



## MEMORANDUM

DATE: February 25, 2009

TO: Cindy Moore, Senior Planner

FROM: Marti Schultz, Principal Civil Engineer

SUBJECT: Northwest Corner of Hollister Avenue and Las Armas Road, APN 079-210-049, Case No. 07-102-GP, OA, TM, DP, RN, Recommended Conditions of Approval (Haskell's Landing)

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Community Services recommended Conditions of Approval for the subject project at Northwest Corner of Hollister Avenue and Las Armas Road, APN 079-210-049 are:

### A. PRIOR TO MAP RECORDATION

1. Owner shall submit to the Community Services Department two copies of a separate public improvement plan 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 improvement plan 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 review 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, gutter, street lights 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.
2. A signed Agreement for Public Improvements, an Engineer's Estimate, signed and stamped by a registered civil engineer and approved by City Engineer. The applicant shall be required to post securities for construction of improvements prior to execution of the Agreement. Securities will be submitted at 100% of the engineer's estimate for the performance of the work and 100% of the engineer's estimate for labor and materials.
  3. Payment of Quimby Fees in accordance with the Development Agreement.

**B. PRIOR TO LAND USE PERMIT**

1. Payment of Development Impact Fees for Transportation (GTIP Fees) in accordance with the Development Agreement. A GTIP Fee credit for the portion of improvements on the northerly side of Hollister Avenue for the construction of curb, gutter, street lights and sidewalk shall be provided to the Development. All costs for the improvements subject to the GTIP Fee credit shall be reviewed and approved by the City Engineer prior to the issuance of a contract with the Developer's Contractor for construction of the improvements.
2. A Waste Reduction and Recycling Plan (WRRP) shall be submitted to the Community Services Department for review and approval. Said plan shall indicate how a 50% diversion goal shall be met during construction.
3. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable material. (Copy of Contract to be provided to the City). Recoverable construction

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

4. All existing survey monuments within the limits of construction shall be preserved and/or tied out and recorded prior to at the County of Santa Barbara's Surveyor's Office.
5. Applicant shall submit final drainage and grading plans with a final hydrology report for review and approval by Community Services and Building staff. The plan shall incorporate appropriate Best Management Practices to minimize storm water impacts to the maximum extent feasible in accordance with the City's Storm Water Management Plan. The plans shall include but not be limited to bio-swales, permeable paving, on site detention, fossil filters and other operational features. The plans shall also include an erosion control plan for review and approval by Community Services staff prior to the issuance of any LUP for the project. After installation of any drainage improvements or erosion control measures, the applicant shall be responsible for on-going maintenance of all improvements in accordance with the manufacturer's specifications or the approved plans.

C. PRIOR TO Certificate Of Occupancy (C of O):

1. Complete all Public Improvements along Hollister Avenue and Las Armas Road, as shown on the public improvement plans.
2. At the completion of all permitted construction, the owner shall provide the City's Solid Waste Coordinator with a Construction Phase - Final Waste Reduction and Recycling Report. Said report shall designate all materials landfilled and recycled, broken down into material types. The final report shall be approved by the Community Services Department prior to C of O.
3. All existing survey monuments shall that were preserved and/or tied out shall be reset in coordination with the County of Santa Barbara's Surveyor's Office.
4. Submit 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.
5. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) caused by construction subject to the review and approval of the Community Services Department.

If you have any questions, please contact me at x7562.



Fire Department

"Serving the Community since 1926"

HEADQUARTERS

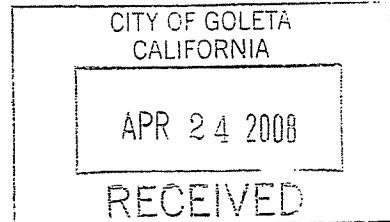
4410 Cathedral Oaks Road  
Santa Barbara, CA 93110-1042  
(805) 681-5500 FAX: (805) 681-5563

John M. Scherrei  
Fire Chief

Tom Franklin  
Deputy Fire Chief

April 23, 2008

Ms. Cindy Moore, Planner  
Planning and Environmental Services  
City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117



Dear Ms. Moore:

SUBJECT: APN: 079-210-049; Permit #: 07GPC-102-GP/TM/DP/DRB  
Site: Hollister Avenue/Las Armas, Goleta  
Project Description: Haskell's Landing – 102 New Single Family Dwellings

*This Memorandum Supersedes the Previous Memorandum Dated March 24, 2008  
Clarification of Road Width Requirements for Roads A, B, C, D, and E  
All Other Conditions Remain the Same*

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

**PRIOR TO MAP RECORDATION  
THE FOLLOWING CONDITIONS MUST BE MET**

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

The proposed roads A, B, C, D, and E shall be constructed to the widths specified and shown on plans dated March 5, 2008.

The secondary access/egress road onto Las Armas Road on the south side of the project shall have an open and unobstructed width of no less than twenty (20) feet.

Red curbs and no parking signs shall be installed at the direction of the fire department. A parking and striping plan will be required to be submitted for review and approval by the fire department prior to erection of combustible materials.

#### GENERAL NOTICE

2. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit (HMU) at 686-8170 if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

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

3. Twelve (12) fire hydrants shall be installed. The hydrants shall be located per fire department specifications and shall flow 1250 gallons per minute at a 20 psi residual pressure. Prior to installation, plans showing locations, size and type of hydrants, valves, main lines and lateral lines shall be approved by the fire department.
4. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit (HMU) at 686-8170 if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

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

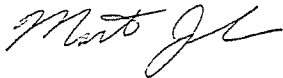
4. Ten road names will be required for this project. Please contact the City of Goleta Planning Department at (805) 961-7543 for application information.
5. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants.
6. Building address numbers shall be posted in conformance with fire department standards.
7. When access ways are gated, a fire department approved locking system shall be installed.

8. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved prior to installation. Location of any fire department connection shall be determined by the fire department.
9. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

The developer has agreed to an in-lieu fee payment to be credited against the required fee to be paid pursuant to section 15-53 of Chapter 15 of the County Code. This in-lieu payment shall be deposited into the Fire Station 10 construction account pursuant to this article.

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

In the interest of life and fire safety,



*FD* - Glenn Fidler, Inspector

GF:jmd

c APN



P.O. Box 4 Goleta CA 93116-0004  
805.968-2617 • FAX 805.962-8987

September 4, 2007

Oly Chadmar Sandpiper General Partnership  
1933 Cliff Drive, Suite 6  
Santa Barbara, CA 93109

RE: SEWER AVAILABILITY LETTER FOR APN: 079-210-049  
PROJECT: Haskell's Landing - Hollister Ave., Goleta

Dear Sirs:

The property referenced above at Hollister Avenue, Goleta, CA APN# (079-210-049) is within the boundary of the Goleta West Sanitary District (GWSD).

Santa Barbara County sewer policy and District Ordinance No. 60 requires that any sewage generating uses constructed on this property be connected to a community sewer system.

Sewer capacity of one-hundred-two (102) ERU in District facilities is presently available to serve the property, and is expected to be available to serve the property if it is connected to the District sewer system pursuant to a District Sewer Service Connection Permit within one year from the date of this letter. The District makes no representation concerning sewer capacity beyond the period stated above.

In order to secure a District Sewer Service Connection Permit for the property, it will be necessary to comply with all District requirements for the issuance of a Connection Permit including payment of all required fees. In addition, sewer connection must comply with the District's standard specifications for sewer construction.

Please confirm your acceptance of the terms and conditions outlined herein by signing the acceptance statement below.

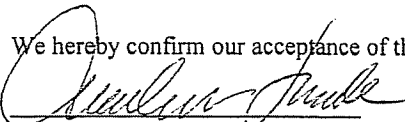
Sincerely,

GOLETA WEST SANITARY DISTRICT

TO: GOLETA WEST SANITARY DISTRICT

RE: APN 079-210-049

We hereby confirm our acceptance of the terms and conditions outlined in this Sewer Availability Letter.

  
Signature of Owner or their agent.

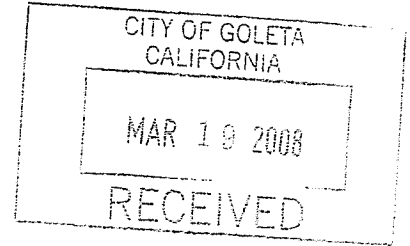
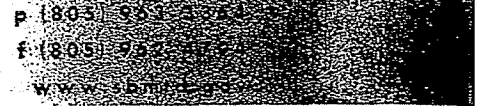
Date 1/11/08

\_\_\_\_\_

Date \_\_\_\_\_



Metropolitan Transit District  
550 Olive Street  
Santa Barbara, CA 93101



18 March 2008

City of Goleta  
Planning & Environmental Services  
Attn: Cindy Moore  
130 Cremona Drive, Suite B  
Goleta, CA 93117

Re: Development Review Committee Case Number 07-102-GP, -TM, -DP, -DRB

Dear Cindy,

Thank you for giving us the opportunity to review plans for the Haskell's Landing development.

As you know, the Santa Barbara Metropolitan Transit District (MTD) provides fixed route transit service for southern Santa Barbara County. The site of the proposed project is served by Lines 23 and 25. There are existing bus stops on both sides of Hollister Avenue at Sandpiper Golf Course.

Because the residents of this development will likely place additional demands on transit service in the area, MTD requests that the developer be required to do the following as part of this project:

- Make improvements to the bus stops on both sides of Hollister at Sandpiper Golf Course to make the stops ADA-compliant and to bring them up to current MTD Bus Stop Standards. Improvements should include ADA-compliant pads, benches, trash receptacles, and bus stop shelters with night lighting for safety.
- Create safe, direct, and ADA-compliant pedestrian access from the residential units to the bus stop on the North side of Hollister Avenue.
- Provide a crosswalk or other improvements that will allow pedestrians to safely cross Hollister Avenue to access the bus stop on the south side of Hollister Avenue.

Thank you again for allowing us to comment on this project. Should you have any questions, please feel free to contact me by phone at 805-963-3364 extension 218 or by email at the address below.

Sincerely,

Cynthia Boche  
Assistant Planning Manager  
cboche@sbmtd.gov





**Santa Barbara County  
Air Pollution Control District**

March 13, 2009

David Stone, Contract Planner  
City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117

RE: Conditions of Approval, Haskell's Landing Project, Case Nos. 07-102-GP, -TM, -DP, -RN,  
Assessor Parcel Number 079-210-049

Dear Mr. Stone:

The Santa Barbara County Air Pollution Control District (APCD) is responding to your request for recommended conditions of approval for the above-referenced project. You provided us with a set of proposed conditions of approval related to air quality on March 6, 2009. Those proposed conditions of approval are included in this letter, *with suggested revisions in italics*.

APCD staff submitted previous comments on the air quality impacts associated with the proposed project (reference APCD letters dated November 17, 2008 and December 8, 2008). Again, we would like to express concern regarding the placement of sensitive land uses (i.e., residences) in close proximity to toxic air contaminant sources such as the Union Pacific Railroad right-of-way and the U.S. 101 Freeway. Although the proposed conditions of approval include mitigations that are intended to reduce the severity of these impacts (conditions 7 and 8), APCD staff does not consider these impacts to be mitigated to a level that is less than significant under the California Environmental Quality Act (CEQA). It should also be noted that condition number 7, related to installation and maintenance of "MERV-13" air filters at the proposed residences, is anticipated to lose effectiveness over time, unless there is an ongoing inspection and maintenance program for the air filtration equipment.

**Proposed Air Quality Conditions of Approval for Haskell's Landing project:**

1. To mitigate fugitive dust emissions, the applicant shall implement APCD dust control measures, including the following:
  - a. Use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the construction area. At a minimum, this would include wetting down such areas in the late morning and after work is completed for the day, and whenever wind exceeds 15 miles per hour. Reclaimed water should be used whenever possible. *However, reclaimed water should not be used in or around crops for human consumption.*
  - b. ~~Minimize the amount of disturbed area and speeds of on-site vehicles.~~
  - c. Install gravel pads at all access points to prevent tracking of mud onto public roads.
  - d. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

- e. After completion of clearing, grading, earthmoving, or excavation, treat the disturbed areas by watering, revegetation, or by spreading soil binders until they are paved or otherwise developed so that dust generation will not occur.
- f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent the transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance.

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

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

- 2. *As of June 15, 2008, fleet owners are subject to sections 2449, 2449.1, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of Regulations (CCR) to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. In order to minimize ~~ROC~~ and NOx and PM<sub>10</sub> emissions during construction, the following ~~measures~~ equipment control measures shall be implemented:*
  - a. ~~Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be used.~~
  - a. All portable construction equipment shall be registered with the state's portable equipment registration program OR permitted by the District.
  - b. The engine size of construction equipment shall be the minimum practical size.
  - c. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
  - d. Construction equipment shall be maintained in tune per the manufacturer's specifications.
  - e. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
  - f. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
  - g. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
  - h. Diesel powered equipment should be replaced by electric equipment whenever feasible.
  - i. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.
  - j. Drivers of diesel fueled commercial vehicles weighing more than 10,000 pounds:
    - 1. shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location; and

2. shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle.
- k. Diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible.
- l. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

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

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

3. The project shall comply with all Rules and Regulations required by the Santa Barbara County APCD, including, but not limited to:
  - a. Compliance with *APCD Rule 329*, governing application of cutback and emulsified asphalt paving materials;
  - b. Obtaining required permits for any emergency diesel generators or large boilers prior to any LUPs;
  - c. Obtaining APCD permits prior to handling or treating any contaminated soil onsite, if identified;
  - ~~d. Limited idling of heavy duty diesel trucks during loading and unloading to five minutes at any location and auxiliary power units should be used whenever possible. State law requires that drivers of diesel fueled commercial vehicles weighing more than 10,000 pounds shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location. Such heavy vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if you have a sleeper berth and you're within 100 feet of a restricted area (residential uses and schools). (This is not an APCD rule, it is a CARB rule, and is already presented in conditions 2.i. and 2.j.)~~

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

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

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

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

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

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

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

6. To reduce daily ROC and NOx emissions during winter days from combined project sources, residences shall be built without wood-burning fireplaces or only with natural gas-fired burning units. **Plan Requirements and Timing:** Measure components shall be provided on project

building plans and shall be reviewed and approved by City staff prior to issuance of LUPs for structures.

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

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.

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. City staff shall review and approve the statement for objectivity, balance, and completeness.

Thank you for the opportunity to review the proposed project conditions of approval. Please feel free to contact me at 961-8838 ([mmp@sbcapcd.org](mailto:mmp@sbcapcd.org)) if you have any questions.

Sincerely,



Molly Pearson

Air Quality Specialist

Technology and Environmental Assessment Division

cc: TEA Chron File  
Project File



4699 HOLLISTER AVENUE  
GOLETA, CALIFORNIA 93110-1999  
TELEPHONE 805/964-6761  
FAX 805/964-7002

## PRELIMINARY CONDITIONS LETTER 2<sup>nd</sup> REVISION

February 14, 2008

Mary Meaney Reichel  
66 Hollister Ranch  
Gaviota, CA 93117

Re: GWD Project No. 02-3386 – Haskell’s Landing - TM 32,032 (formerly Residences at Sandpiper)  
APN 079-210-49 – 7925 Hollister Avenue  
City of Goleta Case #07-102-GP,-TM,-DP  
Formerly Santa Barbara County Case No. 99-DP-051, TM 14,541

Dear Ms. Reichel:

The Goleta Water District has reviewed the application for new water service submitted by Charles Lande for the referenced project. Based on our review of that application, we have determined that new water service will be provided for the proposed project subject to the conditions stated below. Reference is made to the original GWD Preliminary Conditions letter dated 12/14/2001 and the 1<sup>st</sup> Revision to same dated 4/29/2002. **This letter takes into account all fees/deposits previously paid and supersedes all previous Preliminary Conditions Letters for your project.**

For obtaining a Can and Will Serve Letter:

1. Payment of the New Water Supply Charge in the amount of \$0.00. See Attachment A for details.
2. Payment of the New Meter Installation fee in the amount of \$0.00. See Attachment B for details.
3. Provide a design of water system improvements and dedication of necessary easements for the water system improvements in accordance with the District’s standards and specifications. See Attachment C for details.

Submit a Plan Check deposit in the amount of \$ 0.00 .

Submit a Construction Inspection deposit in the amount of 20% of the GWD determined construction cost estimate. (Already deposited).

Provide a Letter of Credit for Performance, Labor, Materials and Warranty in the amount of 150% of the construction cost estimate.

4. Provide approved project Conditions of Approval and letters from City of Goleta Planning and S.B. County Fire Departments.

For having water service activated:

Meet conditions 1 through 4 stated above and

5. Construct water system improvements and install approved backflow devices as may be required by the District. See Attachment C for details.

This Application is unusual due to the formation of the City of Goleta relative to the Applicant's completion of GWD's pre-construction requirements. In 2002, subject Applicant paid all fees required by the 4/29/2002 Revision to the Preliminary Conditions Letter. Due to the formation of the City of Goleta in 2002, this project was put on hold due to now resolved issues regarding the City of Goleta's Conditions vs. the County of Santa Barbara Planning Dept. Conditions, the latter up to that time having had jurisdiction. To date, no construction has yet taken place. At this time, the project is again active. Although no additional fees are required, current Letters of Credit and revised easements are required.

If the project changes during the course of City of Goleta or S.B. County Fire Dept. review or otherwise, these conditions including the fees indicated, may be changed. Please contact the District when you are prepared to begin the design of the water system improvements for the project.

Please provide a copy of this letter to the Project Engineer, Contractor and other consultants working on this project. If you have any questions regarding this matter, contact Carrie Bennett at (805) 879-4636.

Sincerely,  
GOLETA WATER DISTRICT



Misty Williams  
Engineering Associate

MMW/ddi

Attachments: A, B, C, D

**Attachment A - New Water Supply Charges**

The applicant shall submit payment of a New Water Supply Charge (NWSC) in the amount of \$0.00 determined as follows:

Based on the following excerpts from 4/29/2002 Revised Preliminary Conditions Letter:

Per GWD Code, Sec. 5.16, Appendix A, Item 14-B, Single-Family Residences to be charged @ Multiple Family Residential Rate.

\$516,769.00 = \$4,741.00 x 109 units based on the Density Calculation and the NWSC Charge for multi-family residences (MFR). (Paid 5/1/2002)

Per revisions to project in 2007:

(\$ 33,187.00) = \$4,741.00 x 7 MFR units NWSC deducted due to reduction in units per 2007 Application

\$ 42,934.00 = two 1" landscape meters @ \$21,467.00 ea. NWSC increase due to increase in proposed landscape irrigation area per 2007 revisions. Was 3.89 acres, now is 5.01 acres

\$ 9,747.00 - NWSC per 2007 revisions to project - (Credited against interest earned since payment of original fees in 2002)

No New Water Supply Charge for

Central laundry rooms

Community rooms

Community pools

Common-area landscaping, provided:

Irrigated area	≤	<u>Number of Units</u>
(Acres)		24

per 8/1/2007 Water Use Analysis for Residences Haskell's Landing, per GWD Code, Sec. 5.2.2, Appendix A-12-B:

Irrigated area	≤	<u>102</u>	=	4.25	- therefore, there is a NWSC
(5.01 Acres)		24			



**Attachment B - New Meters, Installation and Meter Fees**

Per GWD Code, Appendix A:

**Summary of New Meter Requirements**

Meter Type	Number Required	Meter Size	Service Size	GWD or Contractor to install service (GWD or C)	Manifold (Yes/No)	Unit Cost	Subtotal Cost
Fireline	66	5/8"	Varies	C	No	\$230	\$15,180
MFR	12	5/8"	1"	C	Yes	\$230	\$2,760
MFR	90	3/4"	1"	C	No	\$241	\$21,690
Landscape Irrigation	2	1"	1"	C	No	\$337	\$674
Meter	2	1"				\$150	\$300
Installation	78	5/8"				\$100	\$7,800
Fee	90	3/4"				\$100	\$9,000
<b>Total No. of Meters</b>					<b>Total Cost</b>		*\$57,404

\*Credited against interest earned since payment of original fees in 2002

For Fire Line Connections:

Per GWD Code, Sec. 5.16, Appendix A, Item 9, Meter Only Installation Charges:

These 5/8" detector meters will be installed on the proposed firelines @ 1 fireline per building, whether detached SFR or multiple dwellings in one building.

Customers with an un-metered fire line serving private fire protection sprinklers and hydrant systems shall pay a base charge of \$8.00 per year per 2-inch fireline connection and a monthly base charge of \$2.00 per private fire hydrant. This minimum un-metered fire line charge shall be for standby service only and shall not be credited toward monthly meter charges for water service. Please note that these yearly and monthly fees are subject to change.

General:

Please note that your licensed contractor shall install the stub services. These stub services shall be designed and installed per GWD Standards and Specifications and shall appear on the construction plans for the water system improvements. See Attachment C, Water System Improvements and Easements for more information.

The applicant /owner is responsible for installation and maintenance of the piping and plumbing connection from the downstream side (outlet) of the GWD meter to the

**Attachment B - New Meters, Installation and Meter Fees - continued**

subject parcel and on-site facilities. Any and all easements required for the piping and plumbing downstream of GWD meters is the responsibility of the applicant /owner.

All meter installations, backflow prevention devices and on-site piping are subject to inspection and testing by GWD inspectors for cross connection control and backflow prevention. GWD inspectors shall verify proper construction and installation. See Attachment D, Cross Connection Control and Backflow Prevention for more information.

**Attachment C Water System Improvements and Easements**

For issuance of a Can and Will Serve letter from GWD, the applicant shall provide to GWD the design and construction drawings for the water mains, valves, service connections, fire hydrants, appurtenances, right of way and easements necessary to serve the proposed project. Prior to water service activation, the applicant will have all the necessary water system improvements including backflow prevention devices constructed, installed, inspected and tested to the satisfaction of GWD.

Water system improvements for this project shall be installed within public right of way or GWD easements and shall include, but not be limited to the following:

New public fire hydrants as required by the Fire Dept.:

All stub services and meters listed in Attachment B.

Since a looped water main system is not possible due to environmental issues, a dual connection shall be installed in the entrance roads to subject tract to GWD's existing water mains in Las Armas Rd. and Hollister Ave. That is, instead of 1 pipeline connecting GWD's water mains to your tract's water system, there will be 2. This allows for the maximum possible water supply in the event one of the pipelines in the tract is out of service. With isolation valves strategically placed, water outages will then be minimized.

Narrow streets often prevent optimal horizontal spacing relative to other utilities. Every effort should be made, indeed extra effort should be expended, to comply with GWD's specifications relative to location of the pipeline in the street: 7 feet minimum from curb face. If this is not possible due to the constraints mentioned above, elbows, angle points and bends in the pipeline shall be no nearer than 2 feet from curb face/edge of pavement. Use additional elbows as needed to comply with this requirement. Centerline of pipeline shall be no nearer than 3 feet to curb face/edge if pavement. Note that per GWD Std. Det. 1-04, a minimum of 4 feet horizontal separation from sewer is allowed for parallel construction since class 200 PVC pipe is specified for this project, provided water and sewer pipelines are at the same elevation or the sewer line is deeper than the water line. Accordingly, align the pipeline with 4 feet minimum separation when the specified 7 feet from curb face cannot be achieved.

GWD pipe lateral(s), connecting to the private fire lines which will serve the proposed project, shall be located within the public road right of way or GWD easements. The backflow prevention device for each fireline shall be installed on private property as close as physically possible to the District's main. The Project Engineer shall recommend a fire line size based on hydraulic calculations.

The applicant is responsible for the installation and maintenance of service connections from the DDCVA to the subject property and to the project facilities and for any and all easements required for the same.

All required backflow prevention devices which shall be shown on the plans.

**Attachment C Water System Improvements and Easements - continued**

Traffic lids which shall be installed on the meter boxes in traffic areas.

All wells on the subject parcel shall be plotted on the plans and identified with State Well numbers and the following comments where appropriate, "to be destroyed per S.B. County Health Regulations" or "to be retained for irrigation purposes".

The applicant's Project Engineer shall submit hydraulic calculations for water mains and fire lines to be installed and dedicated to GWD. The Project Engineer shall submit to the District hydraulic calculations demonstrating the adequacy of the selected pipe size. Peak flows, fire flows, pressures, velocities, and hydraulic gradient shall be presented. If the GWD system is unable to meet these requirements then the applicant is responsible to have the necessary improvements designed and constructed or determine an alternative method of fire protection acceptable to the Fire Department.

The applicant shall submit a copy of a map of the approved fire hydrant locations, signed and stamped with the Fire Department's approval.

The applicant's Project Engineer shall submit an itemized cost estimate for the water system improvements detailed above which are to be dedicated to GWD. This information will be used by GWD to determine the surety and construction inspection deposit amounts.

The owner shall grant easements acceptable to the District for access to and maintenance of all water system facilities to be dedicated to the District. These easements shall be based on the enclosed GWD Easement template and shall include descriptions for all necessary on-site easements. The applicant's engineer shall submit preliminary, i.e. draft, easements for GWD review and comment. GWD will notify the project engineer when the easements are acceptable for notarization and dedication. The easements shall be recorded prior to GWD signing the construction plans.

With the preliminary easements, submit verification of property ownership, such as a copy of the title report, of all landowners involved in granting the easement to GWD.

All documents, calculations, design, construction drawings and easements for the water mains, valving, service connections, fire hydrants, appurtenances, right of way and easements necessary to serve the proposed project shall be prepared by or under the direction of a civil engineer licensed in the State of California (Project Engineer) and shall be in accordance with District Standards and Specifications. All preliminary documents, calculations, design, construction drawings and easements submitted for review or plan check shall have the name and license number of the Project Engineer printed on them. All final documents, calculations, design, construction drawings and easements shall be signed and stamped by the Project Engineer.

**Attachment C Water System Improvements and Easements - continued**

Prior to beginning design, calculations and preparation of construction drawings for the water mains, valving, service connections, fire hydrants, appurtenances, right of way and easements necessary to serve the proposed project, the applicant's Project Engineer should obtain the appropriate record drawings from GWD of the District's existing water system facilities.

The applicant shall submit three sets of construction plans. The Plan Check Deposit in the amount of \$1,200.00 has already been paid. This deposit is for GWD-incurred costs for plan check and administration. Per GWD Standards and Specifications, you will either be invoiced if the actual cost for plan check to GWD exceeds the amount of the deposit or you will be refunded the balance after GWD costs are deducted.

A Plan Check Sheet checklist is enclosed for your engineer's use in developing the water system improvement plans. Be sure to confirm that all items on the Plan Check Sheet checklist have been reviewed and implemented as appropriate prior to submitting your plans for review. The construction plans will go through a revision process or Plan Check. Once the plans are acceptable to GWD and all other necessary conditions are met, GWD will sign the construction plans for construction of the public water system improvements.

Enclosed is a Water Meter Work Order Information Spreadsheet. Using this spreadsheet, please list as much information as possible for all of the meters to be installed for the subject project. Your engineer will be able to provide some of the information. This spreadsheet shall be submitted prior to GWD signing the construction plans.

ALL new GWD meters shown on the construction plans (including fire line by-pass meters) shall be included on this spreadsheet.

Surety for Labor, Materials, Performance and Warranty shall be provided by the applicant in the form of a Letter of Credit, in an amount equivalent to 150% of the GWD determined construction cost estimate. The letter of credit submitted shall include the terms and conditions of the GWD standard template. Enclosed is a copy of the GWD Letter of Credit template for your use.

The applicant shall submit a Construction Inspection Deposit in an amount of 20% of the GWD determined construction cost estimate (already deposited). This deposit is for GWD-incurred costs for inspection and administration. Per GWD Standards and Specifications, the applicant will either be invoiced if the actual cost to GWD exceeds the amount of the Construction Inspection Deposit, or will be refunded the balance after GWD costs are deducted.

Prior to activation of water service, the applicant shall submit two copies of the recorded Final Tract map, Final Parcel Map or Lot Line Adjustment Map shall be submitted to the District.

Prior to activation of water service, the applicant shall submit the new Assessor Parcel Numbers for the proposed lots.

**Attachment D - Cross Connection Control and Backflow Prevention**

Prior to water service activation, GWD and EHS will perform a cross-connection survey. All connections from unapproved water sources or water lines crossing the new property line(s) shall be terminated prior to receiving service. GWD Inspector shall confirm proof of severance.

Per the California Code of Regulations, Title 17, Section 7583-7605 and Goleta Water District Code Title 6, a GWD approved backflow prevention device shall be installed on all domestic, irrigation, and fire line services as specified by GWD and shall be installed by and at the expense of the customer to prevent backflow from the customer's premises to the public water supply. All backflow devices shall be installed on private property while being as close to the meter as is physically possible. Enclosed for your information is a backflow prevention device information package.

A charge of \$2.50 shall be assessed on the bill of each customer who has a backflow prevention device installed to protect the potable water system. This charge will be assessed per backflow device per month. Please note that this monthly charge is subject to change.

Please consult with Goleta Water District's Backflow Certified Specialist, Ginger Kaufman at (805) 879-4652, prior to having the backflow assemblies installed.

Meters will be installed locked off until the device is certified and is properly functioning. Note that this test must be witnessed by one of the District's Certified Cross-Connection Specialists.

As a result of recent rule changes by the State Department of Health Services regarding the operation of public water systems and backflow prevention, the Goleta Water District has been forced to modify some of our requirements and procedures. One of the areas affected is the timing of the installation of new water meters and the testing of backflow prevention devices. We have made every effort to make our modified requirements and procedures as user friendly and efficient as possible while complying with State regulations.

**Please Inform Your Contractor that:**

**Testing and certification of a backflow prevention device shall not be performed until after the District installs the accompanying new meter. The District will not install new meters until after the service connection has been installed and inspected per GWD standards and specifications. Therefore GWD water will be unavailable through a service connection until after the backflow prevention device has been tested and certified by a Certified Backflow Tester. Also, this test must be witnessed by one of the District's Certified Cross-Connection Specialists.**

EXHIBIT D

FORM OF ASSIGNMENT AND ASSUMPTION AGREEMENT

Recording Requested By and  
When Recorded Mail To:  
HOLLISTER & BRACE  
1126 Santa Barbara Street  
Santa Barbara, CA 93101  
Attn: Richard C. Monk, Esq.

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ASSIGNMENT AND ASSUMPTION AGREEMENT

This ASSIGNMENT AND ASSUMPTION AGREEMENT (“Agreement”) is made and entered into by and between Oly Chadmar Sandpiper General Partnership, a Delaware general partnership (“Assignor”), and \_\_\_\_\_, a \_\_\_\_\_ (“Assignee”).

RECITALS

A. The City of Goleta (“City”) and Assignor entered into that certain Development Agreement dated \_\_\_\_\_, 2008 (the “Development Agreement”), with respect to the real property located in the City of Goleta, State of California more particularly described in Exhibit “A” attached hereto (the “Property”).

B. Assignor has obtained from the City certain development approvals with respect to the development of the Property, including, but not limited to, approval of General Plan amendments (\_\_\_\_\_ - \_\_\_\_\_-GPA); Vesting Tentative Map No. \_\_\_\_\_ affecting lot \_\_\_\_\_ of Tentative Map \_\_\_\_\_; Development Plan for the development of the property (\_\_\_\_\_ -PD), including conditions of approval dated \_\_\_\_\_, 2008, for the Property (collectively the “Project Approvals”).

C. Assignor intends to sell, and Assignee intends to purchase that portion, of the Property more particularly described in Exhibit “B” attached hereto (“Transferred Property”).

D. In connection with such purchase and sale, Assignor desires to transfer all of the Assignor’s right, title, and interest in and to the Development Agreement and the Project Approvals with respect to the Transferred Property. Assignee desires to accept such assignment from Assignor and assume the obligations of Assignor under the Development Agreement and the Project Approvals with respect to the Transferred Property.

THEREFORE, the parties agree as follows:

1. Assignment. Assignor hereby assigns and transfers to Assignee all of Assignor's right, title and interest in and to the Development Agreement and the Project Approvals with respect to the Transferred Property. Assignee hereby accepts such assignment from Assignor.

2. Assumption. Assignee expressly assumes and agrees to keep, perform and fulfill all the terms, conditions, covenants, and obligations required to be kept, performed and fulfilled by Assignor under the Development Agreement and the Project Approvals with respect to the Transferred Property, including but not limited to those obligations specifically allocated to the Transferred Parcel as set forth on Exhibit "C" attached hereto.

3. Effective Date. This Agreement shall be effective upon its recordation in the Official Records of Santa Barbara County, California.

4. Remainder of Project. Any and all rights and obligations pertaining to the Property, other than the Transferred Property, are expressly excluded from the assignment and assumption provisions set forth in Sections 1 and 2 above.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the dates set forth next to their signatures below.

"ASSIGNOR"

OLY CHADMAR SANDPIPER GENERAL  
PARTNERSHIP, a Delaware general partnership

Date: \_\_\_\_\_

By: \_\_\_\_\_

Charles R. Lande

Its: Authorized Representative

"ASSIGNEE"

Date: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_



ACKNOWLEDGMENT

STATE OF CALIFORNIA )

COUNTY OF SANTA BARBARA )

On \_\_\_\_\_, before me, [here insert the name and title of the officer] \_\_\_\_\_, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature (Seal)

ACKNOWLEDGMENT

STATE OF CALIFORNIA )

COUNTY OF SANTA BARBARA )

On \_\_\_\_\_, before me, [here insert the name and title of the officer] \_\_\_\_\_, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature (Seal)

EXHIBIT E ESTIMATED GOLETA TRANSPORTATION IMPACT (“GTIP”) MITIGATION  
FEES

**Exhibit E**  
**Estimated GTIP Fees**

	Housing Type	Units	2009 GTIP Fee Per Unit*	Total Fees
	Single Family Residence	6	\$13,509	\$81,054
	Condominium	95	\$7,222	\$686,090
<b>Total</b>		<b>101</b>		<b>\$767,144</b>

\* Actual fee amount paid for each building shall be indexed to the most recent monthly Engineering News Record Construction Cost Index for the Los Angeles area.

EXHIBIT F

ESTIMATED PARK/RECREATION/QUIMBY FEES

**Exhibit F**  
**Estimated Park/Rec/Quimby Fees**

	<b>Housing Type</b>	<b>Units</b>	<b>2009 Park/Rec/Quimby Fee per unit*</b>	<b>Total Fees</b>
	Condominium	101	\$9,509	\$960,409
<b>Total</b>		<b>101</b>		<b>\$960,409</b>

\* Actual fee amount paid for each building shall be indexed monthly based on the Consumer Price Index - All Urban Consumers for Los Angeles-Riverside-Orange County.

## **ATTACHMENT 4**

City Council Resolution 09-\_\_\_; A Resolution of the City Council of the City of Goleta, California Approving Case No. 07-102-TM, -DP, -RN; a Vesting Tentative Tract Map, Development Plan, and Road Naming for the Haskell's Landing Project, Hollister Avenue/Las Armas Road Intersection; APN 079-210-049

**RESOLUTION NO. 09-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA APPROVING A VESTING TENTATIVE TRACT MAP, A DEVELOPMENT PLAN, AND A ROAD NAMING FOR THE HASKELL'S LANDING PROJECT; HOLLISTER AVENUE/LAS ARMAS ROAD INTERSECTION; APN 079-210-049; CASE NO. 07-102-TM, -DP;**

**WHEREAS**, an application was submitted by Lucon, Ltd., agent, for the property owner, Oly Chadmar Partnership, LLC, on May 8, 2007 requesting approval of an General Plan Amendment, Development Agreement (Ordinance Amendment), Vesting Tentative Tract Map, Final Development Plan; and Road Naming; and

**WHEREAS**, the application was found complete for processing on February 19, 2008; and

**WHEREAS**, the application includes two General Plan Amendments, a Development Agreement, a Vesting Tentative Tract Map, a Final Development Plan, and Road Naming for Oly Chadmar Partnership, LLC to construct a 101-unit residential condominium project; and

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

**WHEREAS**, it was determined that the proposed project, inclusive of all of its various components, was subject to the California Environmental Quality Act and that preparation of an Addendum to the Aradon Project EIR (94-EIR-9), Residences at Sandpiper Supplemental EIR, and the City of Goleta General Plan/Coastal Land Use Plan EIR is required, and an EIR Addendum dated November 10, 2008 and Addendum Revisions dated March 27, 2009 were prepared; and

**WHEREAS**, on November 17, 2008, and February 9, 2009 the City of Goleta Planning Commission conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and considered the entire administrative record, including application materials, staff report, the Addendum to the Aradon Project EIR (94-EIR-9), Residences at Sandpiper Supplemental EIR, and the City of Goleta General Plan/Coastal Land Use Plan EIR, and oral and written testimony from interested persons; and

**WHEREAS**, at the City of Goleta Planning Commission hearing on February 9, 2009, a motion to approve the project did not pass (2 ayes; 2 noes), no substitute motion was made, and as a matter of procedure, the lack of a majority vote on a motion and the lack of a substitute motion results in the project being "deemed denied" by the Planning Commission; and

**WHEREAS**, on April 7, 2009, the City Council conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, on April 7, 2009, the City Council adopted Resolution 09-\_\_\_, adopting findings pursuant to the California Environmental Quality Act (CEQA) and accepting the Addendum dated November 10, 2008 and Addendum Revisions dated March 27, 2009 to the Aradon Project EIR (94-EIR-9), Residences at Sandpiper Supplemental EIR, and the City of Goleta General Plan/Coastal Land Use Plan EIR; and

**WHEREAS**, on April 7, 2009, the City Council adopted Resolution 09-\_\_\_, amending City of Goleta General Plan/Coastal Land Use Plan Conservation Element Policy CE 2.2 and Housing Element Policy HE 11.5; and

**WHEREAS**, by adoption on April 21, 2009 of Ordinance 09-\_\_\_, the City Council has approved, an Ordinance Amendment for a Development Agreement for the Haskell's Landing Project; and

**WHEREAS**, the City Council considered the entire administrative record, including application materials, staff report, the Addendum, and Addendum Revisions, and oral and written testimony from interested persons.

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

**SECTION 1. Recitals**

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

**SECTION 2. Adoption of Findings**

The findings set forth in Exhibit 1 to this Resolution are hereby adopted and incorporated herein by this reference. This includes the "good cause" finding for exception to the recommended maximum height identified in the General Plan/Coastal Land Use Plan, Land Use Element, Table 2-2, for the R-P land use designation.

**SECTION 3. Approval of Vesting Tentative Tract Map**

The Vesting Tentative Tract Map for the subject application, Case No. 07-102-TM is hereby approved subject to the conditions set forth as Exhibit 2 to this Resolution and incorporated herein by this reference.



**SECTION 4.            Approval of Development Plan**

The Development Plan for the subject application, Case No. 07-102-DP, is hereby approved subject to the conditions set forth as Exhibit 2 to this Resolution and incorporated herein by this reference.

**SECTION 5.            Approval of Road Naming**

The Road Naming for the subject application, Case No. 07-102-RN, is hereby approved.

**SECTION 6.            Documents**

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

**SECTION 7.            Certification**

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

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

\_\_\_\_\_  
TIM W. GILES  
CITY ATTORNEY

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

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing City Council Resolution No. 09-\_\_ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the \_\_ day of \_\_\_\_\_, 2009, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

**EXHIBIT 1  
FINDINGS**

**HASKELL'S LANDING PROJECT  
VESTING TENTATIVE TRACT MAP TM 32,032, FINAL DEVELOPMENT  
PLAN, & ROAD NAMING APPLICATION;  
CASE NO. 07-102-TM, -DP, AND -RN;  
HOLLISTER AVENUE/LAS ARMAS ROAD INTERSECTION;  
APN 079-210-049**

**ADMINISTRATIVE FINDINGS**

- 1.0 Vesting Tentative Tract Map (TM 32,032):** Pursuant to Section 66474 of the State Subdivision Map Act and Chapter 21, Subdivision Regulations, of the Goleta Municipal Code, a Vesting Tentative Tract Map shall be approved only if all of the following findings can be made:

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

The proposed one-lot subdivision for condominium purposes is fully consistent with the General Plan's Planned Residential land use designation of the property, as well as General Plan policies for provision of adequate access and infrastructure, protection of environmental resources, and provision of additional housing units to the City's existing housing supply. With approval of requested modifications, the proposed project would comply with other applicable requirements of state law and local ordinances as identified in the staff report. There is no specific plan that applies to the subject property. Therefore, the proposed use can be found to be consistent with the General Plan.

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

As conditioned, the design of the proposed subdivision is consistent with the applicable General Plan policies including the General Plan's land use designation of Planned Residential, policies regarding the provision of adequate infrastructure and public facilities/services to serve such development, policies for the provision of adequate access, policies for protection of sensitive environmental resources, and policies for aesthetically pleasing design that are compatible with surrounding development. There is no specific plan that applies to the subject property.

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

The topography, geologic conditions, and availability of necessary infrastructure are such that the site is physically suitable for buildout of the 101-unit Haskell's Landing residential project, including proposed structures, parking, landscaping, and amenities. The site's generally flat topography does not contain slopes that would adversely affect the proposed development. The appropriate water and sanitary districts would serve the property. Access to the residential development would be provided from Hollister Avenue and Las Armas Road, and the interior private street design has been approved by the Fire Department.

The project site is located within an urban area surrounded by commercial, recreational, and residential uses. The project can be constructed in this location in compliance with the recommended conditions of approval, and such residential development would be compatible with the surrounding development. Therefore, the site is physically suitable for the type of development proposed.

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

The parcel is zoned Design Residential, maximum 8.0 dwelling units per gross acre. The Design Residential zone district allows a wide range of densities and housing types while requiring provision of at least 40% of the net area of the property be devoted to common open space. The 101 condominium units with associated garages and common open space over 14.46 acres would result in a density of approximately 7.0 dwelling units per gross acre. The provision of 218 parking spaces would meet the number of spaces required under the Coastal Zoning Ordinance Parking Regulations Division 6, Section 35-108. In addition, 40 parking spaces in excess of the 218 spaces required can be accommodated within driveways. The provision of 396,072 square feet (55%) net common open space would exceed the DR zone district requirement of 40 percent. Therefore, the site is physically suitable for the density of development proposed.

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

With implementation of the mitigation measures outlined under the recommended conditions of approval, the design of the subdivision and accompanying improvements would not cause substantial damage to sensitive environmental resources or substantially and unavoidably injure fish or wildlife or their habitat.

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

The proposed land division and development of 101 condominium units with associated infrastructure and common open space is not expected to result in the use of substantial quantities of hazardous materials or result in activities that would have the potential to result in significant health and safety impacts. Goleta West Sanitary District and Goleta Water District will provide services. The project would have adequate police and fire protection services, and, as conditioned, the project would minimize impacts from freeway related vehicular emissions and noise by the installation of ventilation systems on all units, and 6-foot high walls along the northern property boundary. Therefore, the design of the subdivision or type of improvements are not likely to cause serious public health problems.

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

No conflict with public easements would occur with the proposed project.

**2.0 Final Development Plan:** Pursuant to Sections 35-174.7 of Article II, Chapter 35, of the Goleta Municipal Code (Coastal Zoning Ordinance or CZO), a Final Development Plan shall be approved only if all of the following findings can be made:

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

The project site is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of residential development proposed, including structures, parking, landscaping, and amenities necessary to accommodate project design. The Design Review Board was supportive of the revised project's scale and design, particularly with the emphasis on attached rather than detached residential units. The proposed common open space totaling 55 percent (net) of the entire project site allows for preservation and enhancement of the Devereux Creek ESHA corridor, vernal pools, and largest expanses of native grasslands onsite.

The site's generally flat topography does not contain slopes that would adversely affect the proposed development. The appropriate water and sanitary districts would serve the property. Access to the residential

development would be provided from Hollister Avenue and Las Armas Road, and the interior private street design has been approved by the Fire Department. The project site is located within an urban area surrounded by commercial, recreational, and residential uses. The scale and design of the Haskell's Landing project would allow it to function as a gateway to western Goleta. The 101 condominium units with associated garages and common open space of over 9.09 acres would result in a density of approximately 7.0 dwelling units per gross acre, which is less than the maximum allowed density of 8.0 dwelling units per gross acre. A total of 258 parking spaces would be provided, exceeding the 218 spaces required under the CZO Parking Regulations Division 6, Section 35-108.

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

Potentially significant, adverse project generated impacts involving Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Noise, Recreation, Public Services, and Transportation/Circulation would be reduced to less than significant levels through implementation of the mitigation measures identified under the recommended conditions of approval.

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

Trip generation estimates calculated based on trip generation rates in the Institute of Transportation Engineers Manual indicate that the 101-unit residential development would generate approximately 76 PM peak hour trips. The addition of project-generated traffic would not exceed any adopted thresholds for project-specific or cumulative traffic impacts. Access to the residential development would be provided from Hollister Avenue and Las Armas Road, and the private internal street design has been approved by the Fire Department. All existing streets and highways serving the proposed project are adequate and properly designed and, subject to the improvements and fee payments specified in conditions of approval, can feasibly accommodate the traffic generated by the project.

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

The proposed project would be served by the Santa Barbara County Fire Department, the Goleta Water District, the Goleta West Sanitary District, and the City of Goleta Police Department. These agencies and districts have adequate personnel and capacity to serve proposed Haskell's Landing residential project. The proposed project will provide \$1.5 million

dollars through a Development Agreement for the construction of a County Fire Station No. 10 that will serve the project site and vicinity.

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

The proposed land division and development of 101 condominium units with associated infrastructure and common open space is not expected to result in the use of substantial quantities of hazardous materials or result in activities that would have the potential to result in significant health and safety impacts. Goleta West Sanitary District and Goleta Water District will provide services. The project would have adequate police and fire protection services, and, as conditioned, project design measures would minimize impacts from freeway related vehicular emissions by the installation of ventilation systems on all units, and on noise by constructing a 6-foot high wall along the northern project boundary. Therefore, the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas.

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

The project is in conformance with the Planned Residential land use designation and applicable policies of the City's General Plan as specified in Attachment 7 of the staff report dated April 7, 2009, including the "good cause" finding for an exception to the recommended maximum height identified in the General Plan/Coastal Land Use Plan, Land Use Element, Table 2-2, for the R-P land use designation. With implementation of the mitigation measures identified in the recommended conditions of approval, the project would be consistent with General Plan policies regarding protection of environmentally sensitive resources, community aesthetics and visual quality, provision of adequate infrastructure and services to serve new development, and requirements for the provision of affordable housing pursuant to the Housing Element of the General Plan. With approval of the requested modifications, the proposed project would be considered compliant with all applicable provisions of §35-174.8(1), Article II of the City Code (CZO), as specified in Attachment 8 of the staff report dated April 7, 2009.

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

No conflict with public easements would occur with the proposed project.

**3.0 Road Naming:** Pursuant to Section 35-507 of Chapter 35, Article V, Road Naming and Address Numbering Ordinance, of the Goleta Municipal Code, a Road Naming shall be approved only if all of the following findings can be made:

- a) *Proposed road names should be pleasant sounding; easy to read; and add to pride of community.*

The street names Sanderling Lane, Whimbrel Lane, Samwill Court, Willet Drive, Curlew Drive, Scaup Court, Stilt Court, and Grebe Drive, taken after local shorebird species, are appropriate for the proposed residential project named "Haskell's Landing," are pleasant sounding, and will assist in identifying the residential project within Goleta.

- b) *Road names shall meet the following standards:*

1. *Road names shall not be duplicated within the area served by the same United States post office or police or fire department. No name should duplicate another road name used elsewhere in the county.*
2. *Roads shall not be named after surnames of living persons.*
3. *Roads may be named after family surnames prominent in Santa Barbara County history, even if family members still reside in the area.*
4. *Road names shall have less than 24 letters, including punctuation, spacing, and road classification.*
5. *Road names shall be easy to pronounce and spell.*
6. *Road names shall be grammatically correct whether in English or a foreign language.*
7. *Road names shall include an appropriate road classification (e.g. street, lane, way, etc).*

The names Sanderling Lane, Whimbrel Lane, Samwill Court, Willet Drive, Curlew Drive, Scaup Court, Stilt Court, and Grebe Drive are consistent with all of the above standards. The proposed road names were reviewed by the Santa Barbara County Surveyor, the Santa Barbara County Public Safety Dispatch and the Santa Barbara County Fire Department. All affected agencies/departments found the proposed names acceptable.



c) *Continuity:*

1. *A continuous road, or one proposed to be continuous, shall have the same name throughout its length.*
2. *If an otherwise continuous road is interrupted by a drainage channel, freeway, railroad, etc., with no planned connection, the segments shall have different names.*
3. *Where roads intersect at an interior angle of 110 degrees or less, each segment shall be given a different name if doing so will reduce confusion when locating an address.*

The names Sanderling Lane, Whimbrel Lane, Samwill Court, Willet Drive, Curlew Drive, Scaup Court, Stilt Court, and Grebe Drive are consistent with all of the above criteria.

d) *Unnecessary words are to be avoided. Words that may be used are:*

1. *“East”, “West”, “North”, and “South” indicating direction from a numbering base line; and*
2. *“Street”, “Road”, “Place”, “Way”, “Lane”, etc., indicating road classification in English.*

The names Sanderling Lane, Whimbrel Lane, Samwill Court, Willet Drive, Curlew Drive, Scaup Court, Stilt Court, and Grebe Drive do not include any unnecessary words.

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

1. **AUTHORIZATION:** This Development Plan and Vesting Tentative Tract Map and the conditions set forth below authorize development proposed in Case No. 07-102-GP, -OA, - TM, -DP, -RN marked "Officially Accepted, February 9, 2009, Planning Commission Exhibits 1 and 2." Any deviations from the exhibits, project description, or conditions must be submitted to the City of Goleta for its review and approval. Deviations without the above-described approval will constitute a violation of the permit approval. The exhibits associated with this permit include:

07-102-GP, -OA, - TM, -DP, -RN: Haskell's Landing Development Plan  
Project Data (Development Plan Sheet 2 of 4 dated January 28, 2009)  
Overall Site Plan (Development Plan Sheet 2 of 4 dated January 28, 2009)  
Site Plan (Development Plan Sheet 2 of 4 dated January 28, 2009)  
Preliminary Grading and Drainage Plan (Development Plan Sheet 3 of 4 dated March 30, 2009)  
Ground Floor Plan (Sheets 1, 7, and 12, dated August 15, 2008)  
Second Floor Plan (Sheets 2, 8, and 13, dated August 15, 2008)  
Exterior Elevations (Sheets 1-8, dated October 1, 2008; supercedes Sheets 3-6, 9-11 dated August 15, 2008)  
Duplex Homes, Triplex Homes, and Fourplex Homes Area Calculations (Sheets 1, 2, and 3, dated February 25, 2009)  
Conceptual Landscape Plan (dated August 18, 2008)  
Vegetation Enhancement Plan (Sheets VEP-1 through -4 and 5<sup>th</sup> Sheet dated June 19, 2008)  
Vesting Tentative Tract Map 32,032 (dated August 18, 2008)  
Vesting Tentative Map - Preliminary Grading and Drainage Plan (Sheet 3 of 4; and Details and Cross Sections Sheet 4 of 4; dated August 18, 2008)  
Pedestrian Circulation Plan (Sheet 5 dated August 18, 2008)

07-102-TM: Vesting Tentative Tract Map  
Vesting Tentative Tract Map No. 32,032 dated August 18, 2008

2. **AUTHORIZED DEVELOPMENT:**

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

Development Agreement (07-102-OA): A Development Agreement (DA) between the City of Goleta and Oly Chadmar Sandpiper General Partnership, LLC addresses funding of infrastructure as identified in General

Plan concurrency policies PF 3.2, 3.3, 3.4, as well as Section PF 9, particularly PF 9.6 and 9.7. The DA is included as Attachment 4.

Development Plan (07-102-DP): A Final Development Plan for the construction of a 101-unit residential condominium project. A total of 42 buildings will be constructed as identified in Table 1.

**Table 1: Haskell's Landing Residential Building Types**

Building Type	Number of Buildings
Duplex including One Four-Bedroom SFR unit; and One Three-Bedroom SFR	19
Triplex & Fourplex including Two 3-Bedroom T.H. units; and (1) 2-Bedroom T.H. affordable unit <i>or</i> (1) 1-Bedroom unit; and (1) Studio *	17
Two-Bedroom + detached T.H.	2
Three-Bedroom+ detached SFR	4

\* *Note: This carriage unit configuration will include: five (5) 1-bedroom affordable units, and five (5) studio affordable units.*

Unit and Building Design: Six residential two-story building types are arranged around two loop road configurations, accessed from Hollister Avenue on the west and Las Armas Road on the east. Single family residence (SFR detached) and single family attached duplex units will provide three bedrooms, with half of the units having an option for an additional bedroom. These units will have a maximum height from finished floor and finished grade to roof ridgeline of 26.5 feet. Townhouse (T.H., attached) triplex and four-plex units will have a maximum height of 27 feet. The 2- and 3-bedroom T.H. floor plan to be offered at the market sales category will provide for an extra optional bedroom. Habitable building areas will vary as identified in Table 2. Optional conversion of up to eleven (11) market rate two-bedroom units to three-bedroom units will add up to a maximum 1,408 additional s.f. (the decision to add a 128 s.f. bedroom to each of the 11 individual units will be made prior to their individual sale and construction); as the additional bedrooms will be only second story units, they will not change the project's building coverage calculation.

**Table 2: 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	1,365/1,493	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 unit. This additional 128 square foot bedroom option will 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 eleven such optional bedrooms), but as a second story unit, will not change the project's building coverage calculation.*

**Affordable Housing:** The permit allows five (5) studios (equal to 5 percent of all the units) affordable to moderate-income (80 to 120 percent of median) households, and five (5) one-bedroom units (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 provides 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 2, the ten (10) affordable units will be distributed throughout the project site.

Parking: The project provides 218 spaces (173 enclosed and 45 on-street within designated pockets) for residents and visitors. All market-rate SFR and non-carriage unit Townhomes will include a private 2-car garage, while the two-bedroom market rate and one-bedroom affordable carriage units will include a private 1-car garage. In addition, 40 parking spaces in excess of the 218 spaces required under Zoning Ordinance requirements can be accommodated within driveways for a total of 258 spaces.

Access: Access to and from the condominiums will be provided from Hollister Avenue and Las Armas Road. A minimum 28-foot wide interior loop is provided on each side of Devereux Creek. A portion of the eastern interior loop adjacent to the proposed open space landscape restoration area will incorporate a "grass-crete" type substructure material that will allow for natural dispersal of native grass seed.

A pedestrian trail linking the eastern and western residential components is located adjacent and south of the northern property boundary; a 10-foot wide pre-fabricated clear-span steel bridge will span Devereux Creek. A meandering perimeter sidewalk will parallel Hollister Avenue and Las Armas Road within the public right of way. A third pedestrian trail crossing Devereux Creek to facilitate pedestrian access is located within the southern half of the property.

Architecture and Landscaping: The architecture for both detached and attached units will be a mix of Coastal, Ranch, and Monterey styles (Exterior Elevations Sheets 1-8, dated October 1, 2008). Perimeter units will be oriented toward Hollister Avenue; no sound wall along the roadway is proposed. Units adjacent to Devereux Creek will be oriented to take advantage of proposed restoration of this biologically sensitive area. All units will have private outdoor areas. Common open space will total approximately up to 346,080 square feet (55%) exclusive of the right-of-way area along Hollister Avenue to be dedicated to the City of Goleta, and includes a children's play area, and trail, with benches throughout the proposed Devereux Creek restoration area. Private open space will equal 49,992 square feet (8%). The total project open space will be 63%.

The project includes a 6-foot high sound wall along the northern property boundary as measured from finished grade; the footings of the wall could extend up to three feet lower when measured from existing grade due to the undulation along some of the northern boundary slopes). The project will not have a perimeter wall along any other property lines. Instead, project residential units will be oriented outwards with their front yards towards

Hollister Avenue, Devereux Creek, or towards interior landscaped common areas.

The project's conceptual landscaping includes a Vegetation Enhancement Plan for the Devereux Creek corridor. All landscaping will be maintained with a pesticide- and herbicide-free program. A total of 87 eucalyptus and 8 cypress trees will be replaced with a total of 282 drought tolerant Mediterranean and native tree species, both ornamental (e.g., Melaluca, London Plane Tree, etc.) and indigenous to the area (e.g., coast live oak and sycamore) (see VEP 4 and 5<sup>th</sup> Sheet ).

Site Preparation: The site would require approximately 21,050 c.y. of cut and 20,900 c.y. of fill, which due to anticipated shrinkage of 25 percent, on site redistribution, and compaction will be balanced on site. Maximum vertical height of cut and fill slopes will be 4 feet. A retaining/sound wall on the northern project boundary will have a maximum 6-foot height above finished grade.

Utilities: The Goleta Water District and Goleta West Sanitary District will provide water and sewer service to the site.

Public Services: Fire protection is provided by the County of Santa Barbara Fire Department. Police protection will be provided by the City of Goleta. School facilities will be provided by the Goleta Valley Unified School District, including Elwood Elementary School, Goleta Valley Junior High, and Dos Pueblos High School.

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

Modifications Approved: As part of the project, the approval includes the following modifications to certain standards of the Article II, Coastal Zoning Ordinance, as follows:

- Reduction of the front yard setback requirement (20 ft. from road right-of-way or 50 ft. from centerline) to allow for construction of 15 units between 11 - 18 feet from the Hollister Avenue right of way, and for construction of 10 units between 11 – 13 feet from the Las Armas Road right of way, as shown on the Development Plan (07-102-DP) (Section 35.74.8.1).
- Reduction of the front yard setback requirement (20 ft. from road right-of-way or 50 ft. from centerline) to allow for construction of the units a minimum distance of 5 feet from the right of way, and 19 feet from the centerline of the interior roads, as shown on the Development Plan (07-102-DP) (Section 35.74.8.1).
- Modification of the parking setback requiring that uncovered areas be screened from street and adjacent residences to a height of 4' by plantings, fences or walls, for on-street parking spaces as shown on the Development Plan (07-102-DP) (Section 35.74.12.2.b).
- Modification of the parking standards requiring no encroachment into a street or a sidewalk when backing out of space, by providing parking pockets that would back on to private streets as shown on the Development Plan (07-102-DP) (Section 35.114.3.d).

Road Naming (07-102-RN): The proposed project includes 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.

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

## MITIGATION MEASURES FROM EIR ADDENDUM AND REVISIONS

### ***Aesthetics/Visual Resources***

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

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

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

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

5. All exterior night lighting shall be of low intensity/low glare design, and shall be hooded to direct light downward onto the subject tract and prevent spill over onto adjacent tracts. Exterior lighting fixtures shall be kept to the minimum number and intensity needed to ensure the public safety of residents and visitors. All upward directed exterior lighting shall be prohibited to protect night sky views of the stars and "dark-sky" lighting fixtures shall be used throughout. All exterior lighting fixtures shall be appropriate for the architectural style of the proposed structures and the surrounding area. The applicant shall develop a common area lighting plan incorporating these requirements and provisions for dimming lights after 11:00 p.m. to the maximum extent practical without compromising public safety. The final lighting plan shall be amended to include identification of all types, sizes, and intensities of wall mounted building lights and landscape accent lighting. Wall



wash type lighting should be avoided, except if required for safety reasons. "Moonlighting" type fixtures that illuminate entire tree canopies should also be avoided (up-lighting and down-lighting as separate methods are acceptable). **Plan Requirements and Timing:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on the preliminary/final lighting plan and shall be reviewed and approved by DRB and City staff. The preliminary/final lighting plan shall be reviewed and approved by DRB and City staff prior to issuance of any LUP for the project.

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

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

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

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

7. All new utility service connections and above-ground mounted equipment such as backflow devices, etc, shall be screened from public view and/or painted in a soft earth-tone color(s) (red is prohibited) so as to blend in with the project. Screening may include a combination of landscaping and/or masonry or lattice walls. Whenever possible and deemed appropriate by City staff, utility transformers shall be placed in underground vaults. All gas and electrical meters shall be concealed and/or painted to match the building. All gas, electrical, backflow prevention devices and communications equipment shall be completely concealed in an enclosed portion of the building, on top of the building, or within a screened utility

area. All transformers and vaults that must be located within the right-of-way shall be installed below grade unless otherwise approved by the City, and then must be completely screened from view. **Plan Requirements and Timing:** The site and building plans shall be submitted for DRB Preliminary/Final Review and shall identify the type, location, size, and number of utility connections and above-ground mounted equipment as well as how such equipment would be screened from public view and the color(s) that it would be painted so as to blend in with the project and surrounding area. Plans shall be determined to be compliant with this condition prior to issuance of an LUP.

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

### ***Air Quality***

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

**Plan Requirements and Timing:** All APCD required dust control measures shall be noted on all construction plans and shall be submitted for approval

by City staff prior to issuance of any LUP for the project. The name and telephone number of a designated person to monitor the dust control program shall be provided to City staff and the APCD.

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

9. In order to minimize NOx emissions during construction in compliance with sections 2449, 2449.1, 2449.2, and 2449.3 of Title 13, Article 4.8, Chapter 9 of the California Code of Regulations (CCR) to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use off-road diesel-fueled vehicles, the following equipment control measures shall be implemented:
  - a. All portable construction equipment shall be registered with the state's portable equipment registration program OR permitted by the Santa Barbara County Air Pollution Control District.
  - b. The engine size of construction equipment shall be the minimum practical size.
  - c. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
  - d. Construction equipment shall be maintained in tune per the manufacturer's specifications.
  - e. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
  - f. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
  - g. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
  - h. Diesel powered equipment should be replaced by electric equipment whenever feasible.
  - i. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.
  - j. Drivers of diesel fueled commercial vehicles weighing more than 10,000 pounds:
    1. shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location; and
    2. shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle.

- k. Diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible.
- l. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

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

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

- 10. The project shall comply with all Rules and Regulations required by the Santa Barbara County APCD, including, but not limited to:
  - a. Compliance with APCD Rule 339, governing application of cutback and emulsified asphalt paving materials;
  - b. Obtaining required permits for any emergency diesel generators or large boilers prior to any LUPs;
  - c. Obtaining APCD permits prior to handling or treating any contaminated soil onsite, if identified;

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

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

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

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

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

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

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

13. To reduce daily ROC and NOx emissions during winter days from combined project sources, residences shall be built without wood-burning fireplaces or only with natural gas-fired burning units. **Plan Requirements and Timing:** Measure components shall be provided on project building plans and shall be reviewed and approved by City staff prior to issuance of LUPs for structures.

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

14. 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.

15. 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 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. City staff shall review and approve the statement for objectivity, balance, and completeness.

### ***Biological Resources***

16. 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 Condition No. 21). 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 Condition No. 20. **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.

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

17. 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.

18. The final grading plan shall identify measures to minimize sedimentation into the protected area adjacent to the creek channel, and protected wetlands and native grassland. Grading in this area shall avoid the rainy season

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

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

19. 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.

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

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

**Monitoring:** City staff shall confirm receipt of permits and coordinate monitoring of permit compliance with CDFG and USACE.



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

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

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

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

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

23. Night lighting in the vicinity and within the Devereux Creek channel and buffer area, including the native grassland, wetland, eucalyptus grove, and nature trail, shall be minimized. Lights on homes adjacent to the creek, and

within the buffer, native grassland or wetland enhancement area shall be directed away from the protected area, be of low intensity, and shall be connected to timing devices that shut off after 10 PM. **Plan Requirements and Timing:** A lighting plan submitted prior to issuance of any LUP for the project for grading.

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

24. 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.

**Monitoring:** City staff shall monitor mitigation implementation during construction.

25. The Enhancement Plan area shall contain indigenous native plant material 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.

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

26. Sewer lateral extensions or other utility connections that must cross the Devereux Creek channel shall minimize disturbance to the creek and adjacent buffer and protected areas. This shall be accomplished by directional drilling/boring or other technology. Exceptions to this measure include electrical conduit to light the pedestrian pathway that can be buried within the pathway (and cross Devereux Creek on the pedestrian bridge) and installation of the clean water drainage system identified in the Vegetation Enhancement Plan subsequent to its review and approval by the City. **Plan Requirements and Timing:** A revised grading and drainage plan, depicting construction methods for sewer and other utilities, shall be submitted prior to issuance of any LUP for the project for grading.

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

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

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

### **Cultural Resources**

28. 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. **Plan Requirements and Timing:** Measure components shall be provided on project grading plans and shall be reviewed and approved by City staff prior to issuance of any LUP for the project for grading.

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

### **Energy**

29. The following energy-conserving techniques shall be incorporated into project design unless the applicant demonstrates their infeasibility to the satisfaction of City staff:
- a. Installation of energy-efficient appliances; and
  - b. Installation of energy-efficient lighting.

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

**Monitoring:** Building and Safety shall site inspect to ensure development is in accordance with approved plans prior to occupancy clearance.

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

**Monitoring:** City staff shall inspect prior to occupancy.

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

**Monitoring:** City staff shall inspect prior to occupancy.

### **Geological Processes**

32. The applicant shall submit grading and drainage plans that shall include, but not be limited to, the following:
- a. Temporary berms and sedimentation traps shall be installed in association with project grading to minimize erosion of soils into Devereux Creek. The sedimentation basins shall be cleaned after large rain events, and as further directed by City staff, and the silt shall be removed and disposed of in a location approved by Community Services.
  - b. Revegetation or restoration shall be completed, including measures to minimize erosion and to reestablish soil structure and fertility. Revegetation shall include native, fast-growing, vined plants that shall quickly cover drainage features. Local native species shall be emphasized. A landscape revegetation plan shall be included as part of the Grading Plan.
  - c. Graded areas shall be revegetated immediately after completion of installation of utilities with deep-rooted, native, drought-tolerant species, as specified in a landscape restoration plan to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used as necessary to hold soils until vegetation is established.
  - d. Drains shall be designed to cause exiting flow of water to enter sub-parallel downstream (60 degrees or less) to existing Devereux Creek stream flow to avoid eddy currents that would cause opposite bank erosion.
  - e. An energy dissipater or a similar device such as trash racks or baffles shall be installed at the base end of drainpipe outlets to minimize erosion during storm events. Pipes shall be covered to prevent children from entering the storm drain.

- f. Storm drains shall be designed to minimize environmental damage and shall be shown on drainage plans.
- g. With the exception of limited ground disturbance in association with construction of the proposed bridge and adjoining walkway, grading shall be prohibited within 25 feet of the Devereux Creek top-of-bank. Where possible, hand equipment shall be utilized during ground disturbances adjacent to the proposed bridge.
- h. The applicant shall limit excavation and grading to the dry season of the year (i.e., April 15 to November 1) unless a Building & Safety approved erosion control plan is in place and all measures therein are in effect.
- i. Temporary siltation protection devices such as silt fencing, straw bales, and sand bags shall be placed at the base of all cut and fill slopes and soil stockpile areas where potential erosion may occur. City staff shall determine these locations.

**Plan Requirements and Timing:** Erosion control components shall be listed on the grading plan that shall be reviewed and approved by City staff prior to issuance of any LUP for the project for grading. These measures shall be implemented prior to approval of LUPs for structural development.

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

- 33. All grading and earthwork recommendations by Padre Associates (1999) or as subsequently revised and approved by Community Services shall be incorporated into the final project design, including the Final Grading Plan. A Registered Civil Engineer or Certified Engineering Geologist shall supervise all grading activities. These recommendations would include, but not be limited, to the following:
  - a. Within the footprint of proposed buildings and foundations, and extending to a minimum distance of 5 feet beyond the foundation footprint, soils should be overexcavated to a depth of 3 feet below existing grade, or 1 foot below bottom of foundation, whichever is deeper.
  - b. Foundations shall be constructed to compensate for consolidation settlement of 1 inch.
  - c. Where feasible, building areas shall be backfilled with nonplastic, low expansion soils to mitigate the potential effects of expansive soils. If highly expansive soil is placed within the upper 3 feet below buildings, measures recommended in Padre Associates (1999) or as subsequently revised and approved by Community Services, such as providing positive drainage away from slabs, presoaking soils prior to pouring slabs, and using post-tensioned slabs, perimeter moisture barriers, and grade beam foundation systems, shall be completed.

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

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

### **Hazards**

34. The applicant shall provide an EMF Disclosure Statement and an EMF Information Package containing a balanced range of EMF educational and information materials to potential buyers of units along the eastern property boundary. **Plan Requirements and Timing:** The applicant shall provide this disclosure and Information Package as part of the project CCRs to the City Attorney and City staff to verify the disclosure and Information Package is fair and adequate. The disclosure shall be reviewed and approved prior to recordation of the Final Map.

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

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

**Monitoring:** City staff shall verify that the California Department of Real Estate Subdivision Public Report contains this disclosure statement or has been requested to do so.

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

**Monitoring:** City staff shall verify completion as to plan in the field.

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

**Monitoring:** City staff shall ensure that County Fire PSD inspects remediation activities as to plan in the field.

### **Noise**

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

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



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

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

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

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

41. The project applicants shall notify the sensitive noise receptors in advance of any and all construction activities. The construction manager's (or representative's) telephone number shall also be provided with the notification so that community concerns can be communicated. **Plan Requirements:** This notification clause shall be included on the grading plan, and reviewed and approved by City staff prior to approval of any LUP for the project. **Timing:** The measure shall be implemented prior to and during construction.

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

42. 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 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 approval of any LUP for the project.

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

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

**Monitoring:** City staff shall inspect in the field to ensure compliance prior to occupancy clearance.

### **Public Services**

44. A Waste Reduction and Recycling Plan (WRRP) shall be submitted to the Community Services Department for review and approval. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable material. Recoverable construction material shall include but not be limited to: asphalt, lumber, concrete, glass, metals, and drywall. Said plan shall indicate how a 50% diversion goal shall be met during construction. **Plan Requirements and Timing:** A copy of the City-approved hauler shall be provided to the City for review and approval by the Community Services Department. Applicant shall submit a WRRP for review and approval by City staff with submittal of LUPs. At the completion of all permitted construction, the owner shall provide the City's Solid Waste Coordinator with a Construction Phase - Final Waste Reduction and Recycling Report. Said report shall designate all materials landfilled and recycled, broken down into material types.

**Monitoring:** City staff shall review and approve the WRRP prior to issuance of any LUP for the project. The final Construction Phase - Final Waste Reduction and Recycling Report shall be approved by the Community Services Department prior to certificate of occupancy.

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

**Monitoring:** City staff shall review and approve the WRRP prior to approval of any LUP for the project.

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

**Monitoring:** City staff shall receive acknowledgement of receipt of the notification from the Goleta Union School District and Santa Barbara High School District prior to map recordation.

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

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

48. A Can and Will Serve (CAWS) letter from Goleta Water District (GWD) shall be provided indicating that adequate domestic water capacity is available to serve the project upon demand and without exception (or equivalent guarantee). Based on the final construction drawings, the applicant shall pay the following fees as determined by GWD: (i) water connection fees; and (ii) mitigation fees to offset the difference between allocated capacity to the site and projected volumes attributable to the proposed project, if any. **Plan**

**Requirements and Timing:** Applicant shall provide proof of adequate water supplies consistent with the above requirements prior to map recordation.

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

### **Recreation**

49. 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.

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

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

**Monitoring:** City staff shall review plans prior to issuance of any LUP for the project.

### **Transportation/Circulation**

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

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

52. The project applicant shall pay impact mitigation fees toward the Goleta Transportation Improvement Program (GTIP) except where otherwise specified in the approved Final Development Agreement between the

applicant and the City of Goleta. **Plan Requirements and Timing:** The applicant shall pay GTIP fees in the amount, time and manner prescribed by Ordinance or Resolution of the City of Goleta.

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

53. 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, 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.

- 54. The applicant shall provide a signed Agreement for Public Improvements, and an Engineer's Estimate, signed and stamped by a registered civil engineer and approved by the City Engineer. The applicant shall be required to post securities for construction of improvements prior to execution of the Agreement. Securities shall be submitted at 100% of the engineer's estimate for the performance of the work and 100% of the engineer's estimate for labor and materials. **Plan Requirements and Timing:** The Agreement for Public Improvements shall be reviewed and approved by the City's Community Services Department prior to map recordation.

**Monitoring:** Community Services Department shall verify compliance with the requirement for submittal of Agreement for Public Improvements.

- 55. The applicant shall repair any damaged public improvements (curbs, gutters, sidewalks, etc.) in the vicinity of the project site caused by construction. **Plan Requirement and Timing:** The Community Services Department shall review and approve public improvements in the vicinity of the project site prior to certificate of occupancy.

**Monitoring:** The Community Services Department shall inspect the project vicinity for any needed repairs prior to any occupancy clearance.

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

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

### **Water Resources**

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

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

58. Applicant shall submit final drainage and grading plans with a final hydrology report for review and approval by Community Services and Building staff. The plan shall incorporate appropriate Best Management Practices to minimize storm water impacts to the maximum extent feasible in accordance with the City's Storm Water Management Plan. The plans shall include but not be limited to bio-swales, permeable paving, on site detention, fossil filters and other operational features. The plans shall also include an erosion control plan for review and approval by Community Services staff prior to the issuance of any LUP for the project. After installation of any drainage improvements or erosion control measures, the applicant shall be responsible for on-going maintenance of all improvements in accordance with the manufacturer's specifications or the approved plans. **Plan Requirements and Timing:** Design details of the bioswales and other operational features shall be submitted to DRB and City staff for review and approval prior to issuance of any LUP for the project. Erosion control and

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

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

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

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

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

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

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



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

## PROJECT SPECIFIC CONDITIONS

62. Five (5) studios (equal to 5 percent of all units) at moderate-income levels (80 to 120 percent of median) and five (5) one-bedroom (equal to 5 percent of all units) at above moderate-income levels (120 to 200 percent of the median) shall be provided.
63. Required affordable units shall remain affordable for 55 (fifty-five) years and the compliance term shall restart with each subsequent sale of an affordable unit unless preempted by state or federal programs. The applicant shall enter into and record an Agreement to Provide Affordable Housing and shall record a Resale Restrictive Covenant and Preemptive Right. Both documents shall be subject to review and approval by the City of Goleta and City Attorney prior to recordation of the vesting tentative map. These documents shall specify affordability consistent with the terms described above and shall include provisions describing marketing and lottery requirements for the initial sale of units. Income eligibility of prospective purchasers/renters shall be determined by the City of Goleta or its designee at applicant's expense. An intent to reside statement shall be required for potential owners of the affordable units.
64. Construction of the affordable units shall be concurrent with the construction of the market rate units. Occupancy clearance for no more than 50% of the market rate units shall be allowed prior to occupancy clearance for all of the affordable units. **Implementation and Timing:** Prior to land use permit approval, this requirement shall be included in the Agreement to Provide Affordable Housing and shall be printed on all grading and building plans.

**Monitoring:** Staff shall ensure compliance during construction.

65. Prior to land use permit approval, developer shall submit a plan for marketing the affordable units and selecting and qualifying the buyers, subject to review and approval by the Planning and Environmental Services Department and the City Attorney.
66. Prior to map recordation, developer shall pay the affordable housing in-lieu fee for the equivalent of 10 affordable units. The amount of the fee shall be \$80,645.00 per affordable unit required, with the total fee calculated as \$806,450.00 (10 units multiplied by \$80,645.00).
67. Developer shall provide written notice to all purchasers of lots or homes within the subdivision of the location and zoning for the affordable housing.

The disclosure shall explicitly note that the housing may be developed for moderate and above moderate income residents. Wording is subject to review and approval by the City of Goleta as part of the required CC&Rs.

68. All drainage control facilities as noted in the Project Description and shown on Sheet 3 of 4 and Details and Cross Sections Sheet 4 of 4 of the civil engineering plans for the Vesting Tentative Tract Map and Development Plan dated August 18, 2008 shall be maintained for the life of the project by the applicant and/or operator. **Plan Requirements:** Maintenance of all drainage facilities for two (2) years from occupancy clearance of the last building shall be ensured through a performance security provided by the applicant. **Timing:** All drainage control facilities shall be installed (landscaped and irrigated subject to City inspection and approval) prior to approval of the first Land Use Permit for a building. The performance security shall be released upon expiration of the two (2) year period provided such facilities have been installed per plans and maintained in good working order.

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

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

**Monitoring:** City staff shall verify compliance with requirements for landscaping installation and maintenance, including posting of the required bonds, prior to approval of a Land Use Permit for general site grading and

utility improvements. City staff shall verify landscape/ irrigation system installation per the DRB approved final landscape plan prior to occupancy clearance. City staff shall photo document installation and check maintenance as needed. Release of any performance security requires City staff signoff.

70. Sufficient bicycle parking areas/spaces shall be shown on final plans. Bicycle racks shall be the "Inverted U" type in compliance with the SBCAG Traffic Solutions recommended bicycle rack.

## **RECORDATION CONDITIONS**

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

under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the City an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted.

77. Prior to recordation of the proposed Tract Map, public utility easements shall be provided at the locations and of widths required by the serving utilities. The subdivider shall submit to the City a set of prints of the Tract Map accompanied by a letter from each utility and water and sewer district serving the property stating that the easements shown thereon are acceptable pursuant to Section 21-30, Chapter 21 of the Goleta Municipal Code.
78. Prior to recordation of the proposed Tract Map, the owner shall sign and record an agreement to comply with the project description and all conditions of approval.
79. Pursuant to Section 66441 of the State Subdivision Map Act the tract map shall be based upon a field survey made in conformity with the Professional Land Surveyors Act. Property lines shall be monumented in accordance with Section 21-16 of said City Code.
80. No permit for development, including grading, shall be issued prior to recordation of the Tract Map. Grading associated with any permit for site remediation would not be subject to this restriction.
81. The vesting tentative tract map approval runs with the land and the rights and obligations thereof, including the responsibility to comply with conditions of approval, and shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned.

#### **DEVELOPMENT PLAN CONDITIONS**

82. Approval of the Final Development Plan shall expire five (5) years after approval, except as otherwise specified in the Development Agreement, unless prior to the expiration date, substantial physical construction has been completed on the Development Plan or a Time Extension has been applied for by the applicant. The decision maker with jurisdiction over the request, may upon good cause shown, grant a time extension for one year.
83. No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of buildings, walkways, parking areas,

drainage facilities, and landscaped areas shall be developed in substantial conformity with the approved exhibit maps. Substantial conformity shall be determined by the Director of Planning and Environmental Services.

84. The Final Development Plan approval runs with the land and the rights and obligations thereof, including responsibility to comply with conditions of approval shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned.
85. On the date a subsequent Preliminary or Final Development Plan is approved for this site, any previously approved but unbuilt plans shall become null and void.
86. Revised plans and building elevations incorporating all conditions of approval for this project shall be coordinated and submitted to Planning & Environmental Services as one package in accordance with plan check requirements. All plans, including site, grading, landscape, irrigation, mechanical, and street improvement plans shall be reviewed for condition compliance prior to issuance of any permits such as grading, building, or encroachment permits. Any change to the size, colors, construction materials, design or location of any structure onsite, or other site or landscape improvements, except to the extent such changes are deemed in substantial conformity, shall not be made without prior City approval.

## **GENERAL CONDITIONS**

87. If the applicant requests a time extension beyond the term of the approved Development Agreement or beyond the scope of said Development Agreement, the project may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of required fee payment.
88. The applicant shall obtain preliminary and final DRB approval for the proposed project prior to Land Use Permit issuance.
89. All plans submitted for Land Use Permit issuance, building, and/or grading permit shall include all applicable conditions of project approval.
90. Prior to land use permit approval for each phase of development, preparation of a Monitoring and Compliance Program (MCP) shall be funded by the applicant and submitted to the City of Goleta for review and approval. The MCP shall at minimum include the following:

- a. All conditions imposed on this project and the impact areas they are mitigating by subject area. A plan for coordination and implementation of all conditions and the plans and programs required therein.
  - b. The MCP preparer and contractor shall be selected by the City of Goleta. These individuals shall be under contract and responsible to the City of Goleta. All costs shall be funded by the applicant. Planning and Environmental Services shall oversee the MCP.
  - c. In addition to funding the MCP, the Developer shall pay Permit Compliance fees prior to approval of a Land Use Permit for grading/installation of tract improvements.
  - d. The decision of the Director shall be final in the event of any dispute.
91. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, demolition, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use Permit from the City of Goleta. These permits are required by ordinance and are necessary to ensure implementation of the conditions imposed on the project by the City. Before any permit may be issued by the City of Goleta, the applicant shall obtain written clearance for each development phase from all Departments/Agencies having conditions or project approval. Such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning & Environmental Services.
- Land Use Permit for grading and installation of site improvements, and for the Final Development Plan for the condominiums (07-102-DP).
  - Land Use Permit to record the Map.
92. The applicant shall pay all applicable development impact fees under the City of Goleta Development Impact Fee program in full except where otherwise specified in the approved Final Development Agreement between the applicant and the City of Goleta. Payment amounts are estimated below, and shall be based on the fees in effect and applicable at time of required payment:

Quimby/Park	\$9,509/unit for 101 units (\$960,409)	Due at Map Recordation
Transportation	\$13,509/unit* for 6 SFR units (\$81,054)  \$7,222/unit* for 95 Condominium units (\$686,090)	Due at Map Recordation
Fire Protection	\$0.20/SF for 138,061 SF (\$276,122)	Due at Final Inspection
Library	\$384/unit for 101 units (\$38,784)	Due at Final Inspection
Public Admin	\$1,705/unit for 101 units (\$172,205)	Due at Final Inspection
Sheriff	\$439/unit for 101 units (\$44,339)	Due at Final Inspection

\* Actual fee amount paid for each building shall be indexed to the most recent monthly Engineering News Record Construction Cost Index for the Los Angeles area.

A GTIP Fee credit for the portion of improvements on the northerly side of Hollister Avenue for the construction of curb, gutter, street lights and sidewalk shall be provided to the Development. All costs for the improvements subject to the GTIP Fee credit shall be reviewed and approved by the City Engineer prior to the issuance of a contract with the Developer's Contractor for construction of the improvements.

93. The applicant shall pay the statutory school fees in effect at the time of issuance of each building permit to the appropriate school districts and/or shall mitigate school impacts by other measures consistent with State law. The applicant shall submit final square footage calculations and a copy of the fee payment to the school districts prior to issuance of each building permit. The City of Goleta shall ensure payment prior to issuance of building permits.

94. All work within the public right-of-way, including but not limited to utilities and grading, shall be explicitly noted on the building plans. The applicant shall obtain all necessary encroachment permits from the City of Goleta Community Services Department prior to issuance of building permits for all work and construction that encroach within or over the public right-of-way, including, but not limited to, water meters, backflow devices, signs, and curb/gutter/sidewalk improvements.
95. Prior to the start of any work on-site, the applicant shall request and attend a preconstruction meeting that includes monitor(s), project superintendent, architect, subcontractors, as well as City representatives including Planning and Environmental Services and Community Services.
96. Any temporary building, trailer, commercial coach, etc. installed or used in connection with construction of this project shall comply with the requirements of Section 35-132.2, Article II of the City's Municipal Code.
97. All trees planted or preserved in accordance with this approval shall be maintained according to the latest adopted American National Standard Institute (ANSI) guidelines for tree care, generally referred to as ANSI A300 (various parts), and the companion publications "Best Management Practices" published by the International Society of Arboriculture (ISA). Any pruning of trees, other than light pruning of no more than 25 percent (25%) of the foliage within any one growing season, requires review and approval of the City of Goleta prior to commencement of the work.
98. The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements herein in the City of Goleta Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City as well as hours of operation requirements in the City.
99. When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail.
100. Compliance with Department/Agency Letters:
  - a. Community Services Department, letter dated February 25, 2009.
  - b. County of Santa Barbara Fire Department, letter dated April 23, 2008.
  - c. Goleta West Sanitary District, letter dated September 4, 2007.
  - d. Metropolitan Transit District, letter dated March 18, 2008.
  - e. SB County Air Pollution Control District, letter dated March 13, 2009.
  - f. Goleta Water District, letter dated February 14, 2008.
101. No new signs are authorized with this permit. All signs require separate permits and shall comply with, Article I, Chapter 35 of the City of Goleta



Municipal Code (Sign Regulations) and with setbacks specified in Article II, Chapter 35 of the Municipal Code (Coastal Zoning Ordinance).

102. The applicant shall be responsible for the completeness and accuracy of all forms and supporting materials submitted in connection with any application. Any errors or discrepancies found therein may constitute grounds for the revocation of any approvals.
103. The developer agrees, as a condition of this approval, at the developer's own expense, to indemnify, defend, and hold harmless the City and its agents, officers, and employees from and against any claim, action, or proceeding to attack, review, set aside, void or annul, in whole or in part, the City's approval of the vesting tentative map and development plan or any condition attached thereto or any proceedings, acts, or determinations taken, done or made prior to the approval that were part of the approval process.
104. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and no approval shall be issued unless substitute feasible mitigation measures are imposed.



## MEMORANDUM

DATE: February 25, 2009

TO: Cindy Moore, Senior Planner

FROM: Marti Schultz, Principal Civil Engineer

SUBJECT: Northwest Corner of Hollister Avenue and Las Armas Road, APN 079-210-049, Case No. 07-102-GP, OA, TM, DP, RN, Recommended Conditions of Approval (Haskell's Landing)

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Community Services recommended Conditions of Approval for the subject project at Northwest Corner of Hollister Avenue and Las Armas Road, APN 079-210-049 are:

### A. PRIOR TO MAP RECORDATION

1. Owner shall submit to the Community Services Department two copies of a separate public improvement plan 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 improvement plan 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 review 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, gutter, street lights 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.
2. A signed Agreement for Public Improvements, an Engineer's Estimate, signed and stamped by a registered civil engineer and approved by City Engineer. The applicant shall be required to post securities for construction of improvements prior to execution of the Agreement. Securities will be submitted at 100% of the engineer's estimate for the performance of the work and 100% of the engineer's estimate for labor and materials.
  3. Payment of Quimby Fees in accordance with the Development Agreement.

**B. PRIOR TO LAND USE PERMIT**

1. Payment of Development Impact Fees for Transportation (GTIP Fees) in accordance with the Development Agreement. A GTIP Fee credit for the portion of improvements on the northerly side of Hollister Avenue for the construction of curb, gutter, street lights and sidewalk shall be provided to the Development. All costs for the improvements subject to the GTIP Fee credit shall be reviewed and approved by the City Engineer prior to the issuance of a contract with the Developer's Contractor for construction of the improvements.
2. A Waste Reduction and Recycling Plan (WRRP) shall be submitted to the Community Services Department for review and approval. Said plan shall indicate how a 50% diversion goal shall be met during construction.
3. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable material. (Copy of Contract to be provided to the City). Recoverable construction

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

4. All existing survey monuments within the limits of construction shall be preserved and/or tied out and recorded prior to at the County of Santa Barbara's Surveyor's Office.
5. Applicant shall submit final drainage and grading plans with a final hydrology report for review and approval by Community Services and Building staff. The plan shall incorporate appropriate Best Management Practices to minimize storm water impacts to the maximum extent feasible in accordance with the City's Storm Water Management Plan. The plans shall include but not be limited to bio-swales, permeable paving, on site detention, fossil filters and other operational features. The plans shall also include an erosion control plan for review and approval by Community Services staff prior to the issuance of any LUP for the project. After installation of any drainage improvements or erosion control measures, the applicant shall be responsible for on-going maintenance of all improvements in accordance with the manufacturer's specifications or the approved plans.

C. PRIOR TO Certificate Of Occupancy (C of O):

1. Complete all Public Improvements along Hollister Avenue and Las Armas Road, as shown on the public improvement plans.
2. At the completion of all permitted construction, the owner shall provide the City's Solid Waste Coordinator with a Construction Phase - Final Waste Reduction and Recycling Report. Said report shall designate all materials landfilled and recycled, broken down into material types. The final report shall be approved by the Community Services Department prior to C of O.
3. All existing survey monuments shall that were preserved and/or tied out shall be reset in coordination with the County of Santa Barbara's Surveyor's Office.
4. Submit 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.
5. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) caused by construction subject to the review and approval of the Community Services Department.

If you have any questions, please contact me at x7562.



Fire Department

"Serving the Community since 1926"

HEADQUARTERS

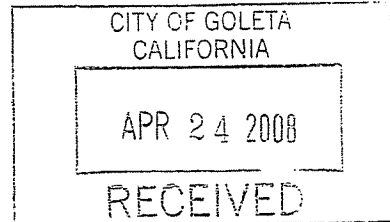
4410 Cathedral Oaks Road  
Santa Barbara, CA 93110-1042  
(805) 681-5500 FAX: (805) 681-5563

John M. Scherrei  
Fire Chief

Tom Franklin  
Deputy Fire Chief

April 23, 2008

Ms. Cindy Moore, Planner  
Planning and Environmental Services  
City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117



Dear Ms. Moore:

SUBJECT: APN: 079-210-049; Permit #: 07GPC-102-GP/TM/DP/DRB  
Site: Hollister Avenue/Las Armas, Goleta  
Project Description: Haskell's Landing – 102 New Single Family Dwellings

*This Memorandum Supersedes the Previous Memorandum Dated March 24, 2008  
Clarification of Road Width Requirements for Roads A, B, C, D, and E  
All Other Conditions Remain the Same*

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

**PRIOR TO MAP RECORDATION  
THE FOLLOWING CONDITIONS MUST BE MET**

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

The proposed roads A, B, C, D, and E shall be constructed to the widths specified and shown on plans dated March 5, 2008.

The secondary access/egress road onto Las Armas Road on the south side of the project shall have an open and unobstructed width of no less than twenty (20) feet.

Red curbs and no parking signs shall be installed at the direction of the fire department. A parking and striping plan will be required to be submitted for review and approval by the fire department prior to erection of combustible materials.

#### GENERAL NOTICE

2. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit (HMU) at 686-8170 if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

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

3. Twelve (12) fire hydrants shall be installed. The hydrants shall be located per fire department specifications and shall flow 1250 gallons per minute at a 20 psi residual pressure. Prior to installation, plans showing locations, size and type of hydrants, valves, main lines and lateral lines shall be approved by the fire department.
4. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit (HMU) at 686-8170 if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

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

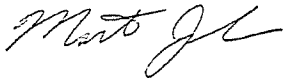
4. Ten road names will be required for this project. Please contact the City of Goleta Planning Department at (805) 961-7543 for application information.
5. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants.
6. Building address numbers shall be posted in conformance with fire department standards.
7. When access ways are gated, a fire department approved locking system shall be installed.

8. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved prior to installation. Location of any fire department connection shall be determined by the fire department.
9. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

The developer has agreed to an in-lieu fee payment to be credited against the required fee to be paid pursuant to section 15-53 of Chapter 15 of the County Code. This in-lieu payment shall be deposited into the Fire Station 10 construction account pursuant to this article.

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

In the interest of life and fire safety,



*Fid* - Glenn Fidler, Inspector

GF:jmd

c APN



P.O. Box 4 Goleta CA 93116-0004  
805 968-2617 FAX 805 968-8987

September 4, 2007

Oly Chadmar Sandpiper General Partnership  
1933 Cliff Drive, Suite 6  
Santa Barbara, CA 93109

RE: SEWER AVAILABILITY LETTER FOR APN: 079-210-049  
PROJECT: Haskell's Landing -Hollister Ave., Goleta

Dear Sirs:

The property referenced above at Hollister Avenue, Goleta, CA APN# (079-210-049) is within the boundary of the Goleta West Sanitary District (GWSD).

Santa Barbara County sewer policy and District Ordinance No. 60 requires that any sewage generating uses constructed on this property be connected to a community sewer system.

Sewer capacity of one-hundred-two (102) ERU in District facilities is presently available to serve the property, and is expected to be available to serve the property if it is connected to the District sewer system pursuant to a District Sewer Service Connection Permit within one year from the date of this letter. The District makes no representation concerning sewer capacity beyond the period stated above.

In order to secure a District Sewer Service Connection Permit for the property, it will be necessary to comply with all District requirements for the issuance of a Connection Permit including payment of all required fees. In addition, sewer connection must comply with the District's standard specifications for sewer construction.

Please confirm your acceptance of the terms and conditions outlined herein by signing the acceptance statement below.

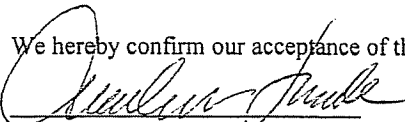
Sincerely,

GOLETA WEST SANITARY DISTRICT

TO: GOLETA WEST SANITARY DISTRICT

RE: APN 079-210-049

We hereby confirm our acceptance of the terms and conditions outlined in this Sewer Availability Letter.

  
Signature of Owner or their agent.

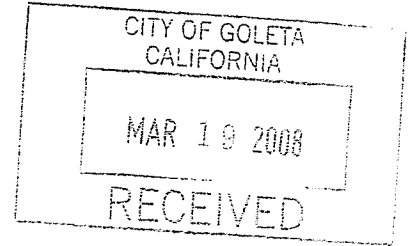
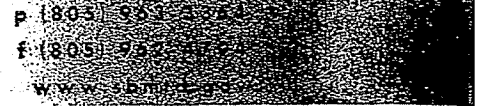
Date 1/11/08

\_\_\_\_\_  
Date \_\_\_\_\_





Metropolitan Transit District  
550 Olive Street  
Santa Barbara, CA 93101



18 March 2008

City of Goleta  
Planning & Environmental Services  
Attn: Cindy Moore  
130 Cremona Drive, Suite B  
Goleta, CA 93117

Re: Development Review Committee Case Number 07-102-GP, -TM, -DP, -DRB

Dear Cindy,

Thank you for giving us the opportunity to review plans for the Haskell's Landing development.

As you know, the Santa Barbara Metropolitan Transit District (MTD) provides fixed route transit service for southern Santa Barbara County. The site of the proposed project is served by Lines 23 and 25. There are existing bus stops on both sides of Hollister Avenue at Sandpiper Golf Course.

Because the residents of this development will likely place additional demands on transit service in the area, MTD requests that the developer be required to do the following as part of this project:

- Make improvements to the bus stops on both sides of Hollister at Sandpiper Golf Course to make the stops ADA-compliant and to bring them up to current MTD Bus Stop Standards. Improvements should include ADA-compliant pads, benches, trash receptacles, and bus stop shelters with night lighting for safety.
- Create safe, direct, and ADA-compliant pedestrian access from the residential units to the bus stop on the North side of Hollister Avenue.
- Provide a crosswalk or other improvements that will allow pedestrians to safely cross Hollister Avenue to access the bus stop on the south side of Hollister Avenue.

Thank you again for allowing us to comment on this project. Should you have any questions, please feel free to contact me by phone at 805-963-3364 extension 218 or by email at the address below.

Sincerely,

Cynthia Boche  
Assistant Planning Manager  
cboche@sbmtd.gov



**Santa Barbara County  
Air Pollution Control District**

March 13, 2009

David Stone, Contract Planner  
City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117

RE: Conditions of Approval, Haskell's Landing Project, Case Nos. 07-102-GP, -TM, -DP, -RN,  
Assessor Parcel Number 079-210-049

Dear Mr. Stone:

The Santa Barbara County Air Pollution Control District (APCD) is responding to your request for recommended conditions of approval for the above-referenced project. You provided us with a set of proposed conditions of approval related to air quality on March 6, 2009. Those proposed conditions of approval are included in this letter, *with suggested revisions in italics*.

APCD staff submitted previous comments on the air quality impacts associated with the proposed project (reference APCD letters dated November 17, 2008 and December 8, 2008). Again, we would like to express concern regarding the placement of sensitive land uses (i.e., residences) in close proximity to toxic air contaminant sources such as the Union Pacific Railroad right-of-way and the U.S. 101 Freeway. Although the proposed conditions of approval include mitigations that are intended to reduce the severity of these impacts (conditions 7 and 8), APCD staff does not consider these impacts to be mitigated to a level that is less than significant under the California Environmental Quality Act (CEQA). It should also be noted that condition number 7, related to installation and maintenance of "MERV-13" air filters at the proposed residences, is anticipated to lose effectiveness over time, unless there is an ongoing inspection and maintenance program for the air filtration equipment.

**Proposed Air Quality Conditions of Approval for Haskell's Landing project:**

1. To mitigate fugitive dust emissions, the applicant shall implement APCD dust control measures, including the following:
  - a. Use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the construction area. At a minimum, this would include wetting down such areas in the late morning and after work is completed for the day, and whenever wind exceeds 15 miles per hour. Reclaimed water should be used whenever possible. *However, reclaimed water should not be used in or around crops for human consumption.*
  - b. ~~Minimize the amount of disturbed area and speeds of on-site vehicles.~~
  - c. Install gravel pads at all access points to prevent tracking of mud onto public roads.
  - d. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

- e. After completion of clearing, grading, earthmoving, or excavation, treat the disturbed areas by watering, revegetation, or by spreading soil binders until they are paved or otherwise developed so that dust generation will not occur.
- f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent the transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance.

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

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

- 2. *As of June 15, 2008, fleet owners are subject to sections 2449, 2449.1, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of Regulations (CCR) to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. In order to minimize ~~ROC~~ and NOx and PM<sub>10</sub> emissions during construction, the following ~~measures~~ equipment control measures shall be implemented:*
  - a. ~~Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be used.~~
  - a. All portable construction equipment shall be registered with the state's portable equipment registration program OR permitted by the District.
  - b. The engine size of construction equipment shall be the minimum practical size.
  - c. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
  - d. Construction equipment shall be maintained in tune per the manufacturer's specifications.
  - e. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
  - f. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
  - g. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
  - h. Diesel powered equipment should be replaced by electric equipment whenever feasible.
  - i. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.
  - j. Drivers of diesel fueled commercial vehicles weighing more than 10,000 pounds:
    - 1. shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location; and

2. shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle.
- k. Diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible.
- l. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

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

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

3. The project shall comply with all Rules and Regulations required by the Santa Barbara County APCD, including, but not limited to:
  - a. Compliance with APCD Rule 329, governing application of cutback and emulsified asphalt paving materials;
  - b. Obtaining required permits for any emergency diesel generators or large boilers prior to any LUPs;
  - c. Obtaining APCD permits prior to handling or treating any contaminated soil onsite, if identified;
  - ~~d. Limited idling of heavy duty diesel trucks during loading and unloading to five minutes at any location and auxiliary power units should be used whenever possible. State law requires that drivers of diesel fueled commercial vehicles weighing more than 10,000 pounds shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location. Such heavy vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if you have a sleeper berth and you're within 100 feet of a restricted area (residential uses and schools). (This is not an APCD rule, it is a CARB rule, and is already presented in conditions 2.i. and 2.j.)~~

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

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

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

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

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

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

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

6. To reduce daily ROC and NOx emissions during winter days from combined project sources, residences shall be built without wood-burning fireplaces or only with natural gas-fired burning units. **Plan Requirements and Timing:** Measure components shall be provided on project

building plans and shall be reviewed and approved by City staff prior to issuance of LUPs for structures.

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

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.

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. City staff shall review and approve the statement for objectivity, balance, and completeness.

Thank you for the opportunity to review the proposed project conditions of approval. Please feel free to contact me at 961-8838 ([mmp@sbcapcd.org](mailto:mmp@sbcapcd.org)) if you have any questions.

Sincerely,



Molly Pearson

Air Quality Specialist

Technology and Environmental Assessment Division

cc: TEA Chron File  
Project File



4699 HOLLISTER AVENUE  
GOLETA, CALIFORNIA 93110-1999  
TELEPHONE 805/964-6761  
FAX 805/964-7002

**PRELIMINARY CONDITIONS LETTER  
2<sup>nd</sup> REVISION**

February 14, 2008

Mary Meaney Reichel  
66 Hollister Ranch  
Gaviota, CA 93117

Re: GWD Project No. 02-3386 – Haskell’s Landing - TM 32,032 (formerly Residences at Sandpiper)  
APN 079-210-49 – 7925 Hollister Avenue  
City of Goleta Case #07-102-GP,-TM,-DP  
Formerly Santa Barbara County Case No. 99-DP-051, TM 14,541

Dear Ms. Reichel:

The Goleta Water District has reviewed the application for new water service submitted by Charles Lande for the referenced project. Based on our review of that application, we have determined that new water service will be provided for the proposed project subject to the conditions stated below. Reference is made to the original GWD Preliminary Conditions letter dated 12/14/2001 and the 1<sup>st</sup> Revision to same dated 4/29/2002. **This letter takes into account all fees/deposits previously paid and supersedes all previous Preliminary Conditions Letters for your project.**

For obtaining a Can and Will Serve Letter:

1. Payment of the New Water Supply Charge in the amount of \$0.00. See Attachment A for details.
2. Payment of the New Meter Installation fee in the amount of \$0.00. See Attachment B for details.
3. Provide a design of water system improvements and dedication of necessary easements for the water system improvements in accordance with the District’s standards and specifications. See Attachment C for details.

Submit a Plan Check deposit in the amount of \$ 0.00 .

Submit a Construction Inspection deposit in the amount of 20% of the GWD determined construction cost estimate. (Already deposited).

Provide a Letter of Credit for Performance, Labor, Materials and Warranty in the amount of 150% of the construction cost estimate.

4. Provide approved project Conditions of Approval and letters from City of Goleta Planning and S.B. County Fire Departments.

For having water service activated:

Meet conditions 1 through 4 stated above and

5. Construct water system improvements and install approved backflow devices as may be required by the District. See Attachment C for details.

This Application is unusual due to the formation of the City of Goleta relative to the Applicant's completion of GWD's pre-construction requirements. In 2002, subject Applicant paid all fees required by the 4/29/2002 Revision to the Preliminary Conditions Letter. Due to the formation of the City of Goleta in 2002, this project was put on hold due to now resolved issues regarding the City of Goleta's Conditions vs. the County of Santa Barbara Planning Dept. Conditions, the latter up to that time having had jurisdiction. To date, no construction has yet taken place. At this time, the project is again active. Although no additional fees are required, current Letters of Credit and revised easements are required.

If the project changes during the course of City of Goleta or S.B. County Fire Dept. review or otherwise, these conditions including the fees indicated, may be changed. Please contact the District when you are prepared to begin the design of the water system improvements for the project.

Please provide a copy of this letter to the Project Engineer, Contractor and other consultants working on this project. If you have any questions regarding this matter, contact Carrie Bennett at (805) 879-4636.

Sincerely,  
GOLETA WATER DISTRICT



Misty Williams  
Engineering Associate

MMW/ddi

Attachments: A, B, C, D



**Attachment A - New Water Supply Charges**

The applicant shall submit payment of a New Water Supply Charge (NWSC) in the amount of \$0.00 determined as follows:

Based on the following excerpts from 4/29/2002 Revised Preliminary Conditions Letter:

Per GWD Code, Sec. 5.16, Appendix A, Item 14-B, Single-Family Residences to be charged @ Multiple Family Residential Rate.

\$516,769.00 = \$4,741.00 x 109 units based on the Density Calculation and the NWSC Charge for multi-family residences (MFR). (Paid 5/1/2002)

Per revisions to project in 2007:

(\$ 33,187.00) = \$4,741.00 x 7 MFR units NWSC deducted due to reduction in units per 2007 Application

\$ 42,934.00 = two 1" landscape meters @ \$21,467.00 ea. NWSC increase due to increase in proposed landscape irrigation area per 2007 revisions. Was 3.89 acres, now is 5.01 acres

\$ 9,747.00 - NWSC per 2007 revisions to project - (Credited against interest earned since payment of original fees in 2002)

No New Water Supply Charge for

Central laundry rooms

Community rooms

Community pools

Common-area landscaping, provided:

Irrigated area	≤	<u>Number of Units</u>
(Acres)		24

per 8/1/2007 Water Use Analysis for Residences Haskell's Landing, per GWD Code, Sec. 5.2.2, Appendix A-12-B:

Irrigated area	≤	<u>102</u>	=	4.25	- therefore, there is a NWSC
(5.01 Acres)		24			

**Attachment B - New Meters, Installation and Meter Fees**

Per GWD Code, Appendix A:

**Summary of New Meter Requirements**

Meter Type	Number Required	Meter Size	Service Size	GWD or Contractor to install service (GWD or C)	Manifold (Yes/No)	Unit Cost	Subtotal Cost
Fireline	66	5/8"	Varies	C	No	\$230	\$15,180
MFR	12	5/8"	1"	C	Yes	\$230	\$2,760
MFR	90	3/4"	1"	C	No	\$241	\$21,690
Landscape Irrigation	2	1"	1"	C	No	\$337	\$674
Meter	2	1"				\$150	\$300
Installation	78	5/8"				\$100	\$7,800
Fee	90	3/4"				\$100	\$9,000
<b>Total No. of Meters</b>					<b>Total Cost</b>		*\$57,404

\*Credited against interest earned since payment of original fees in 2002

For Fire Line Connections:

Per GWD Code, Sec. 5.16, Appendix A, Item 9, Meter Only Installation Charges:

These 5/8" detector meters will be installed on the proposed firelines @ 1 fireline per building, whether detached SFR or multiple dwellings in one building.

Customers with an un-metered fire line serving private fire protection sprinklers and hydrant systems shall pay a base charge of \$8.00 per year per 2-inch fireline connection and a monthly base charge of \$2.00 per private fire hydrant. This minimum un-metered fire line charge shall be for standby service only and shall not be credited toward monthly meter charges for water service. Please note that these yearly and monthly fees are subject to change.

General:

Please note that your licensed contractor shall install the stub services. These stub services shall be designed and installed per GWD Standards and Specifications and shall appear on the construction plans for the water system improvements. See Attachment C, Water System Improvements and Easements for more information.

The applicant /owner is responsible for installation and maintenance of the piping and plumbing connection from the downstream side (outlet) of the GWD meter to the

**Attachment B - New Meters, Installation and Meter Fees - continued**

subject parcel and on-site facilities. Any and all easements required for the piping and plumbing downstream of GWD meters is the responsibility of the applicant /owner.

All meter installations, backflow prevention devices and on-site piping are subject to inspection and testing by GWD inspectors for cross connection control and backflow prevention. GWD inspectors shall verify proper construction and installation. See Attachment D, Cross Connection Control and Backflow Prevention for more information.

**Attachment C Water System Improvements and Easements**

For issuance of a Can and Will Serve letter from GWD, the applicant shall provide to GWD the design and construction drawings for the water mains, valves, service connections, fire hydrants, appurtenances, right of way and easements necessary to serve the proposed project. Prior to water service activation, the applicant will have all the necessary water system improvements including backflow prevention devices constructed, installed, inspected and tested to the satisfaction of GWD.

Water system improvements for this project shall be installed within public right of way or GWD easements and shall include, but not be limited to the following:

New public fire hydrants as required by the Fire Dept.:

All stub services and meters listed in Attachment B.

Since a looped water main system is not possible due to environmental issues, a dual connection shall be installed in the entrance roads to subject tract to GWD's existing water mains in Las Armas Rd. and Hollister Ave. That is, instead of 1 pipeline connecting GWD's water mains to your tract's water system, there will be 2. This allows for the maximum possible water supply in the event one of the pipelines in the tract is out of service. With isolation valves strategically placed, water outages will then be minimized.

Narrow streets often prevent optimal horizontal spacing relative to other utilities. Every effort should be made, indeed extra effort should be expended, to comply with GWD's specifications relative to location of the pipeline in the street: 7 feet minimum from curb face. If this is not possible due to the constraints mentioned above, elbows, angle points and bends in the pipeline shall be no nearer than 2 feet from curb face/edge of pavement. Use additional elbows as needed to comply with this requirement. Centerline of pipeline shall be no nearer than 3 feet to curb face/edge if pavement. Note that per GWD Std. Det. 1-04, a minimum of 4 feet horizontal separation from sewer is allowed for parallel construction since class 200 PVC pipe is specified for this project, provided water and sewer pipelines are at the same elevation or the sewer line is deeper than the water line. Accordingly, align the pipeline with 4 feet minimum separation when the specified 7 feet from curb face cannot be achieved.

GWD pipe lateral(s), connecting to the private fire lines which will serve the proposed project, shall be located within the public road right of way or GWD easements. The backflow prevention device for each fireline shall be installed on private property as close as physically possible to the District's main. The Project Engineer shall recommend a fire line size based on hydraulic calculations.

The applicant is responsible for the installation and maintenance of service connections from the DDCVA to the subject property and to the project facilities and for any and all easements required for the same.

All required backflow prevention devices which shall be shown on the plans.

**Attachment C Water System Improvements and Easements - continued**

Traffic lids which shall be installed on the meter boxes in traffic areas.

All wells on the subject parcel shall be plotted on the plans and identified with State Well numbers and the following comments where appropriate, "to be destroyed per S.B. County Health Regulations" or "to be retained for irrigation purposes".

The applicant's Project Engineer shall submit hydraulic calculations for water mains and fire lines to be installed and dedicated to GWD. The Project Engineer shall submit to the District hydraulic calculations demonstrating the adequacy of the selected pipe size. Peak flows, fire flows, pressures, velocities, and hydraulic gradient shall be presented. If the GWD system is unable to meet these requirements then the applicant is responsible to have the necessary improvements designed and constructed or determine an alternative method of fire protection acceptable to the Fire Department.

The applicant shall submit a copy of a map of the approved fire hydrant locations, signed and stamped with the Fire Department's approval.

The applicant's Project Engineer shall submit an itemized cost estimate for the water system improvements detailed above which are to be dedicated to GWD. This information will be used by GWD to determine the surety and construction inspection deposit amounts.

The owner shall grant easements acceptable to the District for access to and maintenance of all water system facilities to be dedicated to the District. These easements shall be based on the enclosed GWD Easement template and shall include descriptions for all necessary on-site easements. The applicant's engineer shall submit preliminary, i.e. draft, easements for GWD review and comment. GWD will notify the project engineer when the easements are acceptable for notarization and dedication. The easements shall be recorded prior to GWD signing the construction plans.

With the preliminary easements, submit verification of property ownership, such as a copy of the title report, of all landowners involved in granting the easement to GWD.

All documents, calculations, design, construction drawings and easements for the water mains, valving, service connections, fire hydrants, appurtenances, right of way and easements necessary to serve the proposed project shall be prepared by or under the direction of a civil engineer licensed in the State of California (Project Engineer) and shall be in accordance with District Standards and Specifications. All preliminary documents, calculations, design, construction drawings and easements submitted for review or plan check shall have the name and license number of the Project Engineer printed on them. All final documents, calculations, design, construction drawings and easements shall be signed and stamped by the Project Engineer.

**Attachment C Water System Improvements and Easements - continued**

Prior to beginning design, calculations and preparation of construction drawings for the water mains, valving, service connections, fire hydrants, appurtenances, right of way and easements necessary to serve the proposed project, the applicant's Project Engineer should obtain the appropriate record drawings from GWD of the District's existing water system facilities.

The applicant shall submit three sets of construction plans. The Plan Check Deposit in the amount of \$1,200.00 has already been paid. This deposit is for GWD-incurred costs for plan check and administration. Per GWD Standards and Specifications, you will either be invoiced if the actual cost for plan check to GWD exceeds the amount of the deposit or you will be refunded the balance after GWD costs are deducted.

A Plan Check Sheet checklist is enclosed for your engineer's use in developing the water system improvement plans. Be sure to confirm that all items on the Plan Check Sheet checklist have been reviewed and implemented as appropriate prior to submitting your plans for review. The construction plans will go through a revision process or Plan Check. Once the plans are acceptable to GWD and all other necessary conditions are met, GWD will sign the construction plans for construction of the public water system improvements.

Enclosed is a Water Meter Work Order Information Spreadsheet. Using this spreadsheet, please list as much information as possible for all of the meters to be installed for the subject project. Your engineer will be able to provide some of the information. This spreadsheet shall be submitted prior to GWD signing the construction plans.

ALL new GWD meters shown on the construction plans (including fire line by-pass meters) shall be included on this spreadsheet.

Surety for Labor, Materials, Performance and Warranty shall be provided by the applicant in the form of a Letter of Credit, in an amount equivalent to 150% of the GWD determined construction cost estimate. The letter of credit submitted shall include the terms and conditions of the GWD standard template. Enclosed is a copy of the GWD Letter of Credit template for your use.

The applicant shall submit a Construction Inspection Deposit in an amount of 20% of the GWD determined construction cost estimate (already deposited). This deposit is for GWD-incurred costs for inspection and administration. Per GWD Standards and Specifications, the applicant will either be invoiced if the actual cost to GWD exceeds the amount of the Construction Inspection Deposit, or will be refunded the balance after GWD costs are deducted.

Prior to activation of water service, the applicant shall submit two copies of the recorded Final Tract map, Final Parcel Map or Lot Line Adjustment Map shall be submitted to the District.

Prior to activation of water service, the applicant shall submit the new Assessor Parcel Numbers for the proposed lots.

**Attachment D - Cross Connection Control and Backflow Prevention**

Prior to water service activation, GWD and EHS will perform a cross-connection survey. All connections from unapproved water sources or water lines crossing the new property line(s) shall be terminated prior to receiving service. GWD Inspector shall confirm proof of severance.

Per the California Code of Regulations, Title 17, Section 7583-7605 and Goleta Water District Code Title 6, a GWD approved backflow prevention device shall be installed on all domestic, irrigation, and fire line services as specified by GWD and shall be installed by and at the expense of the customer to prevent backflow from the customer's premises to the public water supply. All backflow devices shall be installed on private property while being as close to the meter as is physically possible. Enclosed for your information is a backflow prevention device information package.

A charge of \$2.50 shall be assessed on the bill of each customer who has a backflow prevention device installed to protect the potable water system. This charge will be assessed per backflow device per month. Please note that this monthly charge is subject to change.

Please consult with Goleta Water District's Backflow Certified Specialist, Ginger Kaufman at (805) 879-4652, prior to having the backflow assemblies installed.

Meters will be installed locked off until the device is certified and is properly functioning. Note that this test must be witnessed by one of the District's Certified Cross-Connection Specialists.

As a result of recent rule changes by the State Department of Health Services regarding the operation of public water systems and backflow prevention, the Goleta Water District has been forced to modify some of our requirements and procedures. One of the areas affected is the timing of the installation of new water meters and the testing of backflow prevention devices. We have made every effort to make our modified requirements and procedures as user friendly and efficient as possible while complying with State regulations.

**Please Inform Your Contractor that:**

**Testing and certification of a backflow prevention device shall not be performed until after the District installs the accompanying new meter. The District will not install new meters until after the service connection has been installed and inspected per GWD standards and specifications. Therefore GWD water will be unavailable through a service connection until after the backflow prevention device has been tested and certified by a Certified Backflow Tester. Also, this test must be witnessed by one of the District's Certified Cross-Connection Specialists.**

## ATTACHMENT 5

Planning Commission Minutes, Hearing of 2-9-09





**PLANNING COMMISSION  
MEETING MINUTES  
MONDAY, FEBRUARY 9, 2009**

6:00 P.M.  
City Hall  
130 Cremona Drive, Suite B  
Goleta, California

***Members of the Planning Commission***

*Brent Daniels, Chair  
Julie Kessler Solomon, Vice Chair  
Doris Kavanagh  
Bill Shelor  
Jonny Wallis*

*Patricia Miller, Secretary  
Tim W. Giles, City Attorney  
Linda Gregory, Recording Clerk*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:00 p.m. by Chair Daniels followed by the Pledge of Allegiance.

**ROLL CALL OF PLANNING COMMISSION**

Present: Planning Commissioners Daniels, Kavanagh, Shelor, and Wallis.  
Absent: Planning Commissioner Solomon.

Staff present: Director of Planning and Environmental Services Steve Chase, Current Planning Manager Patricia Miller, Director of Community Services Steven Wagner, City Attorney Tim W. Giles, Advance Planning Manager Anne Wells, Contract Planner David Stone (Dudek), and Recording Clerk Linda Gregory.

**PUBLIC FORUM**

Barbara Massey, Goleta, requested that the public hearing with regard to agenda Item B-1, Haskell's Landing Project at Las Armas/Hollister Avenue, be postponed. She believes that no decision should be made until the City Council decides on the General Plan Amendments. She also commented that the public should have more time to review the addendum staff report.

Connie Hannah, representing Santa Barbara League of Women Voters, requested that the public hearing on Item B-, Haskell's Landing Project, either be postponed, or that no action be taken tonight, and any final decision be delayed until a later hearing, after public comment is heard, given that the material for the hearing was not released in a timely fashion. She submitted a written copy of her comments made entitled, "Goleta's Process for Facilitating Public Input."

## AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

### A. ADMINISTRATIVE AGENDA

#### A.1 Planning Commission Minutes for the Planning Commission meeting of January 26, 2009.

Recommendation:

- A. Approve the Planning Commission minutes for the Planning Commission meeting of January 26, 2009.

MOTION: Commissioner Shelor moved/seconded by Commissioner Kavanagh, to approve the Planning Commission minutes for the for the Planning Commission Regular Meeting of January 26, 2009, as submitted.

VOTE: Motion carried by the following voice vote: Ayes: Chair Daniels; Commissioners Kavanagh, Shelor, and Wallis. Absent: Vice Chair Solomon. Noes: None.

### B. PUBLIC HEARING

#### B-1. 07-102-GPA, -TM, -DP: Haskell's Landing Project at Hollister Avenue/Las Armas Road; APN 079-210-049.

Recommendation:

1. Adopt Planning Commission Resolution No. 09-\_\_ (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Recommending to the City Council Approval of Various Actions Related to the Haskell's Landing Project; Case No. 07-102-GP, -TM, -DP, -RN; Northwestern Corner of the Hollister Avenue/Las Armas Road Intersection; APN 079-210-049."

#### Site Visits and Ex-parte Conversations:

Commissioner Wallis stated that she conducted a site visit, and noted that she has been familiar with this property for a long time. (She said she became familiar with the property with regard to the previous project proposed on the site.) She reported that she met with Chuck Lande, applicant, and was not given any information that was not otherwise available to the public. She also stated that she reviewed the entire agenda packet and other information from the Planning Commission meeting on November 17, 2008, understands those materials, and is ready to participate in this hearing.

Commissioner Kavanagh reported that she met recently with Chuck Lande, applicant, and Mary Reichel, agent. She also met with them prior to the hearing on November 17, 2008.

Commissioner Shelor stated that he made a site visit and walked around the perimeter of the proposed project site. He reported no ex-parte conversations.

Chair Daniels reported a telephone call from Mary Reichel, agent, on February 9, 2009, and also an ex-parte conversation previous to the November 17, 2008, meeting with Chuck Lande, applicant, and Mary Reichel, agent.

Documents: 1) Letter from League of Women Voters of Santa Barbara, Inc., dated February 9, 2009, "Statement to the Goleta Planning Commission on February 9, 2009". 2) Letter from Bob Wignot, dated February 9, 2009, Re: Haskell's Landing Project. 3) "Haskell's Landing comments for the Planning Commission", from Barbara Massey, dated February 1, 2009. 4) Letter from Ingeborg Cox, M.D., dated February 8, 2009, with attachments. 5) Letter from Eddie Harris, president, Santa Barbara Urban Creeks Council, dated February 6, 2009.

Staff Speakers:

Current Planning Manager Patricia Miller  
Contract Planner David Stone, Dudek  
Director of Planning and Environmental Services Steve Chase  
Director of Community Services Steven Wagner  
City Attorney Tim Giles

Steve Chase, Director of Planning and Environmental Services, stated that the only new information provided in the additional staff report is with regard to the proposed project Road Naming, and that the staff report addendum most recently provided to the Commission only provides further clarification and edits with regard to the previous hearing of November 17, 2008. He recommended that the Planning Commission conduct this public hearing, and then decide if there is sufficient information and clarity for them to make a decision today.

Commissioner Wallis stated that she believes it would be appropriate to open the public hearing and receive testimony, but not to make a decision today. She believes the public may have not had enough time to review the additional staff report.

Commissioner Kavanagh spoke in support of proceeding with the public hearing at this point. Commissioner Shelor spoke in support of proceeding with the public hearing.

The staff report and PowerPoint, including an overview of the November 17, 2009 hearing presentation, was presented by David Stone, Contract Planner.

Chuck Lande, applicant, stated that since the last PC hearing on November 17, 2008, the applicant has worked diligently with staff to answer the questions that were raised. He said that he is proud of the plans for the proposed project including the design, affordability aspect, sustainability, open space, revegetation, and environmental protections.

The proposed plans and PowerPoint were presented by Mary Reichel, project planner and agent. Ms. Reichel explained that a series of 20 measurements had been taken perpendicular from the Devereux Creek top of bank to proposed building footprints. The average setback from the eastern creek top of bank is 189 feet, and the average setback from the western top of bank is 145 feet. The maximum setback is 218 feet to the east, and 301 feet to the west. Structures are located between 100 and 200 feet from the eastern top of bank. Six to eight proposed structures are located within the 100-foot setback from the western creek top of bank; two of these are just over 50 feet from the top of bank, and a total of three units are within 75 feet of the top of bank. She has researched setback requirements in other coastal California jurisdictions and they provide for an averaging of the development from top of bank setback, rather than an absolute distance. No other examples of an absolute 100-foot setback were identified.

Commissioner Shelor asked who is responsible for Devereux Creek maintenance.

Mary Reichel, project planner, explained that Caltrans is responsible for the creek culvert under US 101, and the Union Pacific Railroad is responsible for the box culvert under the tracks north of the project site. She added that the project would provide for a 3:1 replacement of all eucalyptus trees to be removed.

Commissioner Shelor asked if the proposed Devereux Creek restored prism can accommodate the additional stormwater runoff resulting from increased project site impervious surfaces.

Chuck Lande responded that the Devereux Creek only conveys "nuisance runoff" from the Winchester Commons project north of US 101. The project creek restoration plans have been designed to accommodate existing runoff and that additional runoff generated onsite.

PUBLIC HEARING OPENED AT 7:04 P.M.

Barbara Massey, Goleta, spoke in opposition to the proposed project. She does not believe that a project that proposes Track 3 General Plan Amendments should be heard by the Planning Commission or City Council until the City Track 3 Amendments EIR have been reviewed, and any changes to the existing General Plan Amendments have been decided through that process. She expressed her concerns that were included in a written document dated February 1, 2009, entitled "Haskell's Landing comments for the Planning Commission." She mentioned that mitigation was required to implement street sweeping of the proposed internal private roadways. Insufficient guest parking is provided, in her opinion.

Robert Rice, Santa Barbara, spoke in support of the proposed project, stating that this is the type of project that is needed in the community and will provide an opportunity for housing for many people. He noted that the project has more open space than is required and that there is a real need for a fire station in the area.

Bob Wignot, Goleta, representing himself rather than a City Design Review Board (DRB) member, requested that the currently proposed project be denied because it is

an overly-dense development, given the site constraints, and when compared to adjacent developed residential areas. Maximum noise and diesel particulate levels need to be evaluated. He presented a letter that includes his comments, dated February 9, 2009, Re: Haskell's Landing Project APN 079-210-049. He commented that, absent this project, Caltrans would work out a way to address the concern with regard to the Devereux Creek culvert. He asked what fees would the applicant be required to contribute in addition to the Development Agreement fees proposed? What impacts would project development have on existing high pressure gas lines buried along the eastern property boundary?

Jonathan Raimer, Goleta, spoke in support of the project, stating that more projects providing affordable housing like this are needed in Goleta. He stated that the project is sustainable with responsible development, and would restore wetlands, provide for open space, provide housing, and contribute towards a fire station. He noted that many of his friends who have graduated from UCSB must move out of the area to find housing that is affordable.

David Given, Goleta, spoke in support of the proposed project, stating that it makes good sense to place well-designed homes on property that is not an agricultural site. He believes that the Devereux Creek restoration plans and repairs to the drainage are much-needed improvements. He stated that a 50-foot setback seems large when compared to other communities, and that it seems that much of the setback from the creek is more than 100 feet. He appreciates the sustainable building elements and the environmental sensitivity.

George Relles, Goleta, does not believe that the project should be considered until the City Track 3 General Plan Amendments have been reviewed in the context of the EIR and General Plan. He commented that a 50-foot setback is not very large. He also commented that it is not clear that the open space is a kind of public space. He estimates that with a median income of \$65,000 in Goleta, approximately 90 percent of the population will not be able to afford to buy an affordable or market rate unit, estimated at \$500,000 and \$800,000 per unit respectively.

Herb Rubinstein, Goleta, spoke in support of the proposed project, stating that he believes there needs to be more development in that area. He noted that there is excellent road access and that the proposal to clean up and manage the creek area will make the area nicer.

Steven Brown, Santa Barbara. (Chair Daniels read from the Request to Speak form received from Steven Brown as follows: "I am not able to stay the duration of hearing, but please make note of my support. This will be a wonderful addition to Goleta. Yes to Haskell's Landing".)

Ron Bruns, Goleta, spoke in support of the proposed, stating that it is much-needed on a piece of land that has not seemed to have any function since he moved to the area in 1969.

Mickey Caughey, Goleta, spoke in support of the proposed project, stating that it is a good project and that more housing is needed. He commented that he believes the

only way to accomplish affordable housing is through rentals. The location of this affordable project next to US 101 is appropriate, and the MTD bus line continues along the project frontage. He recommended that photovoltaic panels should be required for all new projects.

Stan Darrow, Goleta, spoke in support of the project, stating that the design is beautiful, and the proposed housing density is needed. He believes that a fire station needs to be built in this area sooner rather than later.

Susan Smith, Goleta, spoke in support of the project, stating that she believes it is a beautiful project.

Betty Watt, Goleta, spoke in support of the proposed project. She expressed concern with regard to her family's need for affordable housing, stating that her children and grandchildren are not able to stay in Goleta and that her granddaughter would like to stay and raise her family here.

Ingeborg E. Cox, M.D., Goleta, spoke in opposition to the project, and read her letter dated February 8, 2009, with attachments, which she submitted.

Keith Busby, Goleta, spoke in support of the proposed project. He stated that his children have moved out of the area because they cannot afford to stay here.

Belinda Busby, Goleta, spoke in support of the proposed project, stating that her grown children are in Arizona because they cannot afford housing in the Goleta area.

Cris Sandoval, Goleta, manager of the UCSB Coal Oil Point Reserve, stated that the Devereux Slough is at the bottom of the Devereux watershed, and is the most important biological resource in this region. She stated that the proposed development will block a wildlife corridor between the east and west of Devereux Creek which will be the only corridor left. She spoke in opposition to the change in the buffer from 100 feet. She stated that the native grasslands in this area need better protection than what is currently proposed. She requested a requirement for using local genotypes from the Devereux watershed for the restoration areas, stating that this is important because the scientific studies at the reserve depend on the plant community being the species that have been there historically.

Darlene Chirman, president of Santa Barbara Audubon Society, stated that her main concern relates to the request to reduce the Devereux Creek development setback from 100 to 50 feet. She believes that any exception to the General Plan Police CE 2.2 that is currently in effect should wait until the City Track 3 General Plan Amendment process is completed with regard to creek setbacks.

Eddie Harris, president of the Santa Barbara Urban Creeks Council, expressed concerns with regard to the impact of the proposed project on wetlands, Devereux Creek and the Devereux watershed. He believes that the 50-foot setbacks proposed are a step backwards for the environment, clean water, and the vision when the City was incorporated. He requested that the project be redesigned to reflect the current 100-foot setbacks. Also, the project should be conditioned to correct hydrologic

conditions by removing sediments and unclogging culverts as needed at the upper boundary of the site, and to provide a maintenance plan that ensures Devereux Creek's hydrologic functionality into the future. He stated that this site contains significant native grasslands as well as important native coastal sage scrub. He recommended that all native grasslands should be preserved and afforded large buffers such as 25 to 50 feet.

Brian Trautwein, Goleta, representing the Environmental Defense Center, expressed concern that the project does not comply with current policies in the General Plan and requested that the regulations not be changed for developers. In his professional opinion, he believes the creek would be damaged by the proposed project and become polluted by the runoff from the street, fertilizers and pesticides. He noted that creek buffers are important for filtering these pollutants. He believes that the native grasslands in the southeast corner and the coastal sage along the northern property need better protection. He suggested that if the project were changed to fit the site constraints it may be appropriate. He believes the culvert can be unplugged without this development.

Minister Gwendolyn Hampton, Santa Barbara, encouraged consideration be given to the need for more housing in Goleta and the County. She understands that modifications can be made. She stated that she has friends who live in a new development near the freeway in Santa Barbara and noted that she has observed that it is very quiet within the units.

Gary Vandeman, Goleta, spoke in opposition to the project. Although the DRB deliberations resulted in reduced density, the project remains too dense for the site. He suggested providing affordable housing on the site for the gardeners that will be needed for landscaping maintenance. He believes that the \$80,000 in-lieu affordable housing per unit fee is inadequate and not realistic.

Olivia Uribe, Goleta, associate director of Santa Barbara County Action Network, expressed concern that the proposed project is seeking standards for affordable housing that most Goleta residents cannot and will not be able to afford. She believes that inclusionary housing should not be utilized as a primary or significant method of increasing the supply of affordable housing. She expressed concern that a change in the setbacks would impact the creek, watershed, wetlands, grasslands, and coastal sage. She spoke in opposition to the proposed process of changing the creek setbacks in the entire city to accommodate one project.

Bernie MacElhenny, Santa Barbara, spoke in support of the proposed project, stating that he believes it is a good project and that people want to buy housing. He pointed out that 97 percent of California is undeveloped, the project is not too dense, and that the Devereux Creek would be enhanced. Developing affordable housing is tough, it's a very nice project, and the people of Goleta should stand up and cheer, and approve this project.

Jack Easterbrook, Santa Barbara, spoke in support of the project, stating that this is in an area where there is a lot of high tech industry with people who want to buy a nice

home. Regarding affordable pricing, no housing is truly "affordable." He appreciates the architectural plans as well as the beauty of the open space aspect on the site.

PUBLIC HEARING CLOSED AT 8:00 P.M.

RECESS HELD FROM 8:00 P.M. TO 8:10 P.M.

Steve Chase, Director of Planning and Environmental Services, reviewed several of the Conditions of Approval, (Exhibit 2) in the supplemental Staff Report that also are included in the EIR Addendum. He pointed out the mitigation measures in Conditions #16 to #27 regarding Biological Resources. He stated that with regard to the ecological systems and Devereux Creek, the project description incorporates components designed to enhance biological resources, and that these measures address the various concerns the protection of the Devereux watershed that were expressed at this hearing. With regard to air quality impacts related to the proximity of the project site to US 101, the Supplemental EIR on the City's proposed General Plan Amendments (Track 3) identify approximately 260 developable acres remaining in the City's jurisdiction, and the bulk of these are located within 500 feet of the freeway. The City's original General Plan identified these areas as targets for intensification of residential development, including the proposed project site. Safety improvements conditions at the Venoco Ellwood Onshore Oil and Gas Processing Facility as identified in the EIR Addendum under Impact AQ-6, have reduced potential toxic hazard footprints such that no significant impacts to future project site residents would result.

Commissioner Kavanagh requested clarification on the following Condition #21 Plan Requirements with regard to why the word "may" is used rather than a requirement: "The applicant *may* be required to record an agreement for long-term maintenance of storm water control measures per Santa Barbara County Water Agency and Flood Control District conditions to ensure maintenance is completed over the life of the project.

Steven Wagner, Director of Community Services, clarified that long-term maintenance of storm water control measures will be required with regard to this project.

Commissioner Wallis asked for clarification regarding the "optional bedroom" for some 3-bedroom units identified in the revised Table 1: Haskell's Landing Residential Habitable Building Areas, on page 2 of the Staff Report Addendum.

Chuck Lande responded that before the 3-bedroom units are sold, the buyer would have the option to build in an additional bedroom.

Commissioner Kavanagh requested information on the proposed timing of implementing the Cathedral Oaks Overpass, relative to Condition #46 and providing pedestrian access to Ellwood School students crossing Hollister Avenue.

Steven Wagner, Director of Community Services clarified that construction is slated to begin in 2009, and would take 2-3 years to complete. Completion of the Overpass is anticipated before proposed project occupancy. Relative to Condition #46 as revised



on page 16 (and Large Page 16) of the Hearing Staff Report, if the Cathedral Oaks Overpass improvement project is delayed or not completed prior to the Haskell's Landing project occupation, the applicant shall be required to provide for a pedestrian controlled signalized crosswalk at the corner of Hollister Avenue and Las Armas Road.

Commissioner Shelor requested consideration of the use of passive solar orientation and photovoltaics with regard to incorporating energy-conserving techniques. He recommended, if possible, that the project be designed initially to be able to accept reclaimed water. He commented that he appreciates that the applicant is working with the MERV 13 filters (as included as revised Condition AQ-7 of the staff report). He noted that he understands from reading the literature that prefiltering should be utilized in advance of the MERV 13 filters, when feasible.

Commissioner Wallis requested that Condition #48 be revised to delete reference to "Santa Barbara Shores County Park." She also asked if proposed improvements to Hollister Avenue would result in vehicular traffic closer to the southern project property boundary.

Mary Reichel, project planner, responded that traffic would not be closer, only that pavement would be expanded.

Commissioner Shelor asked for a comparison between market units and affordable units, and the formula that is used to define the difference.

Mary Reichel, project planner, responded that the formula is based on existing housing regulation. Mary Reichel, project planner, clarified that there is an affordable by design component of the project that would provide a bridge between units that are officially in the affordable housing program and those that are typical market rate. This addresses those City residents who do not qualify for affordable housing, but may not be in the position to purchase units at market rate sales prices.

David Stone, Contract Planner, clarified that, as described on page 4 of the staff report, the California Air Resources Board has not identified a threshold for assessing impacts relative to diesel particulates generated by trucks on roadways or railroad engines. The guidance cited by the Air Pollution Control District is not subject to a CEQA standard at this time.

Chair Daniels commented that the DRB's suggestion to add a secondary trail would provide additional connectivity between the two neighborhoods. He also commented that he appreciates that the applicant responded to Vice Chair Solomon's request with regard to improvement of the eastern half street improvements on Las Armas Road. He requested clarification on how in lieu fees are used, and if grants are pursued to assist in development of the City's affordable units.

Steve Chase, Director of Planning and Environmental Services, responded that the City's affordable housing account is being replenished after development of the Sumida Gardens project. In lieu fees allow for the City to request matching funds. The existing in lieu fee has been shown to provide for feasible affordable housing, for example the Peoples Self Help Project on Ellwood Beach Drive.

Chair Daniels asked about for clarification regarding parking requirements and structures over 3,000 square feet.

Current Planning Manager Patricia Miller stated that the area (expressed in square feet) in Table 1, Haskell's Landing Residential Habitable Building Areas, refers to "habitable space." This defined area includes the proposed garages. Garages, however, are not "living areas" upon which parking requirements under the City Zoning Ordinance are based. Table 1 will be updated, to identify the "living areas" excluding proposed garage space separately from total "habitable area."

Chuck Lande, applicant, stated that he believes that the study prepared by the CARB was conducted in Los Angeles County under conditions that are a lot different in comparison to the freeway in Goleta. He noted that appliances that are energy efficient will be installed and that owners will be encouraged to purchase energy-saving washers and dryers. He stated that photovoltaics are not cost effective at this point in time, but the stubs will be provided so the owners can add them as an option.

Mary Reichel, project planner, noted that CARB recently enacted a new law requiring an 85 percent reduction of the diesel PM standards for all mobile and stationery sources by 2012; therefore the recommendations will be modified when the law comes into effect. She stated that as a result of her research of jurisdictions throughout California, she found that most jurisdictions implement flexible standards when determining appropriate creek setbacks.

Commissioner Wallis asked for clarification as to why the applicant considered Devereux Creek drainage improvements to occur with the project.

Mary Reichel, project planner, responded that she does not believe that the drainage channel corridor would be fixed without the involvement of this project as Caltrans would not be capable of funding the costs associated with grading and restoring the creek gradient.

Commissioner Shelor expressed his appreciation to the applicant for the proposed 55-year resale restriction, the ESHA restoration plans, the undergrounding of utilities on Hollister Avenue, and the contribution towards the fire station. He believes that he can support a residential housing proposal on this property; however, it is not this proposal yet. He stated that he is not comfortable making city-wide changes to the General Plan until the Supplemental EIR is thoroughly vetted, particularly with regarding to Housing Element HE 11.5 and Conservation Element CE 2.2.

Commissioner Kavanagh stated that she is in support of this project. She acknowledged the applicant for making changes and addressing some of the concerns at the hearing on November 17, 2008. She also acknowledged that the addendum staff report has helped provide clarification. She appreciates the green building elements and the concept that the open space creates a community aspect. She believes that there is adequate protection of the creek area, stating that at some times some flexibility may need to be considered. She noted that there are other projects in the area that are close to the freeway, for example, Winchester Commons.

She commented that there is a need for more affordable homes to be built and that this project fits well.

Chair Daniels spoke in support of the project, stating that the restoration and enhancement aspects are important throughout the property, and are not “an encroachment” as some speakers expressed. He stated that housing is always needed, and achieving affordability is a compromise; and that building lower affordable level units in the RDA core is appropriate. He commented that the Design Residential (DR) zoning designation requires creativity, and that the need to “shoehorn” development on the site is a creative way to provide for the high percentage of open space that will be of benefit to the community. By doing so, he noted that the benefit to the community may need to be balanced with the consideration of some minor zoning modifications. The Development Agreement provides substantial benefits to the City. The location of the proposed residential units adjacent to US 101 is not an issue, in that the roadway does not function similar to those freeways in Los Angeles that were used to create the CARB guidelines. He stated that he understands that the air quality guidelines from the CARB, and cited by the APCD, are advisory.

Commissioner Wallis expressed concerns with regard to the two General Plan Amendments, CE 2.2 and HE 11.5, and commented that she believes the timing is not right for this project to move forward. She requested that the language “genotype” be added to Condition #17 for clarity. She commented on the affordable housing items in the staff report on Pages 10 and 11. With regard to the plan to have 10 percent affordable housing onsite, she commented that much of it is in the range above the median in Goleta. She commented that she believes that the current in lieu fee for affordable housing is not sufficient and there needs to a review to find a better method for calibration of the in lieu fee with regard to future projects. She noted that numbers documented during review of the Sumida Gardens project with regard to in lieu fees were considerably higher. She commented that the justifications provided on page 11 of the staff report do not provide sufficient justification for adopting the HE 11.5 GPA as follows: #a - affordable units should be located along the Hollister Avenue corridor, and not just in the RDA Core, in order to provide for a diverse demographic community; #d – she cautioned with regard to characterizing affordable housing as a “segregated component of lower quality;” and #e - this is missing the point of the opportunity to place affordable housing in housing projects in different areas of the City. Regarding the CE 2.2 General Plan Amendment, she does not believe it is clear that the mitigations alone without the addition of the setback would meet the goal for stream protection, and that biological protection standards may be lowered as a result. She stated that although the site is an excellent place for housing and that the project has some good aspects, there are other items that need work. She stated that the proposed General Plan Amendments were quite controversial, and evolved with great community concern, such that they should be considered in the context of Tract 3, and with the assistance provided by the General Plan Amendment SEIR currently under public review.

Current Planning Manager Patricia Miller stated that staff will respond to the minor clarifications requested by the Planning Commissioners during the hearing that are not included in the resolution. The clarifications include separating the “habitable area”

garage square footage from "living area" for clarification in Table 1; adding "genotype" in Condition #17; and deleting the language "Santa Barbara Shores County Park" from Condition #48.

**MOTION:** Commissioner Kavanagh moved/seconded by Chair Daniels to adopt Resolution No. 09-\_\_ entitled "A Resolution of the Planning Commission of the City of Goleta Recommending to the City Council Approval of Various Actions Related to the Haskell's Landing Project; Case No. 07-120-GP, -OA, -TM, -DP, -RN; Northwestern Corner of Hollister Avenue/Las Armas Road Intersection; APN 079-210-049", with an amendment to include genotype plants in the Biological Resources section in Exhibit 2 of the resolution.

**VOTE:** Motion failed by the following voice vote: Ayes: Chair Daniels and Commissioner Kavanagh. Noes: Commissioners Shelor and Wallis. Absent: Vice Chair Solomon.

RECESS HELD FROM 9:34 P.M. TO 9:37 P.M.

Mary Reichel, project planner and agent, prefaced her comments by stating that the applicant wishes that Vice Chair Solomon had been present at this hearing because her previous comments were appreciated and the proposed project presented today is better due to her input. Mary Reichel requested that a decision be taken that would move the project to the City Council. She also requested that the motion reflect that the action to be taken is the result of a stalemate vote.

Tim Giles, City Attorney, stated that the effect of the motion and vote that has been taken is that the project would be forwarded to the City Council, deemed as a recommendation for denial based on a 2 to 2 vote.

### **C. DIRECTOR'S REPORT**

Patricia Miller, Current Planning Manager, reported that advance planning items will be on the Planning Commission agenda for the next regular meeting on February 23, 2009. An updated Projection Report will be provided to the Planning Commission members this week.

Steve Chase, Director of Planning and Environmental Services, reported that the City Council agenda for February 17, 2009, will include consideration of the Rancho Mobile Home Park condominium conversion project; a General Plan Amendment initiation request for the proposed Kenwood Village project; and the final reading of an ordinance to add Concept Review to the Planning Commission responsibilities.

### **D. PLANNING COMMISSION COMMENTS**

Commissioner Wallis requested that staff consider the following recommendations with regard to staff reports:

- a. Briefly describe in the next paragraph after the Recommendation the actions and items that are included in the recommended motion.

- b. Clearly state in the staff report with regard to the General Plan Consistency Analysis that consistency requires approval of the General Plan Amendment for projects with General Plan/Coastal Land Use Plan Amendments.

Chair Daniels stated that the staff report for today's hearing shows the project's site plan on the first page which is very helpful for the Planning Commissioners and the public.

**E. ADJOURNMENT: 9:45 P.M.**

Prepared by Linda Gregory, Recording Clerk.

GOLETA PLANNING COMMISSION