-bedroom housing units in the affordable range of 120-200% of median income, which will be subject to a 55-year resale restriction; an in-lieu fee equivalent to five (5) housing units in the affordable range of low-income households; and an in-lieu fee equivalent to five (5) housing units in the affordable range of very low-income households. The proposed amendment would provide for equivalent affordable housing units as presently required. Therefore, the project is considered consistent with these policies.

This Citywide amendment would be consistent with the intent of the original policy language. Without the removal and/or reduction of the stricter inclusionary requirements, the provision of rental housing is less likely due to the slow rate of financial return. Additionally, for-sale projects are more likely to come forward since the percentage inclusionary requirement would be more achievable. These amendments would result in promoting the intention of underlying land use designations and would allow sustained economic growth.

ATTACHMENT 8

Zoning Ordinance Consistency Analysis

**HASKELL'S LANDING PROJECT
 COASTAL ZONING ORDINANCE CONSISTENCY ANALYSIS
 07-102-DP
 NORTHWESTERN CORNER OF
 HOLLISTER AVENUE/LAS ARMAS ROAD INTERSECTION;
 APN 079-210-049**

The following table identifies various applicable zoning requirements of the DR Design Residential zone district and the project's compliance with each of these requirements:

	Required	Proposed	Consistent Y/N
Lot Size/Density; DR-8	Maximum 8 dwelling units per gross acre; 5,445 square feet per dwelling unit.	Approximately 7.0 dwelling units per gross acre; 6,223 square feet per dwelling unit.	Yes
Front Yard Setback	Exterior Boundaries: 20 feet from ROW line of any street.	<u>Hollister Avenue:</u> 15 units between 11 - 18 feet from the Hollister Avenue right of way. <u>Las Armas Road:</u> 10 units between 11 – 13 feet from the Las Armas Road right of way.	Yes, with approval of modification
Side Yard Setback	Exterior Boundaries: 10 feet.	12 feet	Yes
Rear Yard Setback	Exterior Boundaries: 10 feet.	12 feet	Yes
Building Coverage	≤ 30% of net area	22.15%: up to 139,469 square feet.	Yes
Building Height	≤ 35 feet average	27 feet maximum	Yes

	Required	Proposed	Consistent Y/N
Parking spaces:	<p>218:</p> <p>(2 spaces / SFD; 1 covered space/ 1- brm or studio MFD; 1 covered + 0.5 covered or uncovered / 2-bdrm MFD; 1 covered + 1.0 covered or uncovered / 3-bdrm MFD; Visitor: 1/5 DU.</p>	<p>218</p> <p>173 enclosed and 45 on-street within designated pockets for residents and visitors; Plus, 40 additional parking spaces can be accommodated within driveways for a total of 258 spaces. An additional estimated 19 parking spaces could also be located offsite on Las Armas Road resulting from completion of required standard road improvements.</p>	<p>Yes</p>
Parking Area Setbacks	<p>Uncovered areas screened from street & adjacent residences to height of 4' by plantings, fences or walls.</p>	<p>Proposed parking along the northern property boundary west of Devereux Creek will not be able to be screened from adjacent residents.</p>	<p>Yes, with approval of modification</p>
Parking Design	<p>No encroachment into street or sidewalk when backing out of space.</p>	<p>Parking pockets would back on to private streets.</p>	<p>Yes, with approval of modification</p>

	Required	Proposed	Consistent Y/N
Landscaping/Open Space	≥ 40% common open space; 10' wide strip along the perimeter of development.	55%; 396,072 s.f. 30'-wide strip along Hollister Avenue.	Yes
Driveways /uncovered parking separated from property lines by landscaped strip	≥ 5 feet	Skyline and deciduous trees located along parking areas.	Yes
Minimum perimeter landscaped strip	10 feet	10 feet inclusive of private yards on western and eastern property boundaries.	Yes