



**TO:** Mayor and Councilmembers

**FROM:** Dan Singer, City Manager

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

**SUBJECT:** Case No. 07-020-OA, -RZ, -DP; Rincon Palms Hotel and Restaurant;  
6868 and 6878 Hollister Avenue; APN 073-140-004

**RECOMMENDATION:**

- A. Open the public hearing on the Rincon Palms Hotel and Restaurant project.
- B. Allow staff presentation, applicant presentation, and public testimony.
- C. Adopt City Council Resolution 08-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Declaration (08-MND-001) and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Rincon Palms Hotel and Restaurant Project; Case No. 07-020-OA, -RZ, -DP at the Northeast Corner of Storke Road and Hollister Avenue; 6868 Hollister Avenue and 6878 Hollister Avenue; APN 073-140-004". (Attachment 1)
- D. Introduce and conduct the first reading (by title only) and waive further reading of City Council Ordinance 08-\_\_ entitled "An Ordinance of the City Council of the City of Goleta, CA Amending Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Establish a Hotel Overlay District". (Attachment 2)
- E. Introduce and conduct the first reading (by title only) and waive further reading of City Council Ordinance 08-\_\_ entitled "An Ordinance of the City Council of the City of Goleta, CA Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District for the Rincon Palms Hotel and Restaurant Project, Applicable to the Northeast Corner of Storke Road and Hollister Avenue; 6868 Hollister Avenue and 6878 Hollister Avenue; APN 073-140-004". (Attachment 3)
- F. Conceptually approve the Rincon Palms Hotel and Restaurant Project by conditionally adopting City Council Resolution 08-\_\_ entitled "A Resolution of the City Council of the City of Goleta, CA Approving a Development Plan for the

Rincon Palms Hotel and Restaurant Project, Case No. 07-020-DP; at the Northeast Corner of Storke Road and Hollister Avenue; 6868 and 6878 Hollister Avenue; APN 073-140-004". (Attachment 4)

- G. Continue the item to October 21, 2008 in order to conduct the second reading and adoption of the Ordinance for an Ordinance Amendment and the Ordinance for the Rezone and to adopt a City Council Resolution thereby approving the Rincon Palms Hotel and Restaurant Project.
- H. Close the public hearing.

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

**BACKGROUND:**

The proposed project site is located at the northeast corner of Hollister Avenue and Storke Road. The property includes 3.05 acres and is addressed as 6868 and 6878 Hollister Avenue. The General Plan land use designation is I-OI, Industrial-Office and Institutional, with a Hotel Overlay. The zoning designation is M-RP (Industrial - Research Park).

The following discretionary approvals are required for project implementation:

- An Ordinance Amendment (OA) to allow implementation of the Hotel Overlay;
- A Rezone (RZ) from M-RP (Industrial – Research Park) to PI (Professional and Institutional), consistent with the General Plan land use designation; and
- A Development Plan (DP) to allow a 112-room hotel (of approximately 59,600 square feet), an approximately 6,000-square foot restaurant, and associated infrastructure.

The Planning Commission heard the project on July 21, 2008 and recommended approval of the various applications to the City Council (see Resolution 08-06 in Attachment 5).

**DISCUSSION:**

**Project Description**

The proposed Rincon Palms hotel would be an approximately 59,600-square foot (SF) structure of 112 rooms designed in a rectangular configuration along the northern portion of the property. The front entrance of the hotel would face Hollister Avenue. Hotel amenities would include a port-cochere entry, private patios or balconies for each room, a guest swimming pool, an outdoor lounge patio and roof deck for community meetings, social gatherings and conference functions ancillary to the hotel. The hotel would be three stories with an average height of 35 feet. It would include two tower elements that would be 50 feet in height.

The proposed restaurant would be approximately 6,000 SF located at the southwest corner of the property. The restaurant would include a 1,000 SF outdoor dining area, a decorative trellis along the Hollister Avenue frontage, and patterned pavement and landscaping to tie the site together visually with the hotel. The restaurant would be single story with an average height of approximately 20 feet and would include a tower element with a metal décor sphere which would be 32 feet high.

The proposed architecture is characterized as Streamline Moderne with emphasis on exterior metal panels and trellis, smooth/seasoned concrete finish, storefront metal frames, and concrete tile roof. Internal circulation is marked by areas of patterned/textured paving. Landscaping is primarily drought tolerant and Mediterranean and consists of trees, shrubs, and groundcover planted along all three project frontages (Storke Road, Hollister Avenue, Cortona Drive), along building elevations, within planter islands, and within parking areas. The existing signature Washingtonian palms would be preserved and included/relocated within the proposed landscape plan.

Access would be from an onsite centrally located driveway on Cortona Drive as well as another driveway off Cortona Drive that is shared with the property to the north. (There would be no access from either Hollister Avenue or Storke Road). All utilities would be placed underground. The project would be served by the Goleta Water District and the Goleta West Sanitary District.

### *Frontage Improvements*

The following frontage improvements would be provided:

Hollister Avenue: Hollister Avenue would be widened by 4 feet to accommodate street improvements and a bike lane. Frontage improvements also include a 5.5-foot sidewalk, 2-foot parkway, and curb/gutter; as well as streetlights and an MTD bus pocket (with shelter, bench, trash can).

Cortona Drive: The Cortona Drive/Hollister Avenue southbound approach would be re-stripped to create separate right and left turn lanes. Frontage improvements also include a 4.5 foot sidewalk, 3-foot parkway, curb/gutter, and streetlights.

### *Grading and Drainage*

Implementation of the proposed project includes 7,500 cubic yards of cut and 5,000 cubic yards of fill. At the location of the hotel, the difference between existing grade and finished grade would be approximately 2 – 4 feet. At the location of the proposed restaurant, the difference between existing grade and finished grade would be less than one foot.

Existing drainage is conveyed via sheetflow across the property to existing drainage facilities located along Hollister Avenue and Cortona Drive. The proposed project

stormdrain system has been adequately sized for anticipated storm events. The project would also provide numerous best management practices (BMPs) designed to reduce water quality impacts. These include porous concrete in parking areas, pavers, and bioswales/detention basins.

*Parking*

Parking requirements include 122 spaces for the hotel and 30 spaces for the restaurant; for a total of 152 required parking spaces. A total of 189 spaces would be made available as follows:

Onsite	=	105 spaces
Onsite (garage)	=	55 spaces
Offsite	=	17 spaces (new spaces; exclusive use for hotel)
Offsite	=	12 spaces (existing spaces; conjunctive use – hotel and 6880 Cortona Drive)
TOTAL	=	189 spaces

**Project Analysis**

Environmental Analysis

Pursuant to the State *Guidelines for the Implementation of CEQA*, a Draft and proposed Final Mitigated Negative Declaration (MND) were prepared for the project. The Draft MND was released to the public on April 28, 2008 for a 30-day review period. Upon completion of the public review and comment period for the MND, City staff clarified various portions of the document and released the proposed Final MND on July 11, 2008, 10 days prior to the Planning Commission’s scheduled consideration of the project.

Potentially significant impacts were identified in the following areas:

- Aesthetics (new development at a visually prominent location and night lighting)
- Air Quality (dust control)
- Biological Resources (water quality)
- Cultural Resources (discovery of unknown resources during construction)
- Geology/Soils (nearby fault; erosion control)
- Hazards and Hazardous Materials (nearby properties undergoing remediation)
- Hyrdology/Water Quality (increased impervious surfaces and runoff)
- Noise (construction noise)
- Transportation/Traffic (impacts at Cortona Drive/Hollister Avenue, Storke Road/Hollister Avenue, and Storke Road n/or Hollister Avenue)



- Utilities/Service Systems (commitment for service capacity by the Goleta Water District and Goleta West Sanitary District)

All potentially significant impacts can be mitigated to less than significant levels. Mitigation measures include, but are not limited to, receiving final DRB approval for structures, landscaping, lighting, and a utility plan; approval of a final grading and drainage plan; controls on construction noise; a Fire Protection Plan; traffic/transportation improvements for project frontages, Cortona Drive/Hollister Avenue, Cremona Drive/Hollister Avenue, Storke Road, payment of fees, and a shared parking agreement; and guarantee of service from the Goleta Water District and Goleta West Sanitary District.

The proposed Final MND is provided as Attachment 6 to this staff report, and all mitigation measures have been incorporated into conditions of approval.

#### General Plan Consistency Analysis

The General Plan consistency analysis is included in Attachment 7. The proposed project, as conditioned, would be consistent with all applicable policies. The following policies are highlighted:

#### *Land Use Element, Table 2-3*

Recommended building intensity standards are included in Land Use Element, Table 2-3, Allowable Uses and Standards for Office and Industrial Use Categories. The recommended maximum structure height in the I-OI land use designation is 35 feet. The proposed hotel includes two tower elements of 50 feet each. These would exceed this recommended standard. It is recommended that a “good cause” finding for an exception to this recommendation be made as a result of the support for these tower elements by the Design Review Board and because a portion of the towers serves to screen proposed elevator shafts to the roof deck (Attachment 7, p. 4).

#### *Housing Element, Policy 3.2*

Housing Element, Policy 3.2 requires new nonresidential development to contribute to the provision of affordable housing. The City encourages the creation of housing near where people work and seeks participation of non-residential development in contributing affordable houses related to their impact on the local workforce. The contribution may include in-lieu fees, provision of onsite housing, housing assistance as part of employee benefit packages, or other alternatives of similar value. The fulfillment of affordable housing requirements is presently established by policy/administrative practice, where as an ordinance has not yet been adopted.

Options that may be considered include average rates currently used by other California jurisdictions. Some jurisdictions have adopted rates for hotels and restaurants using a per square foot fee amount. The rates fluctuated greatly; valuing contributions to

affordable housing is largely dependent upon community values, affordable housing, and construction. Council should refrain from the comparability of any city to Goleta and rather use this data to consider an appropriate average. The rates are as follows:

	Hotel Rate	Restaurant Rate	Applicable Fee
San Diego	\$0.64	n/a	\$38,144
Pleasanton	2.57	\$2.57	168,592
Santa Monica	4.91	4.91	322,096
Walnut Creek	5.00	n/a	298,000
Oakland	12.91	n/a	769,436
Average	5.20	3.74	332,360

Staff recommends applying the average factors from the above generation rates, resulting in an in-lieu fee of \$332,360. The applicant may choose to provide affordable units in the future. Council may choose to allow consideration of a reduction on the fee if such units are developed.

Staff can discuss this issue further at the hearing and can assist the Council in making a consistency determination using one of these options or some other appropriate means of determining consistency.

Zoning Ordinance Consistency Analysis

The Zoning Ordinance consistency analysis is included in Attachment 8. The proposed project would be consistent with all setback, building coverage, height, and landscaping requirements, except for one requested modification for an eave overhang on the proposed restaurant.

The following modification from Article III, Inland Zoning Ordinance standards is requested:

A modification for the eave overhang on the southern elevation of the restaurant to allow encroachment by about 2 feet into the required 15-foot setback of Hollister Avenue (Section 35-274).

It is recommended that this modification be granted due to the minor nature of the encroachment and because no use of the setback would be impeded.

Design Review Board (DRB)

The Design Review Board (DRB) completed their conceptual review of the project on June 19, 2007. Review resulted in improvements to structural elevations, architectural treatments, landscaping and parkway treatments, and onsite circulation. The DRB supported use of the hotel roof deck for community gatherings and the 50-foot height associated with the hotel's two tower features.

Goleta Growth Management Ordinance (GGMO)

The project is subject to Ordinance 03-04, the Goleta Growth Management Ordinance. The provisions of Section 8, Competitive System for Assigning Allocations to Non-Exempt Projects, are applicable. The ordinance includes a point system for non-exempt projects. Points are awarded at the time of any discretionary action for approval of the project. The criteria for awarding points are included in Attachment 9. Staff recommends the assignment of 9 points for this project.

**Summary**

All project impacts can be mitigated to a less than significant level, all mitigations have been included as conditions of approval, and all findings can be made (CEQA and administrative findings). Therefore, staff recommends approval of the proposed Rincon Palms Hotel and Restaurant project.

**GOLETA STRATEGIC PLAN:**

The Rincon Palms Hotel and Restaurant project would be consistent with the following Goals in the Strategic Plan entitled: "Promote a Healthy Business Climate" and moves the City closer towards realizing its vision as defined within the City's Strategic Plan.

**ALTERNATIVES:**

None are recommended.

**LEGAL REVIEW:**

This staff report has been reviewed by the City Attorney.

**FISCAL IMPACTS:**

The processing costs associated with the Rincon Palms Hotel and Restaurant Project are paid by the applicant.

Submitted By:

Reviewed by:

Approved By:

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Steve Chase, Director  
Planning and Environmental  
Services

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Michelle Greene, Director  
Administrative Services

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Daniel Singer  
City Manager

**ATTACHMENTS:**

1. City Council Resolution 08-\_\_ ; CEQA Resolution
2. City Council Ordinance 08-\_\_ ; Ordinance Amendment for Hotel Overlay
3. City Council Ordinance 08-\_\_ ; Rezone
4. City Council Resolution 08-\_\_ ; Development Plan for the Rincon Palms Hotel and Restaurant Project
5. Planning Commission Resolution 08-06
6. Proposed Final Mitigated Negative Declaration; 08-MND-001
7. General Plan Policy Consistency Analysis
8. Zoning Ordinance Consistency Analysis
9. Goleta Growth Management Ordinance, Section 8.2 (Award of Points)
10. Project Plans

# **ATTACHMENT 1**

**City Council Resolution 08-\_\_ ; CEQA Resolution**

**RESOLUTION NO. 08-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION (08-MND-001) AND ADOPTING CEQA FINDINGS AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE RINCON PALMS HOTEL AND RESTAURANT PROJECT; CASE NO. 07-020-OA, -RZ, -DP AT THE NORTHEAST CORNER OF STORKE ROAD AND HOLLISTER AVENUE; 6868 AND 6878 HOLLISTER AVENUE; APN 073-140-004**

**WHEREAS**, an application was submitted on February 15, 2007 by Laurel Perez, agent for Kip Bradley, Cortona Opportunities, LLP, requesting approval of an Ordinance Amendment, Rezone, and Development Plan; and

**WHEREAS**, the application was found complete for processing on March 15, 2007; and

**WHEREAS**, the application is for an ordinance amendment to add a Hotel Overlay to Article III, Goleta Zoning Ordinance, a rezone to change the zone district of the parcel from M-RP (Industrial Research Park) to PI (Professional and Institutional), and a development plan to allow for construction of an approximately 59,600 square foot, 112-room hotel and 6,000-square foot restaurant; and

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

**WHEREAS**, a Draft Mitigated Negative Declaration was prepared by the City of Goleta, and was released for public review between April 29, 2008 and May 28, 2008; and

**WHEREAS**, a total of eight letters or written statements were received on the Draft Mitigated Negative Declaration; and

**WHEREAS**, in response to written public comments received, a proposed Final Mitigated Negative Declaration was released on July 11, 2008, pursuant to the requirements of the State and City CEQA Guidelines; and

**WHEREAS**, on July 21, 2008, the City of Goleta Planning Commission conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and considered the entire administrative record, including application materials, staff report, the Draft and Final Mitigated Negative Declaration, and oral and written testimony from interested persons; and

**WHEREAS**, on July 21, 2008, the City of Goleta Planning Commission adopted Resolution 08-06, recommending that the City Council adopt the Final Mitigated Negative Declaration (08-MND-001) pursuant to the State CEQA Guidelines and approve Case 07-020-OA, -RZ, -DP, with recommended findings and conditions of approval; and

**WHEREAS**, on October 7, 2008, 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 considered the entire administrative record, including application materials, staff report, the Draft and Final Mitigated Negative Declaration, and oral and written testimony from interested persons; and

**WHEREAS**, the City Council finds that adoption of the Mitigated Negative Declaration for the Rincon Palms Hotel and Restaurant Project would be based on its ability to make the required findings, including findings pursuant to the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA 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 the Final Mitigated Negative Declaration (08-MND-001).**

The City Council has examined the proposed Final Mitigated Negative Declaration, including the comments on the Draft MND received during the public review process, and finds that the Final Mitigated Negative Declaration has been prepared in compliance with the requirements of CEQA, including direct, indirect, and cumulatively significant effects and proposed mitigation measures; and hereby certifies that the Final Mitigated Negative Declaration constitutes a complete, accurate, adequate, and good faith effort at full disclosure, and reflects the City of Goleta's independent judgment and analysis pursuant to Section 15074 of the State CEQA Guidelines.

**SECTION 3. CEQA Findings.**

The City Council finds that the proposed project mitigates environmental impacts to the maximum extent feasible, and changes and alterations intended to avoid or substantially lessen the significant environmental effects identified in the Final Mitigated Negative Declaration (08-MND-001) have been incorporated as

required conditions of approval where feasible, pursuant to Section 15074 of the State CEQA Guidelines.

**SECTION 4. Mitigation Monitoring and Reporting Program.**

State CEQA Guidelines Section 15097 requires that the City adopt reporting or monitoring programs for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The procedures for mitigation monitoring and verification are described for each mitigation measure in the Final MND. The approved project description, the mitigation measures as described in the Final MND, and the conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

**SECTION 5. 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 6. Publication.**

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

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MICHAEL T. BENNETT, MAYOR

ATTEST:

APPROVED AS TO FORM:

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

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



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

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

AYES:

NOES:

ABSENT:

(SEAL)

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

## **ATTACHMENT 2**

**City Council Ordinance 08-\_\_; Ordinance Amendment for Hotel  
Overlay**

**ORDINANCE NO. 08-\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA AMENDING CHAPTER 35, ARTICLE III OF THE GOLETA MUNICIPAL CODE, THE INLAND ZONING ORDINANCE, TO ESTABLISH A HOTEL OVERLAY DISTRICT**

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

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

**WHEREAS**, the ordinances adopted by the City included Article III of Chapter 35, referred to as the "Inland Zoning Ordinance;" and

**WHEREAS**, on July 21, 2008, the City of Goleta Planning Commission held a duly noticed public hearing to consider the proposed Ordinance Text Amendment and various related matters, at which times all interested persons were given an opportunity to be heard; and

**WHEREAS**, on July 21, 2008, the City of Goleta Planning Commission adopted Resolution 08-06, recommending that the City Council approve the proposed Ordinance Text Amendment and various related matters; and

**WHEREAS**, on October 7, 2008, the City Council held a duly noticed public hearing to consider the proposed Ordinance Text Amendment and various related matters, at which times all interested persons were given an opportunity to be heard; and

**WHEREAS**, on October 7, 2008, the City Council adopted Resolution 08-\_\_, adopting findings pursuant to the California Environmental Quality Act (CEQA) and adopting the Final Mitigated Negative Declaration (08-MND-001); and

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

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

**SECTION 1. Recitals.**

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

**SECTION 2. Ordinance Text Amendment.**

The City Council hereby adopts an amendment to Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to add language as set forth in Exhibit 1 to this ordinance.

**SECTION 3. Administrative Findings.**

The following findings are adopted pursuant to Section 35-325 of Chapter 35, Article III, the Inland Zoning Ordinance, of the Goleta Municipal Code:

- a) The Ordinance Text Amendment is in the interest of the general community welfare. The proposed Ordinance Amendment provides for a Hotel Overlay District consistent with the Hotel Overlay included in the General Plan on Figure 2-1 on the subject property. The associated benefits include the provision of needed hotel accommodations and increased transient occupancy tax base to the City of Goleta. These are benefits that contribute to the general community welfare. Lately, increased demand for hotel, restaurant, and conference space is being fueled by development approvals in and around Goleta (e.g., Cabrillo Business Park, Fairview Corporate Center, Village at Los Carneros, etc.), coupled with corporate growth (e.g., Citrix Online, Yardi Systems, etc.) and plans for expansion of UCSB and the improvement of the Santa Barbara Municipal Airport. The proposed Hotel Overlay District at this gateway property satisfies the community's economic demand for increased and improved hospitality services.
- b) The Ordinance Text Amendment is consistent with the General Plan as specified in the City Council staff report dated October 7, 2008, the requirements of State planning and zoning laws, and Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, as applicable.
- c) The Ordinance Text Amendment is consistent with good zoning and planning practices in that it implements the Hotel Overlay included in the General Plan on Figure 2-1 for the subject property.

**SECTION 4. Documents.**

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

**SECTION 5. Effective Date.**

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

**SECTION 6. Publication.**

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

INTRODUCED ON the 7th day of October, 2008.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MICHAEL T. BENNETT, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

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

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

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

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 08-\_\_ was duly adopted by the City Council of the City of Goleta at a meeting held on the \_\_ day of \_\_\_\_\_, 2008, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

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DEBORAH CONSTANTINO  
CITY CLERK

# **ATTACHMENT 3**

**City Council Ordinance 08-\_\_; Rezone**

**ORDINANCE NO. 08-\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA AMENDING THE OFFICIAL ZONING MAP REFERENCED IN SECTION 35-204 OF ARTICLE III OF THE GOLETA MUNICIPAL CODE, THE INLAND ZONING ORDINANCE, TO CHANGE THE ZONE DISTRICT APPLICABLE TO THE NORTHEAST CORNER OF STORKE ROAD AND HOLLISTER AVENUE; 6868 AND 6878 HOLLISTER AVENUE; APN 073-140-004**

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

**WHEREAS**, the ordinances adopted by the City included Article III of Chapter 35, referred to as the "Inland Zoning Ordinance;" and

**WHEREAS**, on July 21, 2008, the City of Goleta Planning Commission held a duly noticed public hearing to consider the proposed rezone from M-RP to PI (with Hotel Overlay) and various related matters, including an ordinance text amendment and application for hotel and restaurant development, at which times all interested persons were given an opportunity to be heard; and

**WHEREAS**, on July 21, 2008, the City of Goleta Planning Commission adopted Resolution 08-06, recommending that the City Council approve the proposed rezone and various related matters; and

**WHEREAS**, on October 7, 2008, the City Council held a duly noticed public hearing to consider the proposed rezone and various related matters, at which times all interested persons were given an opportunity to be heard; and

**WHEREAS**, on October 7, 2008, the City Council adopted Resolution 08-\_\_, adopting findings pursuant to the California Environmental Quality Act (CEQA) and adopting the Final Mitigated Negative Declaration (08-MND-001); and

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



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

**SECTION 1. Recitals.**

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

**SECTION 2. Administrative Findings.**

The following findings are adopted pursuant to Section 35-325 of Chapter 35, Article III, the Inland Zoning Ordinance, of the Goleta Municipal Code:

- a) The Rezone is in the interest of the general community welfare. The rezoning of the property would make the proposed hotel and restaurant consistent with the proposed zone district of PI, Professional and Institutional, which would also be consistent with the land use designation of I-OI (Office and Institutional). The purpose and intent of the PI zone district is to provide appropriately located areas for professional uses and for educational, institutional, governmental and other public facilities. This zone district would be the best match for the I-OI land use designation in the General Plan. Moreover, the addition of a Hotel Overlay to the Goleta Municipal Code would apply to the subject site because it already has this comparable overlay designated in the Goleta General Plan. The addition of a hotel use to the property would also benefit the City of Goleta through its contribution of transient occupancy taxes, and the provision of hotel rooms in support of local corporate growth in the high-tech and aerospace sectors, as well as planned improvements to the Santa Barbara Municipal Airport and planned expansion and repositioning of UCSB as an internationally acclaimed research and development institute. As a result of providing a zoning district consistent with the City's General Plan and its intended use of the site, this proposal is found to be in the interest of the general community welfare.
- b) The Rezone is consistent with the General Plan, the requirements of State planning and zoning laws, and Article III, Chapter 35 of the Goleta Municipal Code, the Inland Zoning Ordinance, as applicable.
- c) The Rezone is consistent with good zoning and planning practices because the proposed zoning designation of PI (Professional and Institutional) would allow implementation of the General Plan's Hotel Overlay and would be consistent with the property's proposed development of a hotel to serve visitors of the local area, UCSB and surrounding industries such as research and development companies.

**SECTION 3. Amendment of the Official Zoning Map Referenced in Section 35-204 of Article III**

The zoning map referenced in Section 35-204 of Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, is hereby amended as follows and as shown on the map in Exhibit 1, attached hereto and incorporated herein by this reference:

- a. Change the zoning on the 6868/6878 Hollister Avenue (APN 073-140-004) to PI (Professional and Institutional) with a Hotel Overlay (HO), as of the effective date of the adopted ordinance.

**SECTION 4. Effective Date**

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

**SECTION 5. Publication**

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

INTRODUCED ON the 7th day of October, 2008.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MICHAEL T. BENNETT, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

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

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

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

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 08-\_\_ was duly adopted by the City Council of the City of Goleta at a meeting held on the \_\_ day of \_\_\_\_\_, 2008, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

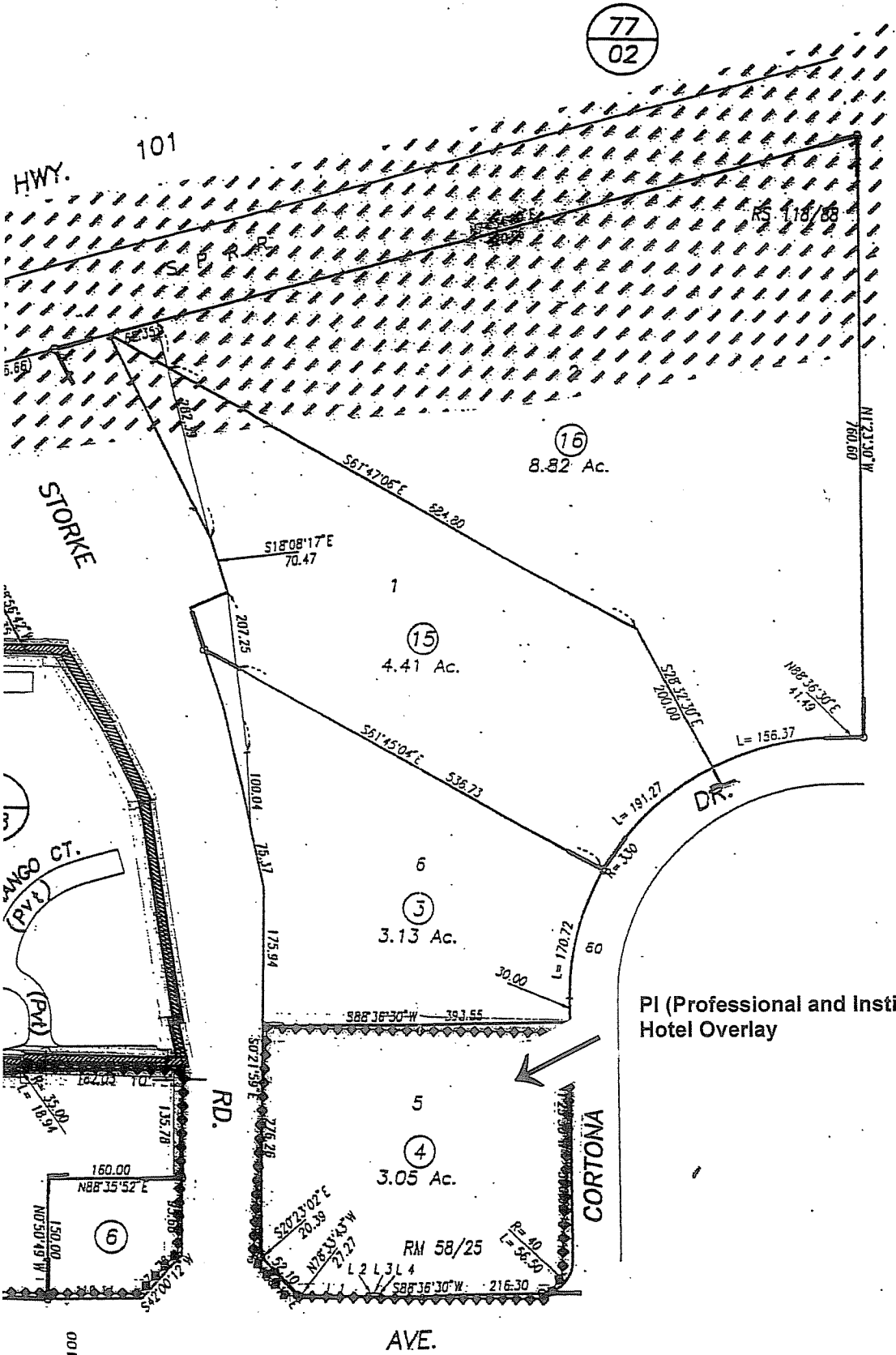
(SEAL)

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DEBORAH CONSTANTINO  
CITY CLERK

# POR. RANCHO LOS DOS PUEBLOS

Ordinance 08-  
Exhibit 1



77  
02

15

LINE TABLE		
NO.	BEARING	DISTANCE
L 1	S88°36'30"W	70.58
L 2	S1°23'30"E	4.00
L 3	S88°36'30"W	9.00
L 4	N1°23'30"W	4.00

HIGHWAY 101  
OVERLAY DIS

**NOT**  
Assessor Parcels are for  
purposes only and do  
not affect parcel legality or a val.

PI (Professional and Institutional)  
Hotel Overlay

10

6 , Tract 10212-Unit 1

Assessor's Map  
County of Santa

## **ATTACHMENT 4**

**City Council Resolution 08-\_\_ ; Development Plan for the Rincon  
Palms Hotel and Restaurant Project**

**RESOLUTION NO. 08-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA APPROVING A DEVELOPMENT PLAN FOR THE RINCON PALMS HOTEL AND RESTAURANT PROJECT, CASE NO. 07-020-DP; AT THE NORTHEAST CORNER OF STORKE ROAD AND HOLLISTER AVENUE; 6868 AND 6878 HOLLISTER AVENUE; APN 073-140-004**

**WHEREAS**, an application was submitted on February 15, 2007 by Laurel Perez, agent for Kip Bradley, Cortona Opportunities, LLP, requesting approval of an Ordinance Amendment, Rezone, and Development Plan; and

**WHEREAS**, the application was found complete for processing on March 15, 2007; and

**WHEREAS**, the application is for an ordinance amendment to add a Hotel Overlay to Article III, Goleta Zoning Ordinance, a rezone to change the zone district of the parcel from M-RP (Industrial Research Park) to PI (Professional and Institutional), and a development plan to allow for construction of an approximately 59,600 square foot, 112 room hotel and 6,000 square foot restaurant; and

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

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

**WHEREAS**, on July 21, 2008, the City of Goleta Planning Commission conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and considered the entire administrative record, including application materials, staff report, the Draft and Final MND, and oral and written testimony from interested persons; and

**WHEREAS**, on July 21, 2008, the City of Goleta Planning Commission adopted Resolution 08-06, recommending that the City Council adopt the Final MND (08-MND-001) pursuant to the State CEQA Guidelines and approve Case 07-020-OA, -RZ, -DP, with recommended findings and conditions of approval; and

**WHEREAS**, on October 7, 2008, 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 October 7, 2008, the City Council adopted Resolution 08-\_\_\_, adopting findings pursuant to the California Environmental Quality Act (CEQA) and adopting the Final Mitigated Negative Declaration (08-MND-001); and

**WHEREAS**, by adoption on October 21, 2008 of Ordinance 08-\_\_\_, the City Council has approved an amendment to Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to establish a Hotel Overlay District; and

**WHEREAS**, by adoption on October 21, 2008 of Ordinance 08-\_\_\_, the City Council has approved a rezone of the subject property to PI (Professional and Institutional) with a Hotel Overlay; and

**WHEREAS**, a Development Plan is required pursuant to Section 35-317 of Chapter 35, Article III of the Goleta Municipal Code, as amended by Ordinance 08-\_\_\_ and Ordinance 08-\_\_\_; and

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

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

**SECTION 1. Adoption of Findings.**

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

**SECTION 2. Approval of Development Plan.**

The Development Plan for the subject application, Case No. 07-020-DP, is hereby approved subject to the conditions set forth as Exhibit 2 to this Resolution and incorporated herein by this reference. This includes the “good cause” findings for exception to the recommended maximum height identified in the General Plan, Land Use Element, Table 2-3, for the I-OI land use designation.

**SECTION 3. 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 4.** The City Clerk shall certify to the adoption of this resolution.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MICHAEL T. BENNETT, 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. 08-\_\_ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2008, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

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

**FINDINGS**  
**CASE NO. 07-020-DP**

**RINCON PALMS HOTEL AND RESTAURANT PROJECT DEVELOPMENT PLAN**  
**NORTHEAST CORNER OF STORKE ROAD AND HOLLISTER AVENUE;**  
**6868 AND 6878 HOLLISTER AVENUE; APN 073-140-004**

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

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

The project site is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed, including structures, parking lots, circulation system, and landscaping to accommodate the project design. Overall, there is sufficient acreage onsite to accommodate the density and intensity of development proposed.

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

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

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

All existing streets and highways serving the proposed project are adequate and properly designed and, subject to the improvements, dedications, and fee payments specified in conditions of approval (Exhibit 2), can accommodate the traffic generated by the project. Impacts to Storke Road north of Hollister Avenue would be mitigated by the applicant's responsibility to implement a re-striping of Storke Road to create an additional lane, or depending on the timing of other applicants with the same impact, contribute fees based on its fair share of this roadway impacts. The applicant would also be required to install, or contribute toward (depending on timing of other projects in the pipeline) a traffic signal at the Hollister Avenue/Coromar Drive intersection. The applicant would also pay Goleta Transportation Improvement Fees towards impacts at Storke Road and Hollister Avenue.

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

The proposed project would be served by the Santa Barbara County Fire Department, the Goleta Water District, the Goleta West Sanitary District, and the City of Goleta Police Department. These agencies and districts have adequate capacity to serve the proposed Rincon Palms Hotel and Restaurant.

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

The proposed project would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and would not be incompatible with the surrounding areas. The project would be served by the appropriate water and sewer districts and, as conditioned (see Exhibit 2), would have safe and adequate primary and emergency/secondary vehicular access. The design of the project would be compatible with surrounding development and would provide a hotel land use and restaurant, complementary to the surrounding uses.

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

The proposed project is consistent with the General Plan land use designation of I-OI, with Hotel Overlay as well as all applicable policies. The proposed project is also consistent with the PI zone district subject to approval of the requested Ordinance Amendment for the Hotel Overlay District. The project would also be consistent with applicable zoning ordinance standards, subject to approval of the requested modification.

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

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

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

**RINCON PALMS HOTEL AND RESTAURANT PROJECT  
NORTHEAST CORNER OF STORKE ROAD AND HOLLISTER AVENUE  
6868 AND 6878 HOLLISTER AVENUE; APN 073-140-004**

**1. AUTHORIZATION:**

The Development Plan conditions set forth below authorize development proposed in Case No. 07-020-DP marked “Officially Accepted, \_\_\_\_\_, 2008, City Council Exhibit 1.” 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:

07-020-DP: Rincon Palms Hotel and Restaurant

Site Development Plan (Sheet A-1 dated July 14, 2008, delta February 28, 2008)

Basement & Ground Floor Plan (Sheet A-2, July 14, 2008)

Second & Third Floor Plans (Sheet A-3, July 14, 2008)

Hotel Roof & Equip. Screen Plan, Restaurant Plan, Restaurant Roof & Equip.

Screen Plan (Sheet A-4, July 14, 2008)

Hotel Elevations (Sheet A-5, July 14, 2008)

Restaurant Elevations (Sheet A-6, July 14, 2008)

Preliminary Site Grading & Drainage Plan (Sheet C-1, July 14, 2008)

Preliminary Site Grading & Drainage Plan (Sheet C-2, July 14, 2008)

Preliminary Landscape Plan (Sheet L1, dated July 14, 2008)

**2. AUTHORIZED DEVELOPMENT:**

The proposed project site is located at the northeast corner of Hollister Avenue and Storke Road. The property includes 3.05 acres and is addressed as 6868 and 6878 Hollister Avenue.

The proposed Rincon Palms hotel would be an approximately 59,600-square foot (SF) structure of 112 rooms designed in a rectangular configuration along the northern portion of the property. The front entrance of the hotel would face Hollister Avenue. Hotel amenities would include a port-cochere entry, private patios or balconies for each room, guest swimming pool, outdoor lounge patio and roof deck for community meetings, social gatherings and conference functions ancillary to the hotel. The hotel would be three stories with an average height of 35 feet. It would include two tower elements that would be 50 feet in height.

The proposed restaurant would be approximately 6,000 SF located at the southwest corner of the property. The restaurant would include a 1,000 SF outdoor dining area,

decorative trellis along the Hollister Avenue frontage, and patterned pavement and landscaping to tie the site together visually with the hotel. The restaurant would be single story with an average height of approximately 20 feet and includes a tower element with a metal décor sphere which would be 32 feet high.

The proposed architecture is characterized as Streamline Moderne with emphasis on exterior metal panels and trellis, smooth/seasoned concrete finish, storefront metal frames, and concrete tile roof. Internal circulation is marked by areas of patterned/textured paving. Landscaping is primarily drought tolerant and Mediterranean and consists of trees, shrubs, and groundcover planted along all three project frontages (Storke Road, Hollister Avenue, Cortona Drive), along building elevations, within planter islands, and within parking areas. The existing signature Washingtonian palms would be preserved and included/relocated within the proposed landscape plan.

Implementation of the proposed project includes 7,500 cubic yards of cut and 5,000 cubic yards of fill. At the location of the hotel, the difference between existing grade and finished grade would be approximately 2 – 4 feet. At the location of the proposed restaurant, the difference between existing grade and finished grade would be less than one foot.

Access would be from an onsite centrally located driveway on Cortona Drive as well as another driveway off Cortona Drive that is shared with the property to the north. (There would be no access from either Hollister Avenue or Storke Road). Parking requirements include 122 spaces for the hotel and 30 spaces for the restaurant; for a total of 152 required parking spaces. A total of 189 spaces would be made available as follows:

onsite	=	105 spaces
onsite (garage)	=	55 spaces
offsite	=	17 spaces (new spaces; exclusive use for hotel)
offsite	=	12 spaces (existing spaces; conjunctive use)
<b>TOTAL</b>	<b>=</b>	<b>189 spaces</b>

All utilities would be undergrounded. The project would be served by the Goleta Water District and the Goleta West Sanitary District.

The following modification from Article III, Inland Zoning Ordinance standards is approved:

A modification for the eave overhang on the southern elevation of the restaurant to allow encroachment by about 2 feet into the required 15-foot setback of Hollister Avenue (Section 35-274).

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 as set forth in Condition 1 and shall abide by the conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the City of Goleta. Minor changes to the project description contained herein shall be subject to the approval of the Director of Planning and Environmental Services.

### **MITIGATION MEASURES FROM MND (08-MND-001)**

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

3. The proposed project shall be resubmitted for Preliminary/Final Review by DRB consisting of: (i) updated site plan, architectural floor plans, exterior elevations, landscape drawings and street improvement plans; and (ii) an updated visual simulation of the proposed project. The preliminary development plans shall be revised to address the issues raised by DRB in its Conceptual Review and shall incorporate all applicable mitigation measures and conditions of approval. The updated building exterior elevations shall be fully dimensioned, showing existing grade, finished grade, finished floor, average height and peak height. **Plan Requirements & Timing:** The preliminary development plans shall be revised and resubmitted to DRB for review and approval prior to issuance of a Land Use Permit (“LUP”) for the project.

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

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

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

5. An Overall Sign Plan for the project shall be prepared and submitted for review and approval by DRB and City staff because conceptual signs shown on City Council exhibits have not been reviewed for compliance with Sign Ordinance standards. **Plan Requirements and Timing:** The Overall Sign Plan shall be reviewed and approved by DRB and City staff prior to and as a condition precedent to installation of any signs for the project. Individual signs shall be reviewed and approved by the DRB and City staff prior to issuance of a Sign Certificate of Conformance.

**Monitoring:** City staff shall verify that project signs are approved and installed according to the Overall Sign Plan.

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

The project landscaping shall consist of drought-tolerant native and/or Mediterranean type species which adequately complement the project design and integrate the site with surrounding land uses. Landscaping shall be compatible with the character of the surroundings, the architectural style of the structure and shall be adjusted necessary to: (i) provide adequate vehicle stopping sight distance at all driveway entrances (as determined by the City); (ii) visually screen parking areas from street view to the maximum extent reasonable; and (iii) screen, through plantings and other features, loading and services areas of the proposed hotel. **Plan Requirements & Timing:** The landscape plans shall be revised and resubmitted for review and approval prior to and as a condition precedent to issuance of any LUP for the project. The plans shall be submitted for review and the DRB and City staff prior to issuance of an LUP. All elements of the final landscape plan, including irrigation improvements, shall be installed prior to any occupancy clearance.

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

7. The applicant shall install required landscaping and water-conserving irrigation systems in the public right of way, as well as enter into an Agreement with the City to maintain required landscaping for the life of the project. **Plan Requirements &**

**Timing:** Performance and Labor and Materials securities for installation, and a Maintenance security in place for at least three (3) years shall be subject to review and approval by City staff. All required securities and the landscape maintenance agreement shall be signed and filed with the City prior to issuance of any LUP for the project.

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

8. All exterior night lighting shall be of low intensity/low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Exterior lighting fixtures shall be kept to the minimum number and intensity needed to ensure the public safety of employees, residents, and visitors to the commercial center. All upward directed exterior lighting shall be prohibited to protect night sky views of the stars. All exterior lighting fixtures shall be appropriate for the architectural style of the proposed structure and the surrounding area. The applicant shall develop a lighting plan incorporating these requirements and provisions for dimming lights after 11:00 p.m. to the maximum extent practical without compromising public safety. **Plan Requirements:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on the preliminary/final lighting plan and shall be reviewed and approved by DRB and City staff. **Timing:** The preliminary/final lighting plan shall be reviewed and approved by DRB and City staff prior to issuance of any LUP for the project.

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

9. 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 & Timing:** Prior to and as a condition precedent to issuance of any LUP for the project, the applicant shall designate and provide to City staff the name and phone number of a contact person(s) to monitor construction trash/waste and organize a clean-up crew. Additional covered receptacles shall be provided as determined necessary by City staff. This requirement shall be noted on all plans. Trash control shall occur throughout all grading and construction activities.

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

10. The applicant shall prepare a detailed design of the proposed trash enclosures, for recyclables and solid waste, for the proposed hotel and restaurant that exhibits



good design and is compatible with the architectural style of the project. The storage area shall be enclosed with a solid wall of sufficient height to screen the area and shall include a solid gate and a roof. The trash storage area shall be maintained in good repair. A letter from the trash/recycle hauler shall be required that states that the location is accessible. **Plan Requirements & Timing:** Said trash enclosure plans shall be submitted for review and approval by DRB and City staff prior to issuance of any LUP for the project.

**Monitoring:** City staff shall verify compliance on project plans prior to approval of any LUP for the project. City staff shall verify installation of the approved trash enclosure prior to the issuance of any certificate of occupancy for the project.

11. The applicant shall submit a composite utility plan for DRB and City staff Preliminary/Final Review. All external/roof mounted mechanical equipment on the proposed hotel and restaurant (including HVAC condensers, switch boxes, etc.) shall be included on all building plans and shall be designed to be integrated into the structure and/or screened from public view in a manner deemed acceptable to the City. **Plan Requirements & Timing:** Detailed plans showing all external/roof mounted mechanical equipment shall be submitted for review by DRB and City staff prior to and as a condition precedent to issuance of any LUP for the project.

**Monitoring:** City staff shall verify installation of all external/roof mounted mechanical equipment per the approved plans prior to the approval of any certificate of occupancy.

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

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

13. All existing and proposed utilities along the Hollister Avenue project frontage shall be placed underground. **Plan Requirements and Timing:** All composite utility plans for the project shall note this undergrounding requirement and shall be submitted for City staff review and approval prior to issuance of any LUP for the project.

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

### ***Air Quality***

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

The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements and Timing:** All of the aforementioned requirements shall be noted on all construction plans and shall be submitted for approval by City staff prior to issuance of any LUP for the project. The name and telephone number of such persons shall be provided to City staff and the APCD.

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

15. The following energy-conserving techniques, that substantially exceed the minimum Title 24 energy conservation requirements, shall be incorporated unless the applicant demonstrates their infeasibility to the satisfaction of City of Goleta staff:
- a. Installation of low NO<sub>x</sub> residential water heaters and space heaters meeting the minimum efficiency requirements of applicable APCD rules;

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

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

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

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

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

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

17. ROC and NO<sub>x</sub> emissions generated by construction equipment shall be reduced by implementing the following equipment control measures:
- a. The engine size of construction equipment shall be the minimum practical size;
  - b. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time;

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

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

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

- 18. The project shall comply with all Rules and Regulations required by the Santa Barbara County Air Pollution Control District (APCD), including but not limited to:
  - a. Compliance with APCD Rule 339, governing the application of cutback and emulsified asphalt paving materials by the contractor;
  - b. Obtaining required permits for any emergency diesel generators or large boilers prior to issuance of any land use permits;
  - c. Obtaining APCD permits prior to handling or treatment of any contaminated soil on site, if required;
  - d. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes at any location and auxiliary power units should be used whenever possible. Compliance with State law provisions require 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).

***Biological Resources***

- 19. Applicant shall submit 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. **Plan Requirements and Timing:** 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.

**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.

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

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

### ***Cultural Resources***

21. In the event archaeological artifacts are encountered during grading or other ground disturbing activities, work shall be stopped immediately or redirected until a City approved archaeologist and Native American representative are retained by the applicant (at its cost) to evaluate the significance of the find pursuant to Phase 2 investigations. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program funded by the applicant. **Plan Requirements:** The applicant shall restate the provisions for archeological discovery on all building and grading plans. **Timing:** This condition shall be satisfied prior to issuance of any LUP for the project.

**Monitoring:** City staff shall check plans prior to approval of any LUP for the project and shall conduct periodic compliance inspections during and after construction.

### ***Geology and Soils***

22. The applicant shall adhere to Policy SE 4.4 of the Goleta General Plan and comply with the 50-foot structural set back from the North Ellwood I Fault. The fault line

and setback measurement shall be noted on all development plans and construction drawings. At the time of building permit application, the applicant shall demonstrate through a structural soils report, prepared by a certified engineering geologist, that all non-habitate structure improvements located within the 50-foot setback can be appropriately design to withstand or respond to fault rupture or other seismic damage. The recommendations prescribed in the structural soils report shall be implemented through construction plans and documents. **Plan Requirements and Timing:** The structural soils report shall be reviewed and approved by the City Building Official prior to issuance of any LUP for the project.

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

23. The applicant shall demonstrate through a structural soils and corrosivity report, prepared by a certified engineering geologist, that site preparation, structural design criteria, and final footings and foundation design accounts for liquefaction in accordance with the State Building Code and complies with the Preliminary Foundation Investigation and Preliminary Geologic Hazards Evaluation prepared for the proposed project. The structural soils report shall also prescribe recommendations for design and construction of site improvements to minimize long term damage to paved driveways, parking areas, sidewalks and other similar surface features that may be susecptible to possible settlement and lateral movement. The recommendations prescribed in the structural soils report shall be implemented through construction plans and documents. **Plan Requirements and Timing:** The structural soils report shall be reviewed and approved by the City Building Official prior to any LUP for the project.

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

### ***Hazardous Materials/Risk of Upset***

24. Prior to commencement of ground disturbance activities, the applicant shall submit Phase I and Phase II Environmental Site Assessments to the Santa Barbara County Fire Department Fire Prevention Division (FPD), including earlier investigations performed by the parties responsible for the off-site contamination are deemed acceptable. If additional assessment or site remediation is warranted, all such work shall be performed to the satisfaction of the Santa Barbara County Fire Department FPD including, if necessary, the following: (i) soil vapor survey, comparing collected data against current screening levels including the California Human Health Screening Levels and EPA Region IX Preliminary Remediation Goals; (ii) groundwater assessment to determine the lateral extent of contamination on the project site; (iii) Remedial Action Plan (“RAP”) incorporating appropriate mitigation measures (e.g., vapor barriers, vents, etc.) or site remediation to reduce contaminants to acceptable concentrations; This includes a 30 day public notification period prior to approval of the RAP by Santa Barbara

County Fire Department FPD, and incorporation of relevant public comments in the RAP implementation; (iv) soils management plan in the event that contamination is encountered during construction; and (v) a dewatering plan if any groundwater is removed during construction, including required permits to discharge into the City's sewer or storm drain system. **Plan Requirements & Timing:** The applicant shall prepare a work plan that outlines the methodology to be followed in undertaking required Phase I and Phase II Environmental Site Assessments, if required. This plan shall be reviewed and approved by the Santa Barbara County Fire Department FPD, prior to commencing work. Thereafter, the various site assessment and remediation actions, if any are required, shall be reviewed and approved by the Santa Barbara County Fire Department FPD prior to issuance of any LUP for the project. All required remediation shall be completed prior to occupancy.

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

25. Prior to commencement of ground disturbance activities, the applicant shall prepare a Worker Awareness Program to acquaint workers (including archeological data recovery personnel) on the hazards and potential exposure to contaminated groundwater, vapor and soil. The program shall described measures to minimize such exposure and medical procedures to be employed in the event of exposure. The applicant shall ensure that all workers are properly briefed on the Worker Awareness Program and that proper precautions are being taken throughout the duration of grading and construction. **Plan Requirements & Timing:** Depending on the results of the Phase I/II analysis, Hazwopper trained workers may be required. The Worker Awareness Program shall be reviewed and approved by the City and prior to issuance of any LUP for the project.

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

### ***Hydrology and Water Resources***

26. The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15<sup>th</sup> to November 1<sup>st</sup>) unless a City approved erosion control plan, incorporating appropriate BMPs identified in the EPA guidelines for construction site runoff control (EPA Fact Sheet 2.6, Construction Site Runoff Minimum Control Measures, 01/00), is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within four (4) weeks of grading completion, with the exception of surfaces graded for the placement of

structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion.

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

### ***Land Use***

27. Development plans for the proposed project shall be consistent with the March 2008 plans reviewed by County Fire Department and City staff that (i) incorporate at least one loading space; and (ii) ensure compliance relevant to aisleway parking lot standards. **Plan Requirements & Timing:** The project plans shall be resubmitted for review and approval by DRB, the Santa Barbara County Fire Department (Fire Prevention Division), and City staff to determine compliance with relevant driveway and aisleway standards prior to issuance of any LUP for the project.

**Monitoring:** The Preliminary Development Plans shall be installed as shown on plans reviewed in March 2008 by the Fire Department. City staff shall site inspect construction and striping of the parking lot prior to occupancy clearance.

### ***Noise***

28. The applicant shall prepare an acoustical study that: (i) includes field measurement of noise levels in the vicinity of the proposed restaurant, with specific assessment of the outdoor seating area; (ii) identifies the noise sources, magnitude of impacts and potential mitigation measures, taking into account existing and future noise exposure; and (iii) specifically addresses the potential and effectiveness of adding glass to proposed screen walls and installation of water features (as “white” noise). The study shall be presented, along with design alterations, for consideration by the DRB in connection with the Preliminary/Final Review of the project. **Plan Requirements & Timing:** The acoustical study and design modifications for the restaurant (if any are proposed) shall be submitted to DRB for review and approval prior to issuance of a Land Use Permit (“LUP”) for the project.

**Monitoring:** City staff shall withhold issuance of an LUP pending approval of the final development plans by DRB. City staff shall verify that the project is constructed per the final architectural plans approved by DRB prior to issuance of any certificate of occupancy.

29. Noise generating construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday, and no construction shall occur on State holidays (e.g. Christmas, Thanksgiving, Memorial Day, 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 and Environmental Services. Non-noise generating construction activities such as interior painting are not subject to these restrictions. Prior to commencement of pile driving operations, businesses within the vicinity of the site shall be notified not less than 72 hours in advance of commencement. Said notice shall provide businesses with the anticipated time and duration of pile driving and shall be reissued if there is a substantial change in scheduling. **Plan Requirements:** Two signs stating these restrictions shall be provided by the applicant and posted on site prior to commencement of construction. **Timing:** The signs shall be in place prior to beginning of and throughout all grading and construction activities. Violations may result in suspension of permits.

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

30. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to the City of Goleta's satisfaction and/or shall be located at a minimum of 1,600 feet from sensitive receptors. **Plan Requirements and Timing:** The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

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

### **Public Services**

31. Site plans shall be consistent with those reviewed and approved by the County Fire Department March 5, 2008, including provision of necessary fire driveway and aisleway width requirements and utility plans shall be revised to include the installation of necessary fire hydrants. **Plan Requirements & Timing:** The project plans shall be updated and submitted for review and approval by the Santa Barbara County Fire Department prior to and as a condition precedent to: (i) Preliminary/Final Review by DRB; and (ii) issuance of any LUP for the project. The required fire hydrants shall be installed and approved in the field by Santa Barbara County Fire Department personnel prior to any occupancy clearance.

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

32. The applicant shall retain a qualified Fire Protection Specialist, approved by the Fire Department, to evaluate the project and devise a fire protection plan. Minimum

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

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

### ***Transportation/Circulation***

33. Owner shall submit to the Community Services Department two (2) copies of a separate public improvement plan prepared by a registered civil engineer. This plan may be incorporated into the Building plan set, with additional public improvement plan sheets provided unbound. As determined by the Community Services Department, the improvement shall include but not be limited to: CORTONA DRIVE - (i) City standard sidewalk, parkway with landscaping, street striping, and driveway(s) that meets ADA requirements. Driveway at parcel to the north (APN 073-140-003) shall meet ADA requirements if it is to be shared access. HOLLISTER AVENUE - (iii) City standard sidewalk, parkway with landscaping, street striping including a bike lane, curb and gutter, (iv) bus turnout, relocation and reconstruction of an ADA accessible bus stop including concrete pad, signage, bench(es), shelter, trash receptacle (v), access ramps, (vi) Installation of a traffic signal at Hollister Avenue/Coromar Drive or posting of bonds for construction of pro-rata share of traffic signal improvements, and (vii) dedication/alignment of right-of-way along Hollister Avenue and Storke Road as necessary to accommodate perimeter parkway improvements, bike lane and bus turnout. **Plan Requirements & Timing:** The project plans shall be updated and resubmitted for review and approval by the City's Community Services Department prior to and as a condition precedent to issuance of any LUP for the project. The required street improvements shall be installed by applicant, and accepted City Engineer prior to any occupancy clearance.

**Monitoring:** City staff shall verify compliance with the requirement to prepare modified plans. City staff shall inspect and approve the completed street improvements prior to any occupancy clearance.

34. a) The applicant shall either; 1) install a traffic signal at the Coromar Drive/Hollister Avenue intersection, including a traffic signal interconnect to the adjacent traffic signals on Hollister Avenue as well as modifying the southbound approach on Coromar Drive to provide one left-turn lane and one through-right lane, or 2) bond for installation of this traffic signal and related improvements, to address the Rincon Palms fair share contribution to this improvement of 8.9%. It is noted that this mitigation measure is also included as mitigation for impacts that would occur as a result of the Cabrillo Business Park and Village at Los

Carneros developments, as identified in the EIRs for those projects. If the Cabrillo Business Park or Villages at Los Carneros projects are constructed prior to issuance of the first occupancy clearance at Rincon Palms, this measure will not be required for the Rincon Palms project. If the Cabrillo Business Park or Villages at Los Carneros projects are not implemented prior to the timing requirements for this mitigation measure as noted below, the City shall initiate and implement a reimbursement agreement that would require future projects contributing to traffic impacts necessitating these improvements to pay the Rincon Palms project their pro-rata share of the improvement costs.

- b) The applicant shall either 1) install restriping and related improvements within existing right-of-way of Storke Road, north of Hollister Avenue, to provide an additional lane, or 2) bond for installation of these improvements to address the Rincon Palms fair share contribution toward impacts to this roadway, subject to review and determination by the Community Services Department. It is noted that this mitigation measure is also included as mitigation for impacts that would occur as a result of the Cabrillo Business Park development, as identified in the EIR for that project. If the Cabrillo Business Park project is constructed prior to issuance of the first occupancy clearance at Rincon Palms, this measure will not be required for the Rincon Palms project. If the Cabrillo Business Park project is not implemented prior to the timing requirements for this mitigation measure as noted below, the City shall initiate and implement a reimbursement agreement that would require future projects contributing to traffic impacts necessitating these improvements to pay the Rincon Palms project their pro-rata share of the improvement costs. **Plan Requirements and Timing:** The design of the signal and roadway improvement shall be reviewed and approved by the City prior to approval of any Land Use Permit for public road improvements. The signal and roadway improvement shall be either; 1) constructed by the applicant and approved by the City prior to the first occupancy clearance for the project, or 2) the applicant shall post a performance security deemed adequate by the City to cover the cost of all such improvements prior to the first occupancy clearance. Occupancy clearance shall not be issued until all of the aforementioned improvements are either fully completed or bonds for such improvements have been posted.

**Monitoring:** City staff shall verify signal and roadway design review and approval prior to recordation of the final map or approval of a Land Use Permit for public road improvements and shall either; 1) verify installation of the signal and all other related improvements as described above prior to the first occupancy clearance for the project, or 2) verify posting of an adequate performance security for these improvements prior to the first occupancy clearance. The performance security shall be released upon completion as determined by the City of the signal and related improvements.

35. The applicant shall prepare and record a Declaration of Shared Parking and Reciprocal Access Agreement to facilitate conjunctive use of access and parking

on the project site and the adjacent parcel to the north (APN 073-140-003), and the elimination of fencing that currently obstructs driveway access between the two properties. The agreement shall be in a form acceptable to the City and shall be recorded as a covenant against both parcels. **Plan Requirements & Timing:** The Declaration of Shared Parking and Reciprocal Access Agreement shall be submitted for review and approval by City staff, and thereafter recorded against both properties, prior to issuance of any LUP for the project.

**Monitoring:** City shall verify recordation of the reciprocal access and shared parking agreement prior to issuance of any LUP for the project.

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

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

### ***Utilities and Service Systems***

37. A Can and Will Serve (“CAWS”) letter from the Goleta Sanitary District (GSD) 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 GSD: (i) sewer connection fees; and (ii) mitigation fees to offset the difference between allocated capacity to the site and projected volumes attributable to the proposed hotel. **Requirements and Timing:** A CAWS letter shall be forwarded to the City of Goleta prior to issuance of any land use permit.

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

38. CAWS letter from the Goleta Water District (GWD) for Parcel 2 shall be provided indicating that adequate water supply is available to serve the project upon demand and without exception (or equivalent guarantee). **Plan Requirements and Timing:** A CAWS letter shall be forwarded to the City of Goleta prior to issuance of any land use permit.

**Monitoring:** A CAWS letter, with firm reservation of water availability for the project from the GWD shall be submitted to the City prior issuance of any land use permit.

39. Outdoor water use shall be limited through the following measures: (i) landscaping shall be primarily with native and/or drought tolerant species; (ii) drip irrigation or other water-conserving irrigation shall be installed; (iii) plant material shall be grouped by water needs; (iii) no turf shall be allowed on slopes of over 4%; (iv) extensive mulching (2" minimum) shall be used in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and soil compaction; and (v) soil moisture sensing devices shall be installed to prevent unnecessary irrigation. Indoor water use shall be limited through the following measures: (i) all hot water lines shall be insulated; (ii) recirculating, point-of-use, on-demand, or other energy efficient water heaters shall be installed; (iii) water efficient clothes washers and dishwashers shall be installed; and (iv) lavatories and drinking fountains in commercial structures shall be equipped with self-closing valves. **Plan Requirements and Timing:** The outdoor water conserving measures shall be incorporated into the final landscape plan that is submitted for review and approval by DRB pursuant to Mitigation Measure #4 under Aesthetics. The indoor water-conserving measures shall be graphically depicted on building plans and approved prior to issuance of any LUP for the project.

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

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

General

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

Commercial Only

- a. Development of a Source Reduction Plan ("SRP"), describing the recommended program(s) and the estimated reduction of the solid waste disposed by the project. For example, the SRP may include a description of how fill will be used on the construction site, instead of sending excess fill material to a landfill, or a detailed set of office procedures such as use of duplex copy machines and purchase of office supplies with recycled content.
- b. Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). The program could include requesting suppliers to show recycled materials content. To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of

such programs, subject to City staff review and approval prior to issuance of any certificate of occupancy

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

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

41. 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. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. 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. At the end of the project, applicant shall submit a Post-Construction Waste Reduction & Recycling Summary Report documenting the types and amounts of materials that were generated during the project and how much was reused, recycled, composted, salvaged, or landfilled. **Plan Requirements and Timing:** This requirement shall be printed on the grading and construction plans. Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.

## **PROJECT SPECIFIC CONDITIONS**

42. All drainage control facilities as noted in the Project Description and shown on Sheets 1-2 of the civil engineering plans and the revised Preliminary Hydraulic Report by MAC Design, July 3, 2008 and associated plans shall be maintained for the life of the project by the applicant and/or operator. **Plan Requirements:** Maintenance of all drainage facilities for two (2) years from occupancy clearance of the last building shall be ensured through a performance security provided by the applicant. **Timing:** All drainage control facilities shall be installed (landscaped and irrigated subject to City inspection and approval) prior to 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.

43. 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 three (3) 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 three (3) 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.

## **DEVELOPMENT PLAN CONDITIONS**

44. Approval of the Final Development Plan shall expire five (5) years after approval, unless prior to the expiration date, substantial physical construction has been completed on the Development Plan or a Time Extension has been applied for by the applicant. The decision maker with jurisdiction over the project map, upon good cause shown, grant a time extension for one year.
45. If the applicant requests a Time Extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Fees shall be those in effect at the time of issuance of a Land Use Permit.
46. No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape,

arrangement, use, and location of buildings, walkways, parking areas, drainage facilities, and landscaped areas shall be developed in substantial conformity with the approved development plan marked City Council Hearing Exhibits 1 and 2, dated October 7, 2008. Substantial conformity shall be determined by the Director of Planning and Environmental Services.

47. 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.
48. 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.
49. Revised plans and building elevations incorporating all conditions of approval for this project shall be coordinated and submitted to Planning and Environmental Services as one package in accordance with plan check requirements. All plans, including site, grading, landscape, irrigation, mechanical, and street improvement plans shall be reviewed for condition compliance prior to issuance of any permits such as grading, building, or encroachment permits. Any change to the size, colors, construction materials, design or location of any structure onsite, or other site or landscape improvements, except to the extent such changes are deemed in substantial conformity, shall not be made without prior City approval.

## **GENERAL CONDITIONS**

50. All plans submitted for Land Use Permit issuance, building, and/or grading permit shall include all applicable conditions of project approval.
51. 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 and Environmental Services.
52. Planning and Environmental Services Compliance Review shall be required. The applicant agrees to pay Compliance Review fees prior to Land Use Permit issuance to cover full costs of compliance monitoring. The decision of the Director shall be final in the event of any dispute.



53. Prior to approval of the first Land Use Permit for general grading and/or buildings for development, the applicant shall pay all applicable City of Goleta permit processing fees in full. Prior to the start of any work on-site, the applicant shall request and attend a preconstruction meeting that includes monitor(s), project superintendent, architect, subcontractors, as well as City representatives including staff from Planning and Environmental Services and Community Services.
54. 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.
55. 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.
56. Any temporary building, trailer, commercial coach, etc. installed or used in connection with construction of this project shall comply with the requirements of Section 35-281, Article III of the City's Municipal Code.
57. 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.
58. 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.
59. When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail.
60. The applicant shall pay all applicable development impact fees under the City of Goleta Development Impact Fee program in full. **Plan Requirements and Timing:**

Payment amounts are estimated below, and shall be based on the fees in effect and applicable at the time fees are due.

Quimby/Park Fees	\$2,072/ 1000 sq. ft	Due at Final Inspection
Transportation	\$7,832/room for 112 rooms	Due at Land Use Permit
	\$65,115/1000 sq. ft. (quality restaurant)	Due at Land Use Permit
Fire Protection	\$0.20/SF	Due at Final Inspection
Fire Facility	\$700/1000 SF	Due at Final Inspection
Library	\$190/1000 SF	Due at Final Inspection
Public Admin	\$841/1000 SF	Due at Final Inspection
Sheriff	\$433/1000 SF	Due at Final Inspection

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

61. The applicant shall pay the required affordable housing in-lieu fee of \$332,360 prior to issuance of a land use permit.
62. Compliance with Department/Agency Letters:
  - a. Community Services Department, letter dated July 8, 2008
  - b. SB County Air Pollution Control District, letter dated July 7, 2008
  - c. County of Santa Barbara Fire Department, letter dated August 6, 2007
63. No new signs are authorized with this permit. All signs require separate permits and shall comply with, Article I, Chapter 35 of the City of Goleta Municipal Code (Sign Regulations) and with setbacks specified in Article III, Chapter 35 of the Municipal Code (Inland Zoning Ordinance).
64. Bicycle parking shall be provided. Bicycle racks shall be the “Inverted U” type in compliance with the SBCAG Traffic Solutions recommended bicycle rack. Final plans showing bicycle parking locations and type shall be reviewed and approved by the DRB and city staff prior to issuance of a Land Use Permit.
65. 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.
66. 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 development plan or any condition attached thereto or any proceedings, acts, or determinations taken, done or made prior to the approval that were part of the approval process.

67. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein, 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.

# **ATTACHMENT 5**

**Planning Commission Resolution 08-06**

RESOLUTION NO. 08-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF VARIOUS ACTIONS RELATED TO THE RINCON PALMS HOTEL AND RESTAURANT PROJECT, CASE NO. 07-020-OA, -RZ, -DP AT THE NORTHEAST CORNER OF STORKE ROAD AND HOLLISTER AVENUE; 6868 and 6878 HOLLISTER AVENUE; APN 073-140-004

**WHEREAS**, an application was submitted on February 15, 2007 by Laurel Perez, agent for Kip Bradley, Cortona Opportunities, LLP, requesting approval of an Ordinance Amendment, Rezone, and Development Plan; and

**WHEREAS**, the application was found complete for processing on March 15, 2007; and

**WHEREAS**, the application is for an Ordinance Amendment to add a Hotel Overlay to Article III, Goleta Zoning Ordinance, a rezone to change the zone district of the parcel from M-RP (Industrial Research Park) to P-I (Professional-Institutional), and a development plan to allow for construction of a 112 room hotel and 6,000 square foot restaurant; and

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

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on the project application on July 21, 2008, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Planning Commission has considered the entire administrative record, including application materials, staff report, the CEQA exemption, and oral and written testimony from interested persons; and

**WHEREAS**, the Planning Commission finds that approval of Case No. 07-020-OA, -RZ, -DP would be consistent with the City's General Plan, the provisions of Article III, Chapter 35 of the Goleta Municipal Code (the Inland Zoning Ordinance); and the ability to make the required findings, including findings pursuant to the California Environmental Quality Act (CEQA).

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

**SECTION 1. Recommendation for Adoption of the Final Mitigated Negative Declaration**

The Planning Commission hereby recommends that the City Council adopt the CEQA findings set forth in Exhibit 1 to this resolution, pursuant to Section 15074

of the State Guidelines for Implementation of the California Environmental Quality Act.

**SECTION 2. Recommendation for the Ordinance Amendment.**

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

**SECTION 3. Recommendation for Rezoning.**

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

**SECTION 4. Recommendation for the Development Plan.**

The Planning Commission hereby recommends that the City Council adopt the findings set forth in Exhibit 1 and conditions set forth in Exhibit 2 of this resolution pursuant to Section 35-317 of Chapter 35, Article III, the Inland Zoning Ordinance, of the Goleta Municipal Code. This recommendation includes the "good cause" findings for exception to the recommended maximum height identified in the General Plan, Table 2-3, for the I-OI land use designation.

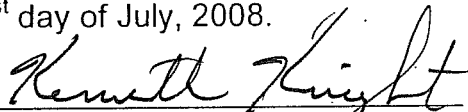
**SECTION 5. Documents.**

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 6.**

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

**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of July, 2008.

  
KENNETH KNIGHT, CHAIR

**ATTEST:**

  
DEBORAH CONSTANTINO  
CITY CLERK

**APPROVED AS TO FORM:**

  
BRIAN A. PIERIK  
CITY ATTORNEY

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

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Planning Commission Resolution No. 08-06 was duly adopted by the Planning Commission of the City of Goleta at a regular meeting held on the 21<sup>st</sup> day of July, 2008, by the following vote of the Commission members:

AYES: COMMISSIONERS EASTON, KAVANAGH, KESSLER-SOLOMON, VICE CHAIR DANIELS AND CHAIR KNIGHT

NOES: NONE

ABSENT: NONE

(SEAL)

  
DEBORAH CONSTANTINO  
CITY CLERK

**EXHIBIT 1  
FINDINGS**

**RINCON PALMS HOTEL AND RESTAURANT PROJECT  
CASE NO. 07-020 -OA, -RZ, -DP  
NORTHEAST CORNER STORKE AND HOLLISTER AVENUE  
(APN 073-140-004)**

**1.0 CEQA FINDINGS**

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

*1.1 Consideration of the Mitigated Negative Declaration*

The Final Mitigated Negative Declaration for the Rincon Palms Hotel and Restaurant project was presented to the Planning Commission and all voting members of the Commission have reviewed and considered the Final MND, 08-MND-001, prior to recommending that the City Council approve this proposal. In addition, all voting Commissioners have reviewed and considered the testimony and additional information presented at or prior to the public hearing on July 21, 2008. The Final MND reflects the independent judgment of the Planning Commission and is adequate for this proposal pursuant to Section 15074 of the State CEQA Guidelines.

*1.2 Full Disclosure and Findings Regarding No Significant Effects*

The Planning Commission finds that the Final MND is a complete, accurate, adequate, and good faith effort at full disclosure under CEQA. The Planning Commission further finds that the Final MND has been completed in compliance with CEQA. Mitigation measures identified in the Final Mitigated Negative Declaration, which would avoid or reduce potentially significant impacts to less than significant levels, have been agreed to by the applicants and have been incorporated into the project. Based on the whole of the record before it, the Planning Commission finds that there is no substantial evidence that the Rincon Palms Hotel and Restaurant project will have a significant effect on the environment. The Planning Commission recommends to the City Council adoption of the Final Mitigated Negative Declaration, 08-MND-001.

*1.3 Environmental Reporting and Monitoring Program*

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



monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

#### 1.4 *Location of the Record of Proceedings*

The documents and other materials which constitute the record of proceedings upon which this recommendation is based are in the custody of the Secretary of the Planning Commission, Planning and Environmental Services located at 130 Cremona Drive, Suite B, Goleta, CA 93117.

### **ADMINISTRATIVE FINDINGS**

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

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

The proposed Ordinance Amendment provides for a Hotel Overlay District consistent with the Hotel Overlay included in the General Plan on Figure 2-1 on the subject property. The associated benefits include the provision of needed hotel accommodations and increased transient occupancy tax base to the City of Goleta. These are benefits that contribute to the general community welfare. Lately, increased demand for hotel, restaurant, and conference space is being fueled by development approvals in and around Goleta (e.g., Cabrillo Business Park, Fairview Corporate Center, Village at Los Carneros, etc.), coupled with corporate growth (e.g., Citrix Online, Yardi Systems, etc.) and plans for expansion of UCSB and the improvement of the Santa Barbara Municipal Airport. The proposed Hotel Overlay District at this gateway property satisfies the community's economic demand for increased and improved hospitality services.

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

The proposed Ordinance Amendment is consistent with the General Plan, the requirements of State planning and zoning laws, and Article III, as described in the staff report for the Planning Commission hearing of July 21, 2008.

#### 2.3 *The request is consistent with good zoning and planning practices.*

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

**3.0 Rezone:** Pursuant to City of Goleta Municipal Code, Article III, Section 35-325.5, a Rezone shall be approved only if all of the following findings can be made:

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

The rezoning of the property would make the proposed hotel and restaurant consistent with the proposed zone district of PI, Professional and Institutional, which would also be consistent with the land use designation of I-OI, Office and Institutional. The purpose and intent of the PI zone district is to provide appropriately located areas for professional uses and for educational, institutional, governmental and other public facilities. This zone district would be the best match for the I-OI land use designation in the General Plan.

Moreover, as discussed in the staff report, the addition of a Hotel Overlay to the Goleta Municipal Code would apply to the subject site because it already has this comparable overlay designated in the Goleta General Plan. The addition of a hotel use to the property would also benefit the City of Goleta through its contribution of transient occupancy taxes, and the provision of hotel rooms in support of local corporate growth in the high-tech and aerospace sectors, as well as planned improvements to the Santa Barbara Municipal Airport and planned expansion and repositioning of UCSB as an internationally acclaimed research and development institute.

As a result of providing a zoning district consistent with the City's General Plan and its intended use of the site, this proposal is found to be in the interest of the general community welfare.

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

The request for a Rezone would be consistent with the General Plan by rendering the subject site consistent with the General Plan's land use designation of Office and Institutional, as specified in the Planning Commission staff report for the hearing of July 21, 2008. The proposal is consistent with the requirements of State planning and zoning laws, and Article III, Chapter 35 of the Goleta Municipal Code.

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

The proposed zoning designation of PI (Professional and Institutional) would allow implementation of the General Plan's Hotel Overlay and would be consistent with the property's proposed development of a hotel to serve visitors of the local area, UCSB and surrounding industries such as research and development companies.

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

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

The project site is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed, including structures, parking lots, circulation system, and landscaping to accommodate the project design. Overall, there is sufficient acreage onsite to accommodate the density and intensity of development proposed.

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

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

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

All existing streets and highways serving the proposed project are adequate and properly designed and, subject to the improvements, dedications, and fee payments specified in conditions of approval (Exhibit 2), can accommodate the traffic generated by the project. Impacts to Storke Road north of Hollister Avenue would be mitigated by the applicant's responsibility to implement a re-striping of Storke Road to create an additional lane, or depending on the timing of other applicants with the same impact, contribute fees based on its fair share of this roadway impacts. The applicant would also be required to install, or contribute toward (depending on timing of other projects in the pipeline) a traffic signal at the Hollister Avenue/Coromar Drive intersection. The applicant would also pay Goleta Transportation Improvement Fees towards impacts at Storke Road and Hollister Avenue.

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

The proposed project would be served by the Santa Barbara County Fire Department, the Goleta Water District, the Goleta West Sanitary District, and the City of Goleta Police Department. These agencies and districts

have adequate capacity to serve the proposed Rincon Palms Hotel and Restaurant.

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

The proposed project would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and would not be incompatible with the surrounding areas. The project would be served by the appropriate water and sewer districts and, as conditioned (see Exhibit 2), would have safe and adequate primary and emergency/secondary vehicular access. The design of the project would be compatible with surrounding development and would provide a hotel land use and restaurant, complementary to the surrounding uses.

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

The proposed project is consistent with the General Plan land use designation of I-OI, with Hotel Overlay as well as applicable policies as identified in the Planning Commission staff report for the hearing of July 21, 2008, Attachment 2. The proposed project is also consistent with the PI zone district subject to approval of the requested Ordinance Amendment for the Hotel Overlay District. The project would also be consistent with applicable zoning ordinance standards, subject to approval of requested modifications (see staff report for the hearing of July 21, 2008, Attachment 3).

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

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

**EXHIBIT 2**  
**CONDITIONS OF APPROVAL**  
**RINCON PALMS HOTEL AND RESTAURANT**  
**07-020- DP**

1. **AUTHORIZATION:** This Development Plan conditions set forth below authorize development proposed in Case No. 07-020-DP marked "Officially Accepted, July 21, 2008, Planning Commission Exhibits 1 and 2." Any deviations from the exhibits, project description, or conditions must be submitted to the City of Goleta for its review and approval. Deviations without the above-described approval will constitute a violation of the permit approval. The exhibits associated with this permit include:

07-020-DP: Rincon Palms Hotel and Restaurant  
Site Development Plan (Sheet A-1 dated July 14, 2008, delta February 28, 2008)  
Basement & Ground Floor Plan (Sheet A-2, July 14, 2008)  
Second & Third Floor Plans (Sheet A-3, July 14, 2008)  
Hotel Roof & Equip. Screen Plan, Restaurant Plan, Restaurant Roof & Equip. Screen Plan (Sheet A-4, July 14, 2008)  
Hotel Elevations (Sheet A-5, July 14, 2008)  
Restaurant Elevations (Sheet A-6, July 14, 2008)  
Preliminary Site Grading & Drainage Plan (Sheet C-1, July 14, 2008)  
Preliminary Site Grading & Drainage Plan (Sheet C-2, July 14, 2008)  
Preliminary Landscape Plan (Sheet L1, dated July 14, 2008)

2. **AUTHORIZED DEVELOPMENT:**

The proposed project is a 112 room hotel and a 6,000 square foot free-standing restaurant on a vacant parcel (073-014-004) located at the northeast corner of Storke Road and Hollister Avenue. The project site occupies an area of 3.05 acres adjacent to an existing business center at 6880 Cortona Drive to the north. Although located on its own parcel, conjunctive parking for the use of 17 parking spaces off site, and shared access at the existing northerly driveway, is proposed with the neighboring property for the purpose of accommodating peak parking demand on weekends and holidays.

The hotel component of the project is approximately 59,600 square feet in total floor area and designed in a rectangular configuration at the northern portion of the site. The front entrance of the hotel faces Hollister Avenue, across a surface parking lot and behind the freestanding restaurant. Hotel amenities include a port-cochere entry, private patios or balconies for each room, guest swimming pool, outdoor lounge patio and roof deck to accommodate community meetings, social gatherings and conference functions ancillary to the hotel. The hotel would be three stories in height with subterranean parking below for 55 cars. The majority of the hotel structure would be 35 feet high, consistent with the proposed zoning designation and the recommended building height for the Office and Institutional land use designation of the site. The hotel includes two tower elements that are 50 feet high measured from the proposed finished grade, which is approximately 2-3

feet above existing grade, according to project plans. Because the towers are non-habitable areas associated with the building's elevators, they are allowed in the proposed zone district as an exception (Article III, Sec. 35.127.1).

The 6,000-square foot free-standing single-story restaurant would be located at the southwest corner of the property and include a 1,000-square foot outdoor dining area, decorative trellis along the remaining Hollister frontage, and patterned pavement and landscaping to tie the site together visually with the hotel. The restaurant design includes a tower element with a metal décor sphere which would be 32 feet from finished grade, and therefore within the recommended height limit for the Office and Institutional land use designation.

Off-street parking would include 93 surface spaces provided between the restaurant the hotel, and 12 spaces at the rear of the hotel along the common driveway with 6880 Cortona Drive. A subterranean garage beneath the hotel would provide an additional 55 garage spaces, for a total of 160 spaces on the project site. An additional 17 parking stalls would be available to the hotel and restaurant uses through a shared parking agreement with the property at 6880 Cortona. This combined total of 177 spaces would exceed the 152 parking spaces require for the project.

The following modifications are approved:

- A small overhang section of the restaurant building that would encroach into the setback from Hollister by 1-2 feet for a length of approximately 43 feet.
- Exterior stairway encroachment into setback from Storke Road on northwest corner of hotel by 1-2 feet.

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

## MITIGATION MEASURES FROM MND (08-MND-001)

### *Aesthetics/Visual Resources*

3. The proposed project shall be resubmitted for Preliminary/Final Review by DRB consisting of: (i) updated site plan, architectural floor plans, exterior elevations, landscape drawings and street improvement plans; and (ii) an updated visual simulation of the proposed project. The preliminary development plans shall be revised to address the issues raised by DRB in its Conceptual Review and shall incorporate all applicable mitigation measures and conditions of approval. The updated building exterior elevations shall be fully dimensioned, showing existing grade, finished grade, finished floor, average height and peak height. **Plan Requirements & Timing:** The preliminary development plans shall be revised and resubmitted to DRB for review and approval prior to issuance of a Land Use Permit ("LUP") for the project.

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

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

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

5. An Overall Sign Plan for the project shall be prepared and submitted for review and approval by DRB and City staff because conceptual signs shown on Planning Commission exhibits have not been reviewed for compliance with Sign Ordinance standards. **Plan Requirements and Timing:** The Overall Sign Plan shall be reviewed and approved by DRB and City staff prior to and as a condition precedent to installation of any signs for the project. Individual signs shall be reviewed and approved by the DRB and City staff prior to issuance of a Sign Certificate of Conformance.

**Monitoring:** City staff shall verify that project signs are approved and installed according to the Overall Sign Plan.

6. The applicant shall prepare detailed landscape and irrigation plans for the project that identifies the following:

- a. Type of irrigation proposed;
- b. All existing and proposed trees, shrubs, and groundcovers by species;
- c. Size of all planting materials including trees; and
- d. Location of all planting materials.

The project landscaping shall consist of drought-tolerant native and/or Mediterranean type species which adequately complement the project design and integrate the site with surrounding land uses. Landscaping shall be compatible with the character of the surroundings, the architectural style of the structure and shall be adjusted necessary to: (i) provide adequate vehicle stopping sight distance at all driveway entrances (as determined by the City); (ii) visually screen parking areas from street view to the maximum extent reasonable; and (iii) screen, through plantings and other features, loading and services areas of the proposed hotel.

**Plan Requirements & Timing:** The landscape plans shall be revised and resubmitted for review and approval prior to and as a condition precedent to issuance of any LUP for the project. The plans shall be submitted for review and the DRB and City staff prior to issuance of an LUP. All elements of the final landscape plan, including irrigation improvements, shall be installed prior to any occupancy clearance.

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

7. The applicant shall install required landscaping and water-conserving irrigation systems in the public right of way, as well as enter into an Agreement with the City to maintain required landscaping for the life of the project. **Plan Requirements & Timing:** Performance and Labor and Materials securities for installation, and a Maintenance security in place for at least three (3) years shall be subject to review and approval by City staff. All required securities and the landscape maintenance agreement shall be signed and filed with the City prior to issuance of any LUP for the project.

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

8. All exterior night lighting shall be of low intensity/low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Exterior lighting fixtures shall be kept to the minimum number and intensity needed to ensure the public safety of employees, residents, and visitors to the commercial center. All upward directed exterior lighting shall be prohibited to protect night sky views of the stars. All exterior lighting fixtures shall be appropriate for the architectural style of the proposed structure and the surrounding area. The applicant shall develop a lighting plan incorporating these requirements and provisions for dimming lights after 11:00 p.m. to the maximum extent practical without compromising public safety. **Plan Requirements:** The



locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on the preliminary/final lighting plan and shall be reviewed and approved by DRB and City staff. **Timing:** The preliminary/final lighting plan shall be reviewed and approved by DRB and City staff prior to issuance of any LUP for the project.

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

9. 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 & Timing:** Prior to and as a condition precedent to issuance of any LUP for the project, the applicant shall designate and provide to City staff the name and phone number of a contact person(s) to monitor construction trash/waste and organize a clean-up crew. Additional covered receptacles shall be provided as determined necessary by City staff. This requirement shall be noted on all plans. Trash control shall occur throughout all grading and construction activities.

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

10. The applicant shall prepare a detailed design of the proposed trash enclosures, for recyclables and solid waste, for the proposed hotel and restaurant that exhibits good design and is compatible with the architectural style of the project. The storage area shall be enclosed with a solid wall of sufficient height to screen the area and shall include a solid gate and a roof. The trash storage area shall be maintained in good repair. A letter from the trash/recycle hauler shall be required that states that the location is accessible. **Plan Requirements & Timing:** Said trash enclosure plans shall be submitted for review and approval by DRB and City staff prior to issuance of any LUP for the project.

**Monitoring:** City staff shall verify compliance on project plans prior to approval of any LUP for the project. City staff shall verify installation of the approved trash enclosure prior to the issuance of any certificate of occupancy for the project.

11. The applicant shall submit a composite utility plan for DRB and City staff Preliminary/Final Review. All external/roof mounted mechanical equipment on the proposed hotel and restaurant (including HVAC condensers, switch boxes, etc.) shall be included on all building plans and shall be designed to be integrated into the structure and/or screened from public view in a manner deemed acceptable to the City. **Plan Requirements & Timing:** Detailed plans showing all external/roof mounted mechanical equipment shall be submitted for review by DRB and City staff prior to and as a condition precedent to issuance of any LUP for the project.

**Monitoring:** City staff shall verify installation of all external/roof mounted mechanical equipment per the approved plans prior to the approval of any certificate of occupancy.

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

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

13. All utilities that exist along the Hollister Avenue project frontage shall be installed underground. **Plan Requirements and Timing:** All composite utility plans for the project shall note this undergrounding requirement and shall be submitted for City staff review and approval prior to issuance of any LUP for the project.

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

### ***Air Quality***

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

The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements and Timing:** All of the aforementioned requirements shall be noted on all construction plans and shall be submitted for approval by City staff prior to issuance of any LUP for the project. The name and telephone number of such persons shall be provided to City staff and the APCD.

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

15. The following energy-conserving techniques, that substantially exceed the minimum Title 24 energy conservation requirements, shall be incorporated unless the applicant demonstrates their infeasibility to the satisfaction of City of Goleta staff:
  - a. Installation of low NOx residential water heaters and space heaters meeting the minimum efficiency requirements of applicable APCD rules;
  - b. Installation of Energy Star Labeled Furnaces;
  - c. Use of water-based paint on exterior surfaces;
  - d. Use of solar-assisted water heating for swimming pools and tankless hot water on demand systems if their energy efficiency is demonstrated to exceed that of a central storage tank water heating system;
  - e. Use of passive solar cooling/heating;
  - f. Use of energy efficient appliances;
  - g. Use of natural lighting;
  - h. Installation of energy efficient lighting;
  - i. Use of drought-tolerant native or Mediterranean landscaping subject to Planning and Environmental Services staff and Design Review Board (DRB) approval to shade buildings and parking lots;
  - j. Encouragement of the use of transit, bicycling, and walking by providing infrastructure to promote their use;
  - k. Provision of segregated waste bins for recyclable materials; and
  - l. Prohibition against the installation and use of wood burning fireplaces.

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

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

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

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

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

17. ROC and NOx emissions generated by construction equipment shall be reduced by implementing the following equipment control measures:
  - a. The engine size of construction equipment shall be the minimum practical size;
  - b. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time;
  - c. Construction equipment shall be maintained in tune per the manufacturer's specifications;
  - d. Construction equipment operating on-site shall be equipped with two-to-four degree engine timing retard or pre-combustion chamber engines;
  - e. Catalytic converters shall be installed on gasoline-powered equipment, if feasible;
  - f. Diesel catalytic converters shall be installed, if available;
  - g. Diesel-powered equipment shall be replaced by electric equipment whenever feasible; and
  - h. Construction worker trips shall be minimized by requiring carpooling and by providing for lunch on-site.

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

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

18. The project shall comply with all Rules and Regulations required by the Santa Barbara County Air Pollution Control District (APCD), including but not limited to:
  - a. Compliance with APCD Rule 339, governing the application of cutback and emulsified asphalt paving materials by the contractor;
  - b. Obtaining required permits for any emergency diesel generators or large boilers prior to issuance of any land use permits;
  - c. Obtaining APCD permits prior to handling or treatment of any contaminated soil on site, if required;
  - d. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes at any location and auxiliary power units should be used whenever possible. Compliance with State law provisions require 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).

### ***Biological Resources***

19. Applicant shall submit 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. **Plan Requirements and Timing:** 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.

**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.

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

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

### ***Cultural Resources***

21. In the event archaeological artifacts are encountered during grading or other ground disturbing activities, work shall be stopped immediately or redirected until a City approved archaeologist and Native American representative are retained by the applicant (at its cost) to evaluate the significance of the find pursuant to Phase 2 investigations. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program funded by the applicant. **Plan Requirements:** The applicant shall restate the provisions for archeological discovery on all building and grading plans. **Timing:** This condition shall be satisfied prior to issuance of any LUP for the project.

**Monitoring:** City staff shall check plans prior to approval of any LUP for the project and shall conduct periodic compliance inspections during and after construction.

### ***Geology and Soils***

22. The applicant shall adhere to Policy SE 4.4 of the Goleta General Plan and comply with the 50-foot structural set back from the North Ellwood I Fault. The fault line and setback measurement shall be noted on all development plans and construction drawings. At the time of building permit application, the applicant shall demonstrate through a structural soils report, prepared by a certified engineering geologist, that all non-habitate structure improvements located within the 50-foot setback can be appropriately design to withstand or respond to fault rupture or other seismic damage. The recommendations prescribed in the structural soils report shall be implemented through construction plans and documents. **Plan Requirements and Timing:** The structural soils report shall be reviewed and approved by the City Building Official prior to issuance of any LUP for the project.

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

23. The applicant shall demonstrate through a structural soils and corrosivity report, prepared by a certified engineering geologist, that site preparation, structural design criteria, and final footings and foundation design accounts for liquefaction in accordance with the State Building Code and complies with the Preliminary Foundation Investigation and Preliminary Geologic Hazards Evaluation prepared for the proposed project. The structural soils report shall also prescribe recommendations for design and construction of site improvements to minimize long term damage to paved driveways, parking areas, sidewalks and other similar surface features that may be suseptible to possible settlement and lateral movement. The recommendations prescribed in the structural soils report shall be implemented through construction plans and documents. **Plan Requirements and Timing:** The structural soils report shall be reviewed and approved by the City Building Official prior to any LUP for the project.

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

### ***Hazardous Materials/Risk of Upset***

24. Prior to commencement of ground disturbance activities, the applicant shall submit Phase I and Phase II Environmental Site Assessments to the Santa Barbara County Fire Department Fire Prevention Division (FPD), including earlier investigations performed by the parties responsible for the off-site contamination are deemed acceptable. If additional assessment or site remediation is warranted, all such work shall be performed to the satisfaction of the Santa Barbara County Fire Department FPD including, if necessary, the following: (i) soil vapor survey, comparing collected data against current screening levels including the California Human Health Screening Levels and EPA Region IX Preliminary Remediation

Goals; (ii) groundwater assessment to determine the lateral extent of contamination on the project site; (iii) Remedial Action Plan ("RAP") incorporating appropriate mitigation measures (e.g., vapor barriers, vents, etc.) or site remediation to reduce contaminants to acceptable concentrations; This includes a 30 day public notification period prior to approval of the RAP by Santa Barbara County Fire Department FPD, and incorporation of relevant public comments in the RAP implementation; (iv) soils management plan in the event that contamination is encountered during construction; and (v) a dewatering plan if any groundwater is removed during construction, including required permits to discharge into the City's sewer or storm drain system. **Plan Requirements & Timing:** The applicant shall prepare a work plan that outlines the methodology to be followed in undertaking required Phase I and Phase II Environmental Site Assessments, if required. This plan shall be reviewed and approved by the Santa Barbara County Fire Department FPD, prior to commencing work. Thereafter, the various site assessment and remediation actions, if any are required, shall be reviewed and approved by the Santa Barbara County Fire Department FPD prior to issuance of any LUP for the project. All required remediation shall be completed prior to occupancy.

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

25. Prior to commencement of ground disturbance activities, the applicant shall prepare a Worker Awareness Program to acquaint workers (including archeological data recovery personnel) on the hazards and potential exposure to contaminated groundwater, vapor and soil. The program shall described measures to minimize such exposure and medical procedures to be employed in the event of exposure. The applicant shall ensure that all workers are properly briefed on the Worker Awareness Program and that proper precautions are being taken throughout the duration of grading and construction. **Plan Requirements & Timing:** Depending on the results of the Phase I/II analysis, Hazwopper trained workers may be required. The Worker Awareness Program shall be reviewed and approved by the City and prior to issuance of any LUP for the project.

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

### ***Hydrology and Water Resources***

26. The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15<sup>th</sup> to November 1<sup>st</sup>) unless a City approved erosion control plan, incorporating appropriate BMPs identified in the EPA guidelines for construction site runoff control (EPA Fact Sheet 2.6, Construction Site Runoff Minimum Control Measures, 01/00), is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize

erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within four (4) weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion.

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

### **Land Use**

27. Development plans for the proposed project shall be consistent with the March 2008 plans reviewed by County Fire Department and City staff that (i) incorporate at least one loading space; and (ii) ensure compliance relevant to aisleway parking lot standards. **Plan Requirements & Timing:** The project plans shall be resubmitted for review and approval by DRB, the Santa Barbara County Fire Department (Fire Prevention Division), and City staff to determine compliance with relevant driveway and aisleway standards prior to issuance of any LUP for the project.

**Monitoring:** The Preliminary Development Plans shall be installed as shown on plans reviewed in March 2008 by the Fire Department. City staff shall site inspect construction and striping of the parking lot prior to occupancy clearance.

### **Noise**

28. The applicant shall prepare an acoustical study that: (i) includes field measurement of noise levels in the vicinity of the proposed restaurant, with specific assessment of the outdoor seating area; (ii) identifies the noise sources, magnitude of impacts and potential mitigation measures, taking into account existing and future noise exposure; and (iii) specifically addresses the potential and effectiveness of adding glass to proposed screen walls and installation of water features (as "white" noise). The study shall be presented, along with design alterations, for consideration by the DRB in connection with the Preliminary/Final Review of the project. **Plan Requirements & Timing:** The acoustical study and design modifications for the restaurant (if any are proposed) shall be submitted to DRB for review and approval prior to issuance of a Land Use Permit ("LUP") for the project.

**Monitoring:** City staff shall withhold issuance of an LUP pending approval of the final development plans by DRB. City staff shall verify that the project is constructed per the final architectural plans approved by DRB prior to issuance of any certificate of occupancy.

29. Noise generating construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday, and no construction shall occur on State holidays (e.g. Christmas, Thanksgiving, Memorial Day, 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 and Environmental Services. Non-noise generating construction activities such as interior painting are not subject to these restrictions. Prior to commencement of pile driving operations, businesses within the vicinity of the site shall be notified not less than 72 hours in advance of commencement. Said notice shall provide businesses with the anticipated time and duration of pile driving and shall be reissued if there is a substantial change in scheduling. **Plan Requirements:** Two signs stating these restrictions shall be provided by the applicant and posted on site prior to commencement of construction. **Timing:** The signs shall be in place prior to beginning of and throughout all grading and construction activities. Violations may result in suspension of permits.

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

30. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to the City of Goleta's satisfaction and/or shall be located at a minimum of 1,600 feet from sensitive receptors. **Plan Requirements and Timing:** The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

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

### ***Public Services***

31. Site plans shall be consistent with those reviewed and approved by the County Fire Department March 5, 2008, including provision of necessary fire driveway and aisleway width requirements and utility plans shall be revised to include the installation of necessary fire hydrants. **Plan Requirements & Timing:** The project plans shall be updated and submitted for review and approval by the Santa Barbara County Fire Department prior to and as a condition precedent to: (i) Preliminary/Final Review by DRB; and (ii) issuance of any LUP for the project. The required fire hydrants shall be installed and approved in the field by Santa Barbara County Fire Department personnel prior to any occupancy clearance.

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

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

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

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

### ***Transportation/Circulation***

33. Owner shall submit to the Community Services Department two (2) copies of a separate public improvement plan prepared by a registered civil engineer. This plan may be incorporated into the Building plan set, with additional public improvement plan sheets provided unbound. As determined by the Community Services Department, the improvement shall include but not be limited to: CORTONA DRIVE - (i) City standard sidewalk, parkway with landscaping, street striping, and driveway(s) that meets ADA requirements. Driveway at parcel to the north (APN 073-140-003) shall meet ADA requirements if it is to be shared access. HOLLISTER AVENUE - (iii) City standard sidewalk, parkway with landscaping, street striping including a bike lane, curb and gutter, (iv) bus turnout, relocation and reconstruction of an ADA accessible bus stop including concrete pad, signage, bench(es), shelter, trash receptacle (v), access ramps, (vi) Installation of a traffic signal at Hollister Avenue/Coromar Drive or posting of bonds for construction of pro-rata share of traffic signal improvements, and (vii) dedication/alignment of right-of-way along Hollister Avenue and Storke Road as necessary to accommodate perimeter parkway improvements, bike lane and bus turnout. **Plan Requirements & Timing:** The project plans shall be updated and resubmitted for review and approval by the City's Community Services Department prior to and as a condition precedent to issuance of any LUP for the project. The required street improvements shall be installed by applicant, and accepted City Engineer prior to any occupancy clearance.

**Monitoring:** City staff shall verify compliance with the requirement to prepare modified plans. City staff shall inspect and approve the completed street improvements prior to any occupancy clearance.

34. a) The applicant shall either; 1) install a traffic signal at the Coromar Drive/Hollister Avenue intersection, including a traffic signal interconnect to the adjacent traffic signals on Hollister Avenue as well as modifying the southbound approach on Coromar Drive to provide one left-turn lane and one through-right lane, or 2) bond for installation of this traffic signal and related improvements, to address the Rincon Palms fair share contribution to this improvement of 8.9%. It is noted that this mitigation measure is also included as mitigation for impacts that would occur as a result of the Cabrillo Business Park and Village at Los Carneros developments, as identified in the EIR's for those projects. If the Cabrillo Business Park or Villages at Los Carneros projects are constructed prior to issuance of the first occupancy clearance at Rincon Palms, this measure will not be required for the Rincon Palms project. If the Cabrillo Business Park or Villages at Los Carneros projects are not implemented prior

to the timing requirements for this mitigation measure as noted below, the City shall initiate and implement a reimbursement agreement that would require future projects contributing to traffic impacts necessitating these improvements to pay the Rincon Palms project their pro-rata share of the improvement costs.

- b) The applicant shall either 1) install restriping and related improvements within existing right-of-way of Storke Road, north of Hollister Avenue, to provide an additional lane, or 2) bond for installation of these improvements to address the Rincon Palms fair share contribution toward impacts to this roadway, subject to review and determination by the Community Services Department. It is noted that this mitigation measure is also included as mitigation for impacts that would occur as a result of the Cabrillo Business Park development, as identified in the EIR for that project. If the Cabrillo Business Park project is constructed prior to issuance of the first occupancy clearance at Rincon Palms, this measure will not be required for the Rincon Palms project. If the Cabrillo Business Park project is not implemented prior to the timing requirements for this mitigation measure as noted below, the City shall initiate and implement a reimbursement agreement that would require future projects contributing to traffic impacts necessitating these improvements to pay the Rincon Palms project their pro-rata share of the improvement costs. **Plan Requirements and Timing:** The design of the signal and roadway improvement shall be reviewed and approved by the City prior to approval of any Land Use Permit for public road improvements. The signal and roadway improvement shall be either; 1) constructed by the applicant and approved by the City prior to the first occupancy clearance for the project, or 2) the applicant shall post a performance security deemed adequate by the City to cover the cost of all such improvements prior to the first occupancy clearance. Occupancy clearance shall not be issued until all of the aforementioned improvements are either fully completed or bonds for such improvements have been posted.

**Monitoring:** City staff shall verify signal and roadway design review and approval prior to recordation of the final map or approval of a Land Use Permit for public road improvements and shall either; 1) verify installation of the signal and all other related improvements as described above prior to the first occupancy clearance for the project, or 2) verify posting of an adequate performance security for these improvements prior to the first occupancy clearance. The performance security shall be released upon completion as determined by the City of the signal and related improvements.

35. The applicant shall prepare and record a Declaration of Shared Parking and Reciprocal Access Agreement to facilitate conjunctive use of access and parking on the project site and the adjacent parcel to the north (APN 073-140-003), and the elimination of fencing that currently obstructs driveway access between the two properties. The agreement shall be in a form acceptable to the City and shall be recorded as a covenant against both parcels. **Plan Requirements & Timing:** The Declaration of Shared Parking and Reciprocal Access Agreement shall be submitted for review and approval by City staff, and thereafter recorded against both properties, prior to issuance of any LUP for the project.

**Monitoring:** City shall verify recordation of the reciprocal access and shared parking agreement prior to issuance of any LUP for the project.

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

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

***Utilities and Service Systems***

37. A Can and Will Serve ("CAWS") letter from the Goleta Sanitary District (GSD) 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 GSD: (i) sewer connection fees; and (ii) mitigation fees to offset the difference between allocated capacity to the site and projected volumes attributable to the proposed hotel. **Requirements and Timing:** A CAWS letter shall be forwarded to the City of Goleta prior to issuance of any land use permit.

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

38. CAWS letter from the Goleta Water District (GWD) for Parcel 2 shall be provided indicating that adequate water supply is available to serve the project upon demand and without exception (or equivalent guarantee). **Plan Requirements and Timing:** A CAWS letter shall be forwarded to the City of Goleta prior to issuance of any land use permit.

**Monitoring:** A CAWS letter, with firm reservation of water availability for the project from the GWD shall be submitted to the City prior issuance of any land use permit.

39. Outdoor water use shall be limited through the following measures: (i) landscaping shall be primarily with native and/or drought tolerant species; (ii) drip irrigation or other water-conserving irrigation shall be installed; (iii) plant material shall be grouped by water needs; (iii) no turf shall be allowed on slopes of over 4%; (iv) extensive mulching (2" minimum) shall be used in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and soil compaction; and (v) soil moisture sensing devices shall be installed to prevent unnecessary irrigation. Indoor water use shall be limited through the following measures: (i) all hot water lines shall be insulated; (ii) recirculating, point-of-use, on-demand, or other energy efficient water heaters shall be installed; (iii) water efficient clothes washers and dishwashers shall be installed; and (iv) lavatories and drinking

fountains in commercial structures shall be equipped with self-closing valves. **Plan Requirements and Timing:** The outdoor water conserving measures shall be incorporated into the final landscape plan that is submitted for review and approval by DRB pursuant to Mitigation Measure #4 under Aesthetics. The indoor water-conserving measures shall be graphically depicted on building plans and approved prior to issuance of any LUP for the project.

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

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

General

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

Commercial Only

- a. Development of a Source Reduction Plan ("SRP"), describing the recommended program(s) and the estimated reduction of the solid waste disposed by the project. For example, the SRP may include a description of how fill will be used on the construction site, instead of sending excess fill material to a landfill, or a detailed set of office procedures such as use of duplex copy machines and purchase of office supplies with recycled content.
- b. Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). The program could include requesting suppliers to show recycled materials content. To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of such programs, subject to City staff review and approval prior to issuance of any certificate of occupancy

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

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

41. 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. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During grading and construction,

separate bins for recycling of construction materials and brush shall be provided onsite. 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. At the end of the project, applicant shall submit a Post-Construction Waste Reduction & Recycling Summary Report documenting the types and amounts of materials that were generated during the project and how much was reused, recycled, composted, salvaged, or landfilled. **Plan Requirements and Timing:** This requirement shall be printed on the grading and construction plans. Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.

## PROJECT SPECIFIC CONDITIONS

42. All drainage control facilities as noted in the Project Description and shown on Sheets 1-2 of the civil engineering plans and the revised Preliminary Hydraulic Report by MAC Design, July 3, 2008 and associated plans shall be maintained for the life of the project by the applicant and/or operator. **Plan Requirements:** Maintenance of all drainage facilities for two (2) years from occupancy clearance of the last building shall be ensured through a performance security provided by the applicant. **Timing:** All drainage control facilities shall be installed (landscaped and irrigated subject to City inspection and approval) prior to 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.

43. 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 three (3) 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 three (3) 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.

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

## **DEVELOPMENT PLAN CONDITIONS**

45. Approval of the Final Development Plan shall expire five (5) years after approval, unless prior to the expiration date, substantial physical construction has been completed on the Development Plan or a Time Extension has been applied for by the applicant. The decision maker with jurisdiction over the project map, upon good cause shown, grant a time extension for one year.
46. If the applicant requests a Time Extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Fees shall be those in effect at the time of issuance of a Land Use Permit.
47. No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of buildings, walkways, parking areas, drainage facilities, and landscaped areas shall be developed in substantial conformity with the approved development plan marked Planning Commission Hearing Exhibits 1 and 2, dated July 21, 2008. Substantial conformity shall be determined by the Director of Planning and Environmental Services.
48. 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.
49. 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.
50. 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

51. All plans submitted for Land Use Permit issuance, building, and/or grading permit shall include all applicable conditions of project approval.
52. 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.
53. Planning and Environmental Services Compliance Review shall be required. The applicant agrees to pay Compliance Review fees prior to Land Use Permit issuance to cover full costs of compliance monitoring. The decision of the Director shall be final in the event of any dispute.
54. Prior to approval of the first Land Use Permit for general grading and/or buildings for development, the applicant shall pay all applicable City of Goleta permit processing fees in full. Prior to the start of any work on-site, the applicant shall request and attend a preconstruction meeting that includes monitor(s), project superintendent, architect, subcontractors, as well as City representatives including staff from Planning and Environmental Services and Community Services.
55. 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.
56. 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.



57. Any temporary building, trailer, commercial coach, etc. installed or used in connection with construction of this project shall comply with the requirements of Section 35-281, Article III of the City's Municipal Code.
58. 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.
59. 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.
60. When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail.
60. The applicant shall pay all applicable development impact fees under the City of Goleta Development Impact Fee program in full. **Plan Requirements and Timing:** Payment amounts are estimated below, and shall be based on the fees in effect and applicable at time of Land Use Permit approval.

Quimby/Park Fees	\$2,072/ 1000 sq. ft	Due at Final Inspection
Transportation	\$7,832/room for 112 rooms	Due at Land Use Permit
	\$65,115/1000 sq. ft. (quality restaurant)	Due at Land Use Permit
Fire Protection	\$0.20/SF	Due at Final Inspection
Fire Facility	\$700/1000 SF	Due at Final Inspection
Library	\$190/1000 SF	Due at Final Inspection
Public Admin	\$841/1000 SF	Due at Final Inspection
Sheriff	\$433/1000 SF	Due at Final Inspection

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

61. Compliance with Department/Agency Letters:
  - a. Community Services Department, letter dated July 8, 2008
  - b. SB County Air Pollution Control District, letter dated July 7, 2008

c. County of Santa Barbara Fire Department, letters dated August 6, 2007

62. No new signs are authorized with this permit. All signs require separate permits and shall comply with, Article I, Chapter 35 of the City of Goleta Municipal Code (Sign Regulations) and with setbacks specified in Article III, Chapter 35 of the Municipal Code (Inland Zoning Ordinance).
63. The applicant shall be responsible for the completeness and accuracy of all forms and supporting materials submitted in connection with any application. Any errors or discrepancies found therein may constitute grounds for the revocation of any approvals.
64. 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 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.
65. 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.



July 8, 2008

**CITY COUNCIL**  
Michael T. Bennett  
*Mayor*

Roger S. Aceves  
*Mayor Pro Tempore*

Jean W. Blois  
*Councilmember*

Eric Onnen  
*Councilmember*

Jonny Wallis  
*Councilmember*

**CITY MANAGER**  
Daniel Singer

Mr. Kip Bradley  
Cortona Opportunities, LLP  
5276 Hollister Avenue, #212  
Santa Barbara, CA 93111

**RE: Rincon Palms Hotel and Restaurant – Conditions of Approval**

Dear Mr. Bradley:

Listed below are Community Services recommended Conditions of Approval for the Rincon Palms Hotel and Restaurant project, located at the northeast corner of Storke Road and Hollister Avenue (6868 and 6878 Hollister Avenue).

**A. PRIOR TO ISSUANCE OF LAND USE PERMIT (LUP)**

Owner shall submit the following, or evidence of completion of the following, to the Community Services Department:

1. Agreement for Public Improvements and associated securities for the public improvements on Cortona Drive, Hollister Avenue, and Storke Avenue.
2. Owner shall submit and City Engineer shall accept and approve, a final Hydrology Report prepared by a registered civil engineer for all detention, filtration, and other storm water management needs.

**B. PRIOR TO BUILDING PERMIT ISSUANCE**

1. Provide onsite Parking, Striping and Circulation plan approved by the City Engineer.
2. All existing survey monuments shall be preserved and/or reset in coordination with the County of Santa Barbara's Surveyors Office.

3. Best Management Practices (BMPs) shall be shown on building plans, including but not limited to:
  - a) The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
4. Provide a Storm Water Management Pollution Prevention Plan (SWMPPPP) as approved by the Regional Water Quality Control Board.

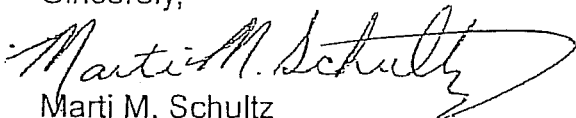
C. PRIOR TO CERTIFICATE OF OCCUPANCY

Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. Complete all Public Improvements along Cortona Drive, Hollister Avenue and Storke Road, as shown on the building plans, including utility service undergrounding.
2. Payment of Parks and Recreation Fees.
3. Submit Record Drawings for the revised street striping and road widening on Hollister Avenue and Cortona Drive.
4. 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 Diana White, Assistant Engineer, at (805) 961-7564.

Sincerely,



Marti M. Schultz  
Principal Civil Engineer

DW/

cc: Laura Bridley, Contract Planner



# Fire Department

*"Serving the community since 1926"*

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

John M. Scherreil  
Fire Chief  
County Fire Warden

August 6, 2007

Mr. Thomas Figg, Planner  
Planning & Development, City of Goleta  
PO Box 1226  
Port Hueneme, CA 93041

Dear Mr. Figg:

SUBJECT: APN: 073-140-004; Permit #: 07GPC-020-RZ/DP/DRB  
Site: NE Corner of Storke/Hollister  
Project Description: Rincon Palms Hotel and Restaurant

*This Memorandum Supersedes the Previous Memorandum Dated March 5, 2007*

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.

A fire protection specialist shall determine all fire protection needs that include the following:

- Requirement for fire extinguisher type and placement
- Smoke ejection system required for underground parking garage
- 2 1/2" stand-pipes required in stairwells, on roof, and in parking garage
- Roof access shall be provided via interior stairwell as shown on plans dated February 5, 2007
- Fire hydrant locations
- Fire department connections
- Automatic fire sprinkler system
- Fire alarm annunciator locations
- Knox Box locations

**PRIOR TO BEGINNING ANY WORK  
THE FOLLOWING CONDITIONS MUST BE MET**

1. Phase One and Phase Two Site Assessments shall be submitted to the Santa Barbara County Fire Department. If the assessment results indicate the need for additional assessment, the additional assessment shall be completed, and all mitigation performed, prior to development approval. Contact Kate Sulka, Hazardous Materials Supervisor, at (805) 686-8169 for questions and additional information.

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

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

Access to this project shall conform to Santa Barbara County Private Road and Driveway Standard #1. Dead end access roads shall terminate with a fire department approved turnaround.

Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building.

A minimum of 13 feet 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.

Driveway shall be constructed as shown on plans dated February 5, 2007, with the exception of the main driveway access on the south side of the hotel. This driveway shall have a minimum width of 20 feet.

3. New 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. The hydrants shall consist of one 4-inch outlet and two 2½-inch outlets. The system shall be tested by the fire department to ensure compliance with recognized standards. See Standard #2.

Any work being undertaken by the applicant (including applicant's agents or contractors) shall be in accordance with the following:

- The fire department shall have on file a set of approved plans prior to any work being done.
- A set of approved plans, stamped and dated by the fire department shall be kept at the work site and available upon request.

- Water system(s) shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
  - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by a fire department representative.
  - A minimum of 48 hours notice shall be given to the fire department by the applicant prior to scheduling an inspection.
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**

5. An automatic fire sprinkler system must be installed. Fire sprinkler plans are required to be checked and approved by this department, prior to installation. Any system must be in compliance with Santa Barbara County Fire Department Standard #4. The fire department shall determine the location of any fire department connection (FDC) that may be required.

Any work being undertaken by the applicant (including applicant's agents or contractors) shall be in accordance with the following:

- The fire department shall have on file a set of approved plans prior to any work being done.
  - A set of approved plans, stamped and dated by the fire department shall be kept at the work site and available upon request.
  - Water system(s) shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
  - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by a fire department representative.
  - A minimum of 48 hours notice shall be given to the fire department by the applicant prior to scheduling an inspection.
6. Fire or emergency alarm system plans shall be submitted to this office for review. Systems shall be installed in conformance with Santa Barbara County Fire Department Standard #5 (attached) and all other applicable standards. Alarm panel location(s) and annunciator graphics to be approved by fire department prior to installation.

7. Building address numbers must be a minimum height of six (6) inches for commercial and a color contrasting to the background color. The address number shall be elevated at least three (3) feet from the ground for clear visibility and easy directional identification. The numbers shall be visible from the access road when traveling in either direction. If the driveway is over 150 feet in length or the building is obstructed from view at the access road, numbers shall be posted at any driveway and road intersections as is necessary.
8. Portable fire extinguishers are required and shall be in accordance with the Santa Barbara County Code Chapter 15, Article 1.
9. When access ways are gated, a fire department approved locking system shall be installed.
10. Permits for the use and storage of hazardous and/or flammable materials/wastes are required.
11. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems  
Goleta Fees at \$681.00 - 1000 square feet, non-retail

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.

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

In the interest of life and fire safety,

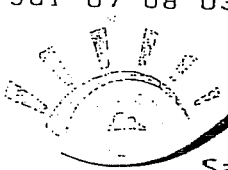


Glenn Fidler, Inspector  
Fire Prevention Division

GF:reb

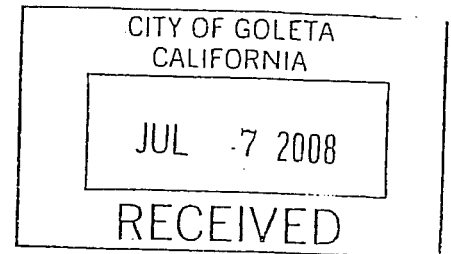
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Our Vision  Clean Air**Santa Barbara County  
Air Pollution Control District**

July 7, 2008

Laura Bridley, AICP  
Contract Planner  
City of Goleta Planning & Environmental Services  
130 Cremona Drive, Suite B  
Goleta, CA 93117



RE: Rincon Palms Hotel and Restaurant Project (07-020-OA, -RZ, -DP): Conditions of Approval

Dear Laura,

The Santa Barbara County Air Pollution Control District (APCD) recommends the implementation of the following air pollution mitigation measures as conditions of approval for this project:

1. Standard dust mitigations listed in Attachment A are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading and construction and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in Attachment B to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
3. The project must also comply with all APCD Rules and Regulations, as applicable, including obtaining required permits for any emergency diesel generators or large boilers prior to land use clearance.
4. At all times, idling of heavy-duty diesel trucks must be limited to five minutes; auxiliary power units should be used whenever possible. State law requires that drivers of diesel-fueled commercial vehicles:
  - shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location,
  - 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.

Terence E. Dressler • Air Pollution Control Officer

260 North San Antonio Road, Suite A • Santa Barbara, CA • 93110 • www.sbapcd.org • 805.961.8800 • 805.961.8801 (fax)

*Goleta Rincon Palms Hotel & Restaurant*

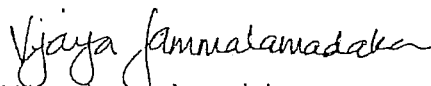
*July 7, 2008*

*Page 2*

5. At a minimum, prior to occupancy, this project should reduce emissions of greenhouse gases by:
- Increasing energy efficiency at least 20% beyond Title 24 requirements;
  - Encouraging the use of transit, bicycling and walking by the hotel employees and guests;
  - Increasing recycling goals (e.g., separate waste and recycling receptacles); and
  - Increasing landscaping (shade trees decrease energy requirements and also provide carbon storage.)

Please contact me by phone at 961-8893, or by e-mail: [VLJ@sbcapcd.org](mailto:VLJ@sbcapcd.org) if you have questions.

Sincerely,



Vijaya Jammalamadaka

Air Quality Specialist

Technology and Environmental Assessment Division

**Attachments:** A and B

cc: TEA Chron File

### Attachment A (Fugitive Dust Control)

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

During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15-miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
- Prior to land use clearance, the applicant shall include, as a note on a separate information sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.

**Plan Requirements:** All requirements shall be shown on grading and building plans. **Timing:** Requirements shall be shown on plans prior to approval of Land Use Permit. Condition shall be adhered to throughout all grading and construction periods.

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

### Attachment B (Diesel Particulate And NOx Emission Mitigations)

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. Therefore, following is an updated list of control strategies that should be implemented to the maximum extent feasible.

- Only heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be used.
- The engine size of construction equipment shall be the minimum practical size.
- 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.
- Construction equipment shall be maintained in tune per the manufacturer's specifications.
- Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed on equipment operating on-site.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; 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
- 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 (homes and schools).
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

**Plan Requirements:** Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

**MONITORING:** Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

ATTACHMENT 6

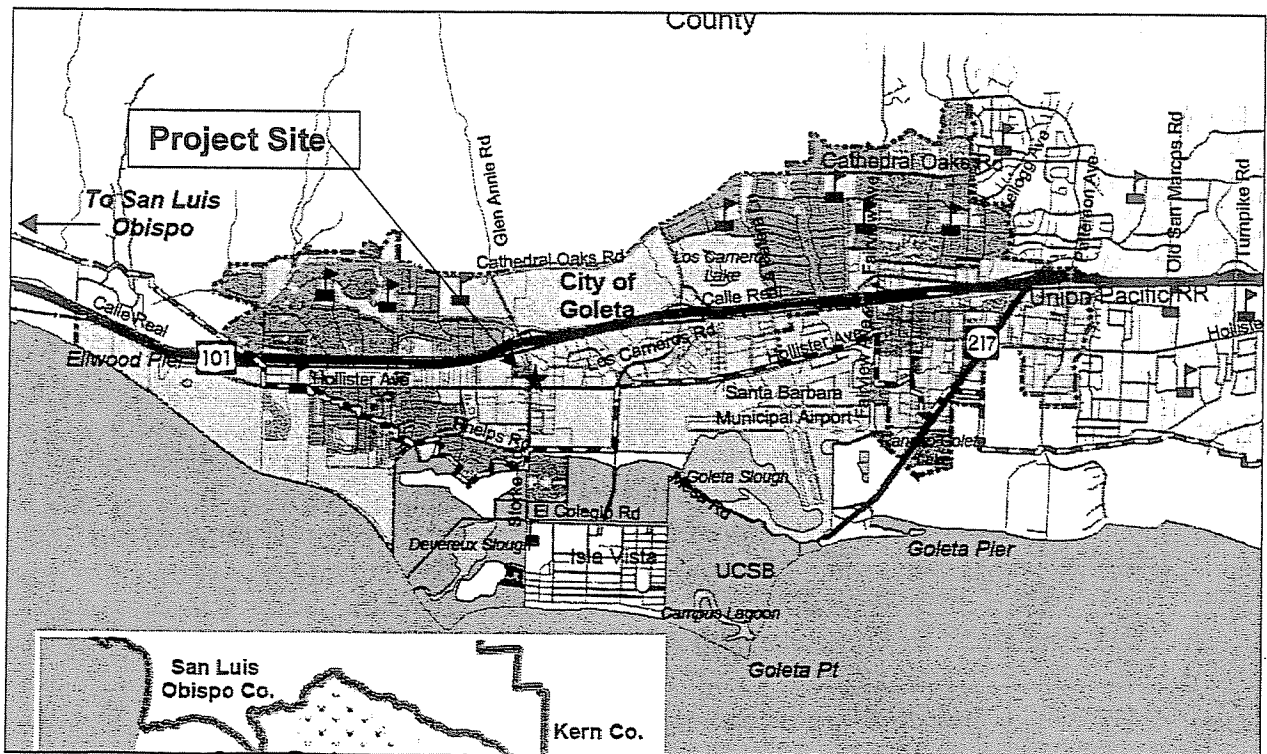
PROPOSED FINAL MITIGATED NEGATIVE DECLARATION  
08-MND-001





**CITY OF GOLETA  
FINAL MITIGATED NEGATIVE DECLARATION**

1. **PROJECT TITLE:** Rincon Palms Hotel & Restaurant; Case Nos. 07-020-RZ; -DP; -DRB; 08-MND-001
2. **LEAD AGENCY NAME & ADDRESS:** City of Goleta, 130 Cremona Drive, Suite B, Goleta, CA 93117
3. **CONTACT PERSON & PHONE NUMBER:** Laura Bridley, AICP, Contract Planner, (805) 966-7260.
4. **APPLICANT:**  
  
Kip Bradley, Cortona Opportunities, LP, 5276 Hollister Ave., #212, Santa Barbara, CA 93111  
Laurel Perez, Suzanne Elledge PP&S, 800 Santa Barbara St., Santa Barbara, CA 93101 (Agent)
5. **PROJECT LOCATION:** NE corner of Storke & Hollister Roads (6868 and 6878 Hollister Avenue); APN: 073-140-004



- 6. PROJECT DESCRIPTION:** This application includes a 112-room hotel with a free-standing restaurant of approximately 6,000 square feet proposed on a vacant parcel located at the northeast corner of Storke Road and Hollister Avenue. The project site occupies an area of 3.05 acres adjacent to an existing business center at 6868 Cortona Drive to the north. Although located on its own parcel, conjunctive parking and shared access is proposed with the neighboring property for the purpose of accommodating peak demand on weekends and holidays. The property has an Office and Institutional land use designation, with Hotel Overlay, and is presently zoned M-RP (Industrial Research Park). Specific elements of the proposed project include the following:

**Ordinance Amendment (Case Nos. 07-020-OA and 07-020-RZ):** The proposal includes a request to amend the Zoning Ordinance by creating a Hotel Overlay District consistent with the site-specific land use designation set forth in the recently adopted General Plan. Except as expressly noted, the proposed District regulations default to the underlying base zoning in regard to setbacks, height limits and other development standards. The Hotel Overlay District would only apply to those locations with a corresponding designation in the General Plan. All new development within the Hotel Overlay District would be subject to design review and require approval of a Development Plan. The applicant concurrently seeks a rezone of the property to also institute a base zoning of Professional Institutional, consistent with the Office and Institutional land use designation set forth in the recently adopted General Plan.

**Development Plan (Case No. 07-020-DP):** The proposed hotel (see Figure 1) is approximately 59,600 square feet in total floor area and designed in a rectangular configuration, sited along the northerly property line and oriented toward Hollister Avenue. The hotel would include 112 rooms, banquet and conference space, an outdoor pool and recreation area, and a rooftop patio for community meetings, social gatherings and conference functions ancillary to the hotel. It would be three stories in height with subterranean parking below. The majority of the hotel structure would be 35 feet high, consistent with the proposed zoning designation and the recommended building height for the Office and Institutional land use designation of the site. The hotel includes two tower elements that are 50 feet high measured from the proposed finished grade. Because these are non-habitable areas associated with the building's elevators, they are allowed in the proposed zone district as an exception (Article III, Sec. 35.127.1). The project also includes a 6,000-square foot free-standing single-story restaurant with a 1,000-square foot outdoor dining area to be located in the southwest corner of the parcel. Off-street parking (totaling 160 spaces on the project site, as compared to 152 that are required) is located at the front, back and beneath the hotel<sup>1</sup>. Site and building amenities include a port-cochere entry, private patios or balconies for each room, guest swimming pool, outdoor lounge patio and roof deck to accommodate informal gatherings. The main entrance is oriented

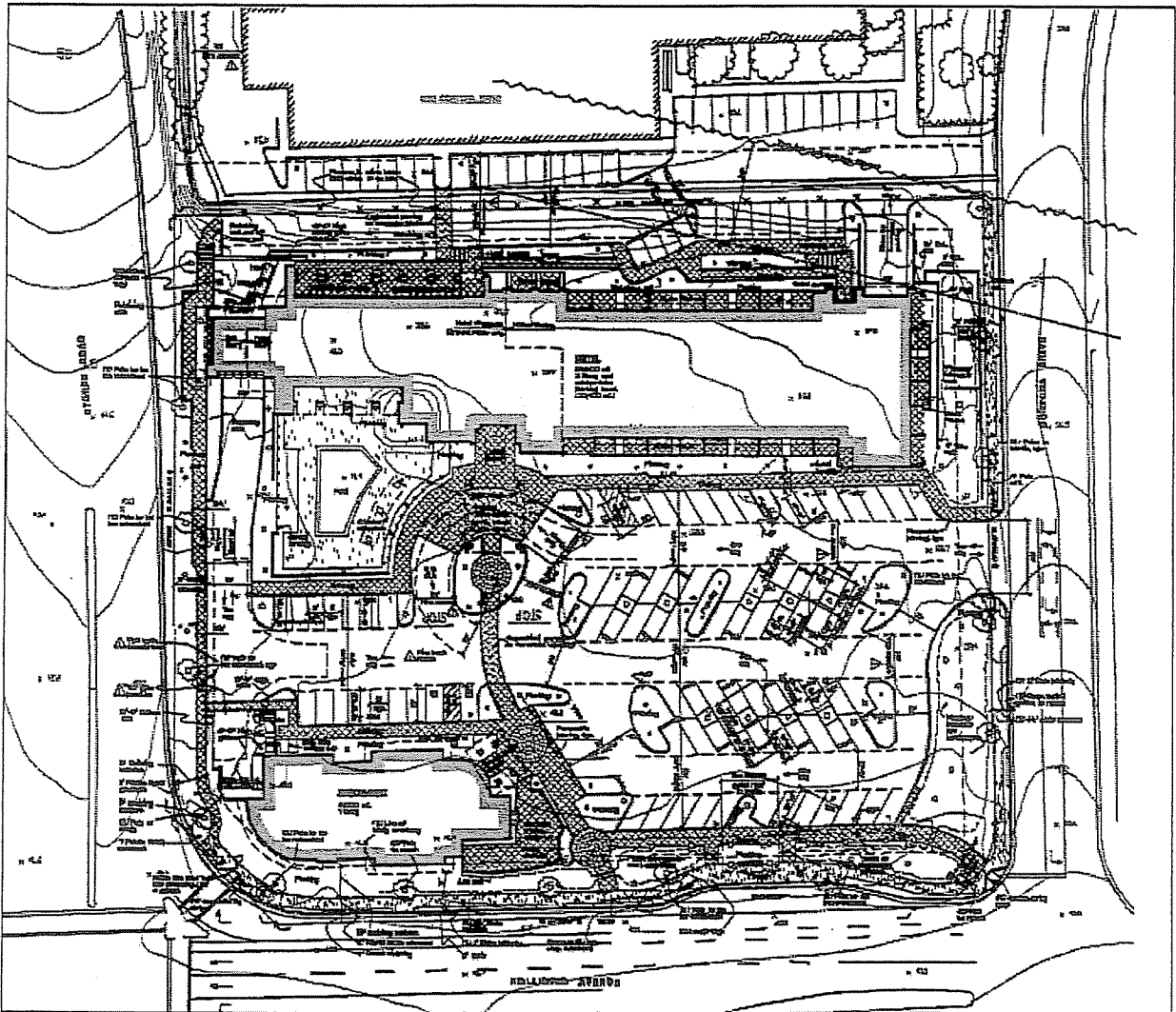
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<sup>1</sup> An additional 17 parking spaces would be available on the adjacent site for peak parking demand on weekends and holidays through a shared parking agreement.



toward Hollister Avenue with access served from Cortona Drive. The project, as presently designed, would require findings to be made to vary from the recommended development standards of the Goleta General Plan (allowing height exceptions for vertical elements beyond 35' but not exceeding 50'), and provisions of the Professional Institutional zone district.

Figure 1: Site Plan



**Design Review Board (Case No. 07-020-DRB):** The proposed architecture is characterized as Streamline Moderne with emphasis on exterior metal panels, smooth/seasoned concrete finish, storefront metal frames, accent trellis elements and standing seam metal roofing. The City's Design Review Board ("DRB") conducted a conceptual review of the project over several meetings and focused on the following issues: refinement of the project architecture including more expansive use of metal fenestration, modification of tower features and trellis treatments, enrichment of blank building elevations, redesign of hotel deck overhangs; preservation of existing

Washingtonian Palms and use of complimentary plantings; incorporation of bermed landscaping and meandering sidewalk along the Hollister frontage; resolution of bus shelter design and "quieting" of outdoor restaurant space. On June 19, 2007, the DRB completed its conceptual review and authorized staff to remove the item from the calendar, allowing the item to move forward to the Planning Commission and City Council. Upon action by these bodies, the matter will be returned to DRB for Preliminary/Final Approval.

**7. APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES:** Besides the City of Goleta, no other public agency approval is required for this project.

**8. SITE INFORMATION:**

<b>Table 1: Site Information</b>	
General Plan Land Use Designation	Office and Institutional
Zoning Ordinance, Zone District	Article III (Inland Zoning Ordinance), Zoned M-RP (Industrial Research Park)
Site Size	3.05 acres
Present Use and Development	Vacant, undeveloped land
Surrounding Uses/Zoning	North: Professional Office and Light Manufacturing South: Hollister Avenue; Commercial Retail East: Cortona Drive; Light Manufacturing West: Professional Office and Commercial Retail
Access	Existing: None Proposed: Two access driveways off of Cortona Drive
Utilities & Public Services	Water Supply: Goleta Water District Sewage: Goleta West Sanitary District Fire: SB County, Fire Station 14 School Districts: N/A

**9. ENVIRONMENTAL SETTING**

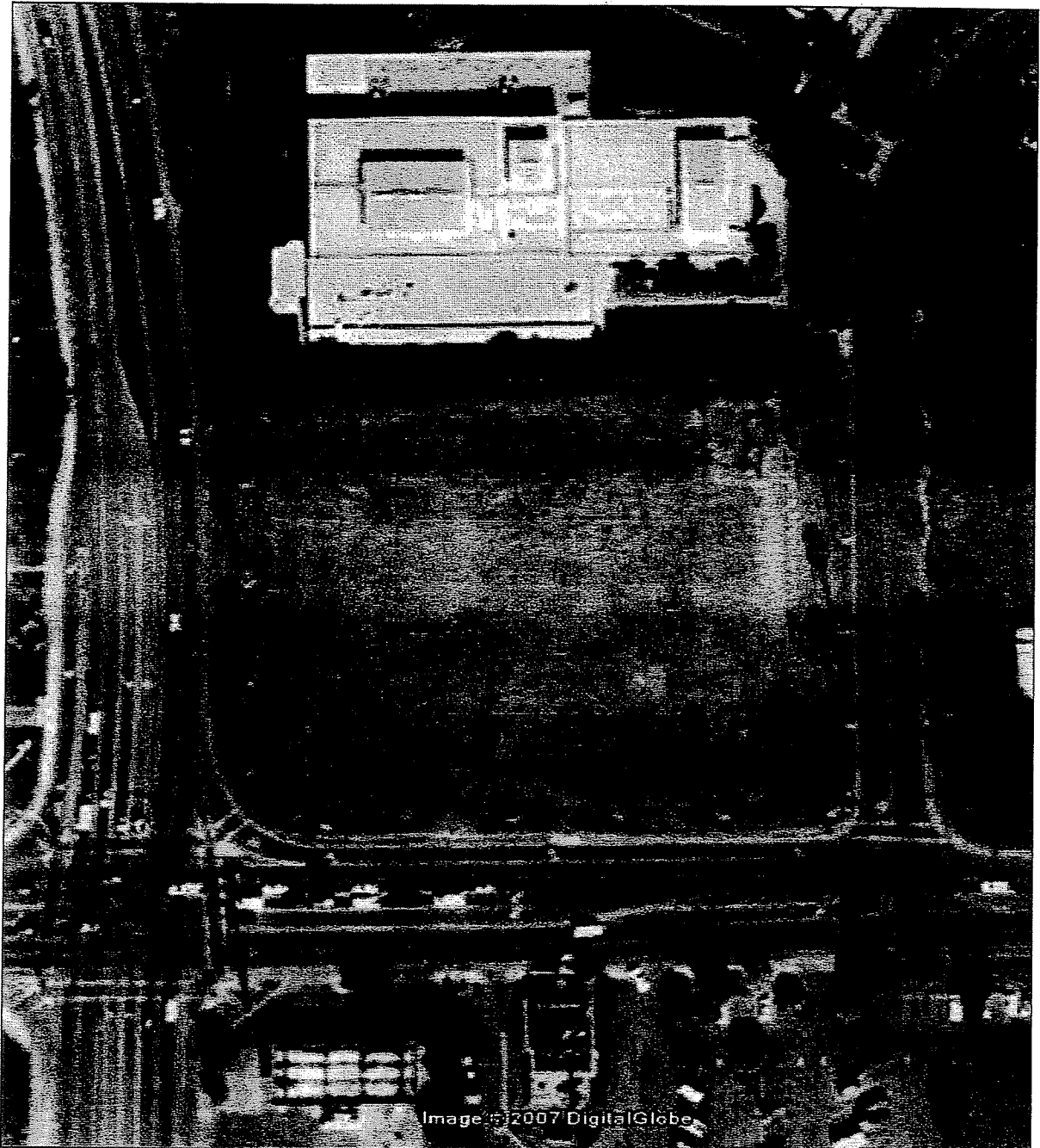
*Slope/Topography*

The project site is gently sloping from the northeast (approximately 35 feet above sea level) to the southwest (approximately 44 feet above sea level) for an overall slope of less than 1% across the property.

*Fauna and Flora*

The project site is devoid of vegetation other than sparse patches of non-native grass and ornamental Washingtonian Palms that line the street frontages. Per the City's adopted General Plan (Conservation Element, Figure 4-1), there are no rare, endangered, or special status animal species.

**Figure 2: Existing Site Conditions**



#### *Archaeological Sites*

The proposed project is located partly adjacent and within the vicinity of several archeological sites: CA-SBA-52, CA-SBA-53, CA-SBA-54 and CA-SBA-142. A Phase I archaeological resources evaluation was prepared for the site by WPA in 2006, followed by an Extended Phase I investigation in early 2007 by Science Applications International Corporation (SAIC). In summary, the studies identified very limited prehistoric cultural materials consisting solely of shellfish fragments.

#### *Surface Water Bodies*

No surface water bodies are located on or adjacent to the project site.

#### *Surrounding Land Uses*

The project site is bordered to the east and north by a mix of professional office and light-manufacturing uses. Hollister Avenue borders the site on the south with commercial retail uses beyond. Storke Road borders the site on the west with office, commercial, retail and residential uses beyond. The regional shopping center Camino Real is located to the southwest of the project site, across the intersection of Hollister Avenue and Storke Road.

#### *Existing Structures*

No structures are presently located on the project site other than a monitoring well located near the northwest corner of the parcel.

### **10. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist and analysis on the following pages:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

- Mandatory Findings of Significance

## 11. DETERMINATION

On the basis of this environmental checklist/initial study:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier environmental impact report or mitigated negative declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier environmental document, including revisions or mitigation measures that are imposed upon the proposed project and that a subsequent document containing updated and/or site specific information should be prepared pursuant to CEQA Sections 15162/15163/15164.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier environmental impact report or mitigated negative declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier environmental document, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

*Patricia S. Miller*

Patricia S. Miller, Manager  
Current Planning Division

*10 July 2008*

Date

**12. EVALUATION OF ENVIRONMENTAL IMPACTS:**

- (a) All answers must take into account the whole action involved, including project specific, cumulative, construction, operational, onsite, offsite, direct, and indirect impacts. The explanation of each issue should identify the existing setting, any applicable threshold of significance, impacts, mitigation measures, and residual impact statement.
- (b) A brief explanation is required for all answers except "No Impact." The discussion must be supported by appropriate information sources. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to requests such as the proposed project.
- (c) The checklist answers must indicate whether the impact is: Potentially Significant, Less than Significant with Mitigation Incorporated, Less than Significant, or No Impact.
- (d) A "Potentially Significant" response is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant" entries when the determination is made, then an EIR is required.
- (e) A "Less than Significant with Mitigation Incorporated" response is appropriate where such incorporation of mitigation would reduce a potentially significant impact to a less than significant level. If there are one or more "Less than Significant with Mitigation Incorporated" entries when the determination is made, then a Mitigated Negative Declaration may be prepared.
- (f) Supporting Information Sources: References and sources should be attached, including but not limited to, reference documents, special studies, other environmental documents, and/or individuals contacted.

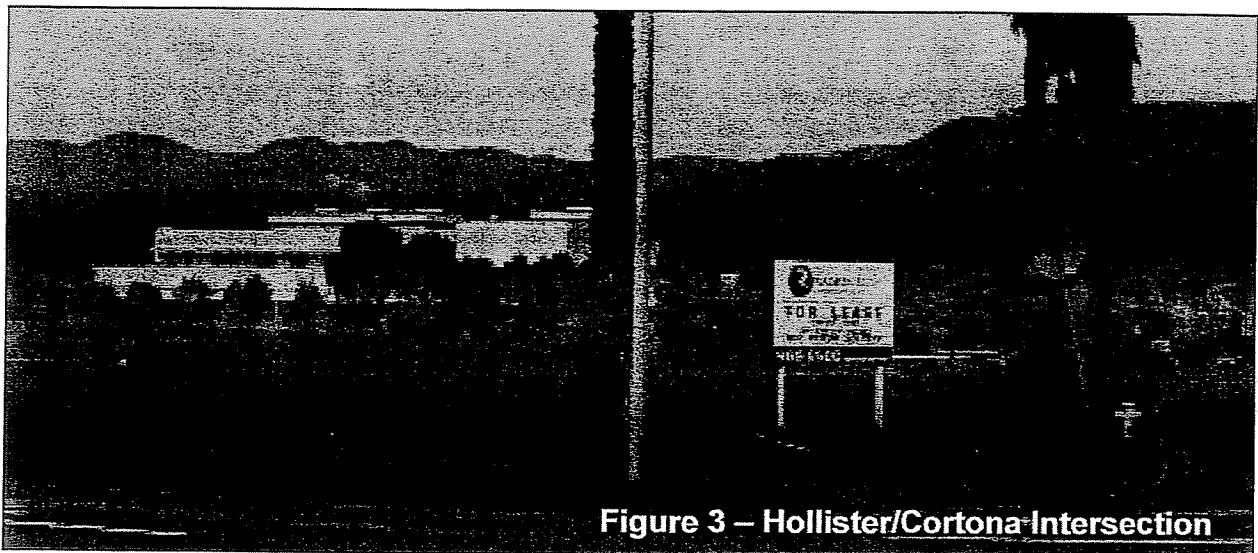
**13. ISSUE AREAS:**

**AESTHETICS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Have a substantial adverse effect on a scenic vista?		✓			
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓	
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		✓			

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✓			

Existing Setting



**Figure 3 – Hollister/Cortona Intersection**

The project site is surrounded by a mix of professional office, light-manufacturing, commercial retail and residential uses. This area of Hollister Avenue is designated as a scenic corridor in the Goleta General Plan (Policy VH 2.1) and areas east and west of the Storke Road intersection are identified as vantage points for viewing scenic resources (Policy V H1.2, Figure 6-1). As noted in Figures 3 through 7, viewing opportunities are principally oriented toward the north with backdrop views of the Santa Ynez mountain range. Existing development along this particular segment of Hollister Avenue is best described as non-descript with no discernable architectural style. Likewise, building setbacks and landscape treatments vary in depth as parcels converge toward the Storke/Hollister intersection.

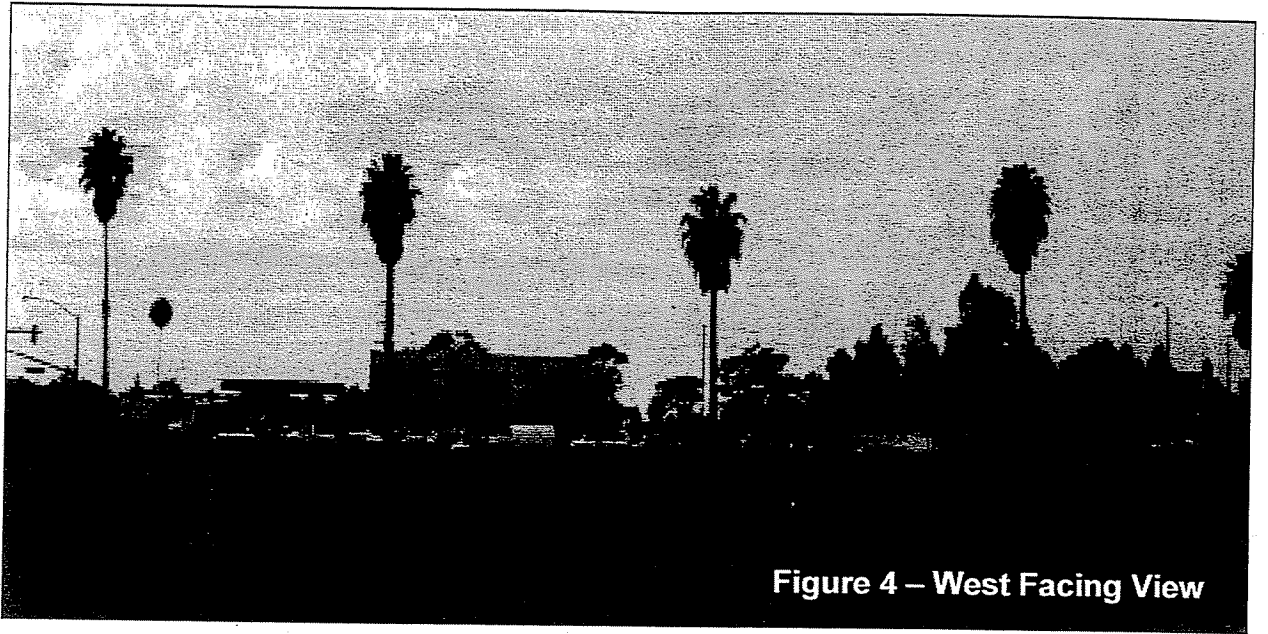


Figure 4 – West Facing View

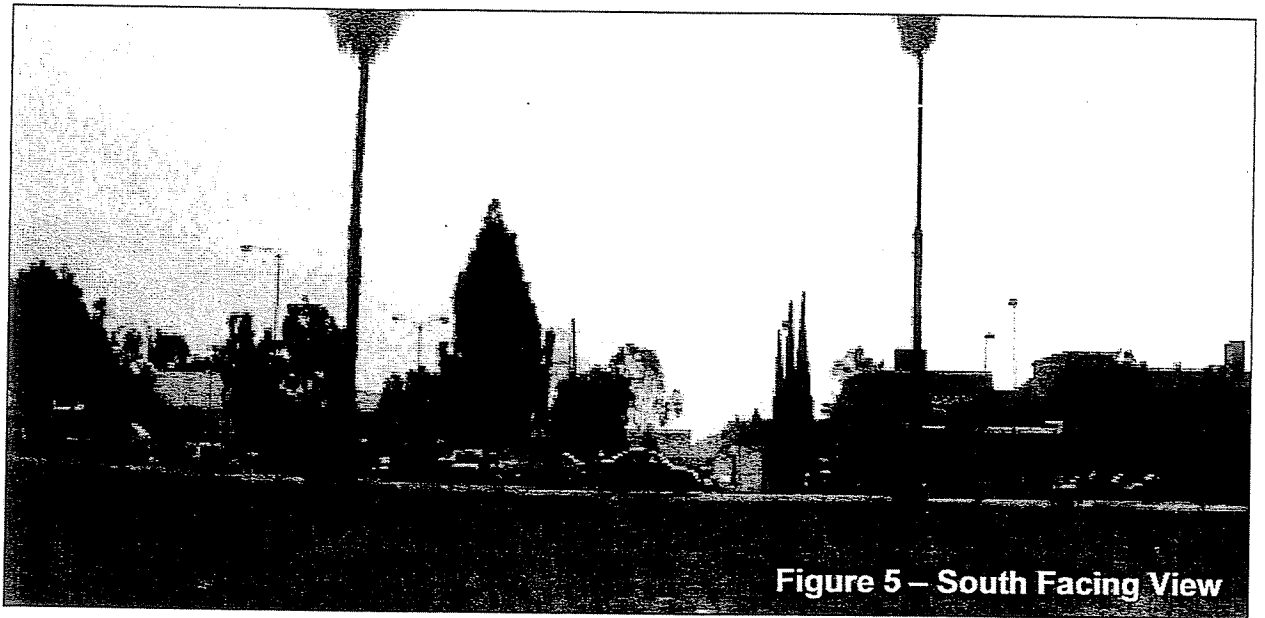


Figure 5 – South Facing View



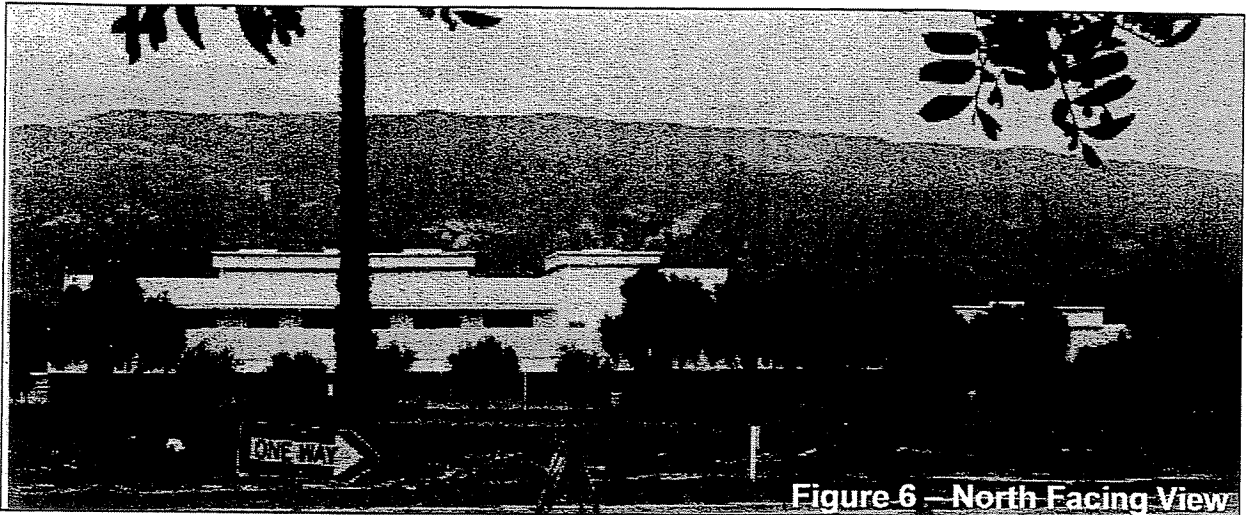


Figure 6 – North Facing View

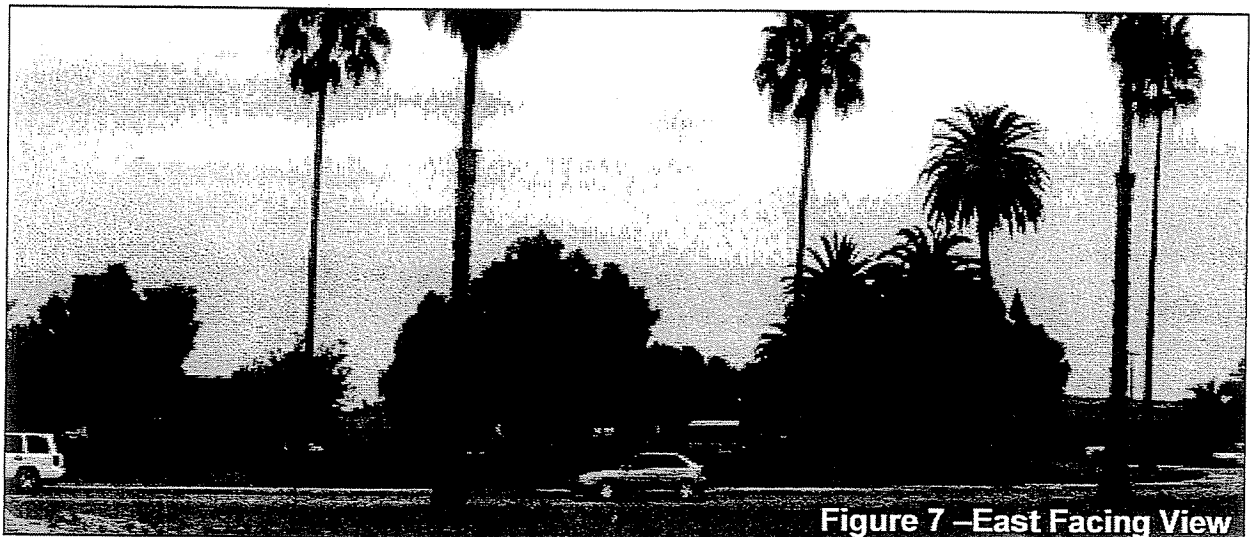
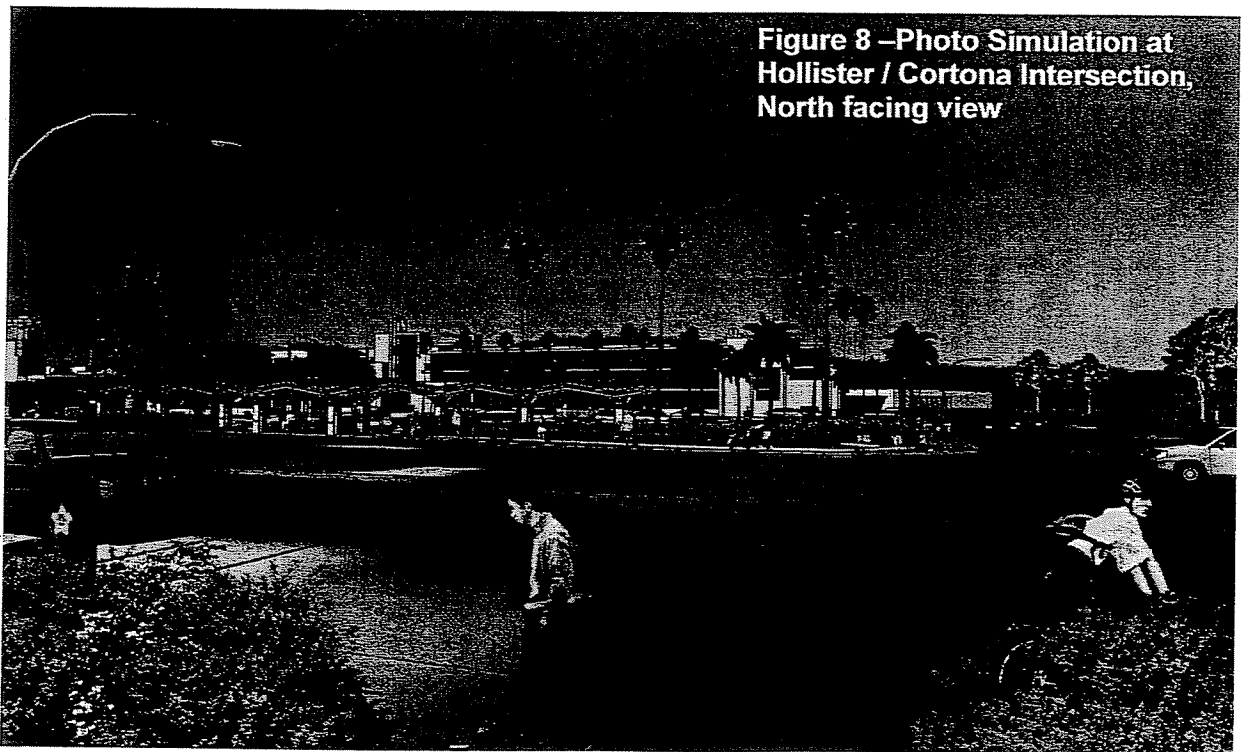


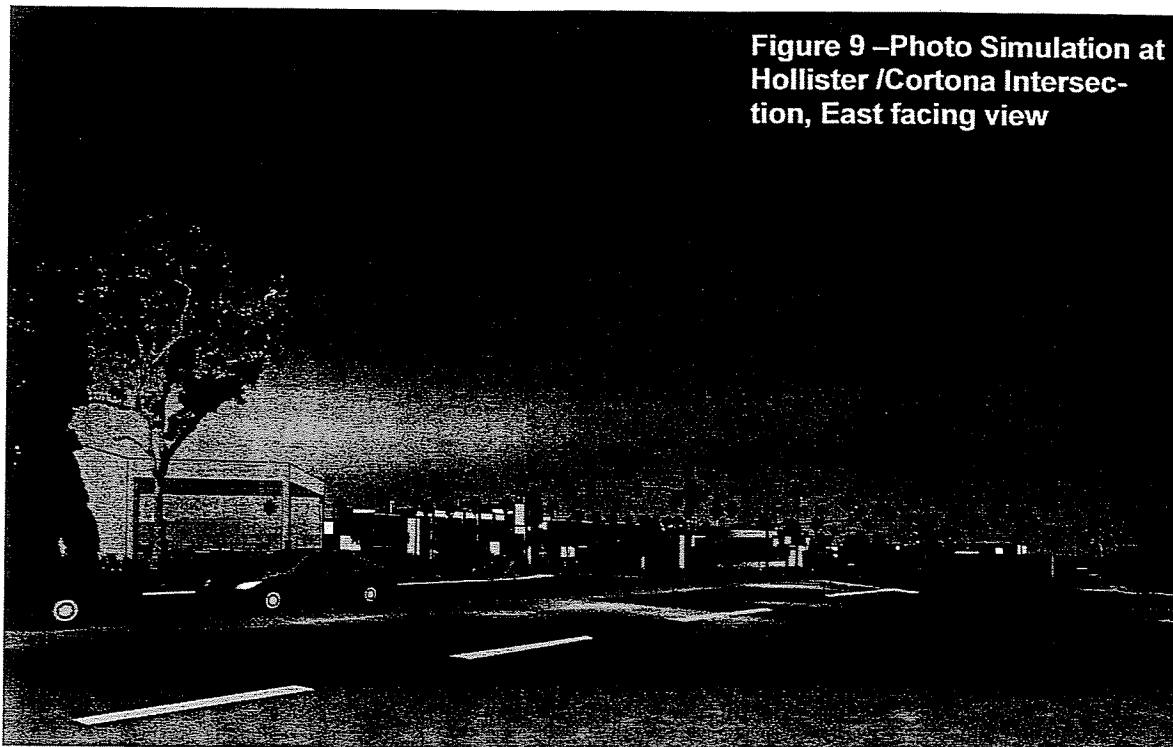
Figure 7 – East Facing View

### Thresholds of Significance

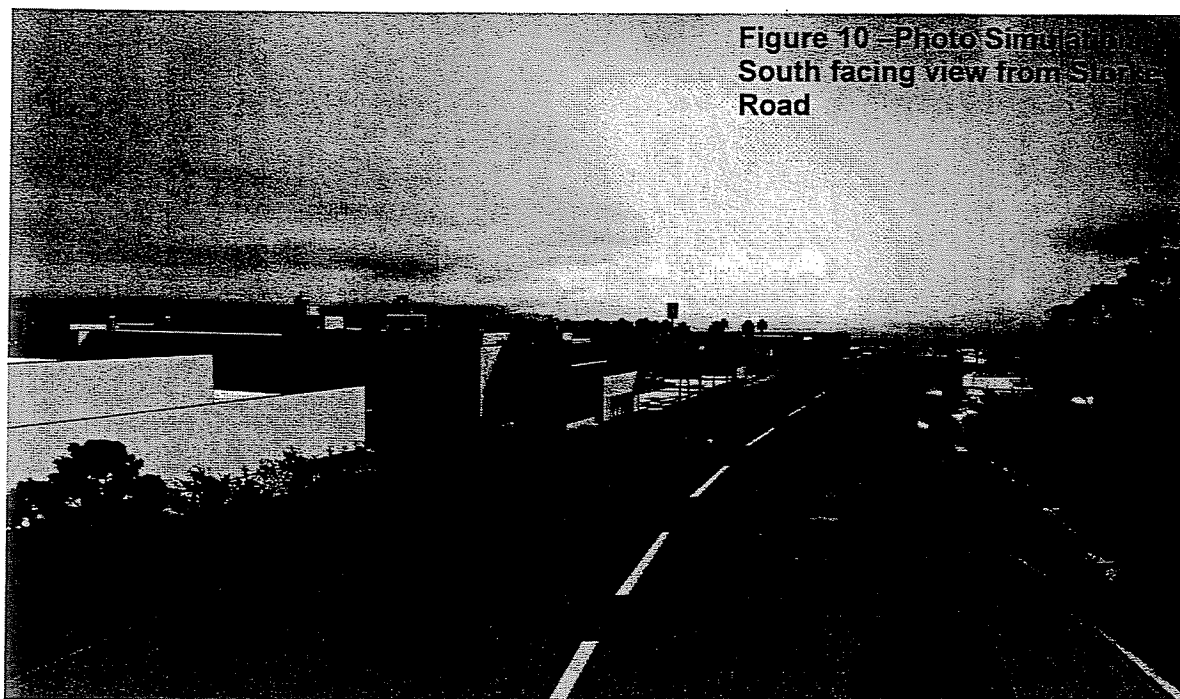
A significant Aesthetic impact would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additionally, the City's *Environmental Thresholds & Guidelines Manual* instructs the project evaluator to assess visual/aesthetic impacts through a two step process. First, the visual resources of the project site must be evaluated including the physical attributes of the site, its visual uniqueness, and its relative visibility from public viewing areas. Of particular concern are visibility from coastal and mountain areas, as well as its visibility from the urban fringe and travel corridors. Secondly, the potential impact of the project on visual resources located onsite and on views in the project vicinity which may be partially or wholly obstructed must be determined. This step includes an evaluation of the project's consistency with City and State policies on the protection of visual resources.

- a) Views of the Santa Ynez Mountains are available at various vantage points along Hollister Avenue as illustrated in Figures 3 and 6. In compliance with the Goleta General Plan (Policy VH 4.15), a visual simulation was prepared for the proposed project (Figures 8 -11). These simulations were developed since the publication date of the Draft Mitigated Negative Declaration, and will also serve as a basis for making findings of consistency with General Plan Policies VH 1.4 and VH 2.2. These visual simulations, including Figure 12 which appeared in the Draft MND, approximate how the project will appear relative to its surroundings. These simulations indicate that the development proposed would partially obstruct, but not eliminate background views of the mountains. In particular, view corridors along Storke and Cortona would remain unobstructed, and views looking north from Hollister would be slightly obstructed looking across the parking lot, would remain. In addition, the applicant will be required to field verify building heights to assure compliance with what is depicted in preliminary and final plans. With incorporation of these measures, the impacts attributable to the project would be deemed less than significant.
- b) The proposed project does not lie within, or affect any views from, a Scenic Highway as designated by the State of California. As such, the project would not result in any impacts on scenic resources within a Scenic Highway viewshed.

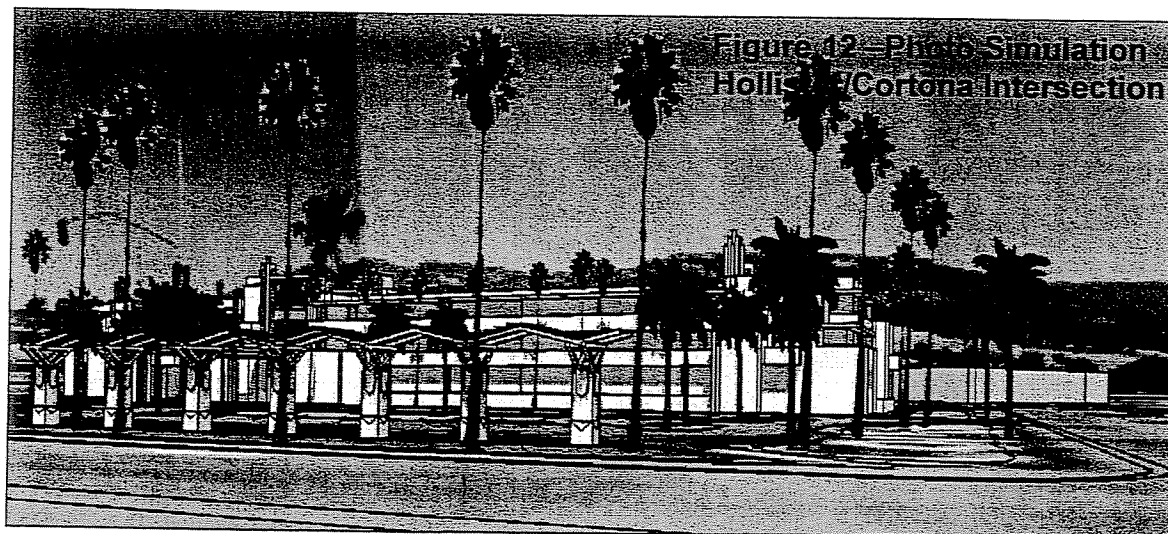
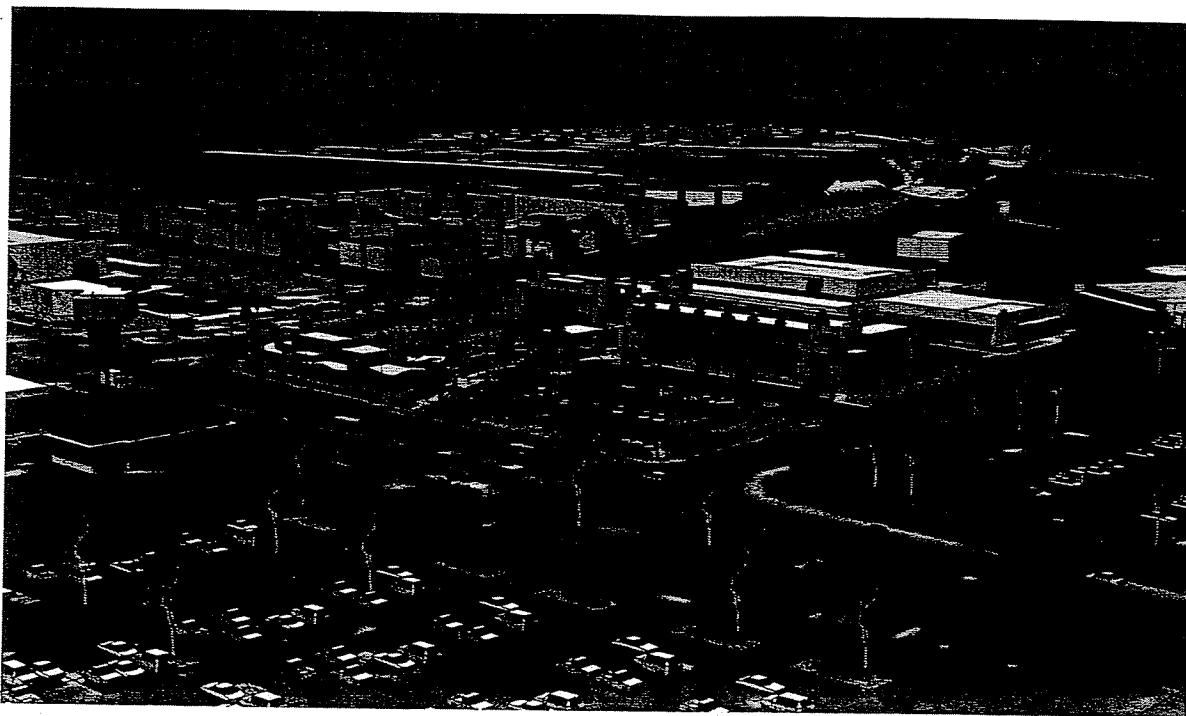




**Figure 9 –Photo Simulation at Hollister /Cortona Intersection, East facing view**



**Figure 10 –Photo Simulation, South facing view from Stark Road**



- c) The City's Design Review Board ("DRB") conducted a conceptual review of the project and focused on the following issues: refinement of the project architecture including more expansive use of metal fenestration, modification of tower features and trellis treatments, enrichment of blank building elevations, redesign of hotel deck overhangs; preservation of existing Washingtonian Palms and use of complementary plantings; incorporation of bermed landscaping and meandering sidewalk along the Hollister frontage; resolution of bus shelter design and "quieting" of outdoor restaurant space. This interactive process resulted in the following design modifications:

parkway treatment in place of meandering sidewalks; scaled down columns and trellis at front; introduction of a water feature as "white noise" for the exterior dining area; use of permeable paving surfaces; modification of tower elements for both buildings; refinement of materials and enhancement of hotel's west elevation; increased utilization of the roof deck on the hotel; refinements to hotel service truck circulation to eliminate truck approach from the east; addition of street trees where possible and removal of trees with low-hanging limbs from pedestrian areas. While these modifications serve to protect and enhance the visual character and quality of the site and its surroundings, further refinements were requested by DRB to fully mitigate aesthetic impacts. These recommendations include:

- a. Align the list of trees with the City's most recent endorsement of approved plant materials. Include a detailed accounting of size and quantities of all landscape materials, along with planting and irrigation specifications. The DRB also noted that the existing palms can be a maintenance problem and suggested that the existing palms should be "skinned."
- b. Study ways to further articulate blank walls of the north elevation of the restaurant building; entertain the addition of glass to the screen walls for the outdoor dining area for sake of further sound attenuation.
- c. Employ "dark sky" lighting principals: fixtures should be shielded and downward facing to prevent "spillage." Provide an overall lighting plan for buildings, parking lots and landscape areas. Utilize thematic fixtures where possible and seek an acceptable alternative to standard "cobra" street and parking lot lights.
- d. In regard to the hotel roof deck and proposed use for special events: (i) DRB expressed enthusiasm for the idea; (ii) expressed tolerance for exceeding the 35-foot height limit with shade devices; and (iii) suggested that the Project Team consider the introduction of a water feature for sound attenuation.

Comments raised during the public review period for the Mitigated Negative Declaration also questioned the visibility from Storke Road of the trash area. Two trash areas are proposed – one for the hotel at the northwest corner of this building, and another to serve the restaurant at the northeast corner of that structure. Both trash enclosures would be fully screened and partly blocked by the existing Storke Road embankment above the project site, and therefore constitute a less than adverse effect of the project. Mitigation measure 8 below addresses the screening required for the project's trash enclosure.

While the DRB provided support and strong direction regarding the project design, the incorporation of these revisions may not occur until the project returns for Preliminary DRB. Therefore, the aesthetic impacts of the project are considered potentially significant. Additionally, the proposed hotel would require exterior lighting to light the project

entry, exterior walkways, parking lots and common areas. If not properly shielded and directed, such light could expose neighboring development to unwanted night lighting and glare. Such night lighting impacts would be considered potentially significant.

### Cumulative Impacts

Due to the project specific visual impacts on scenic views, night lighting, and the visual character of the surrounding area, project contributions to cumulative visual/aesthetic impacts would also be considered to be potentially significant.

### Required Mitigation Measures

1. **DESIGN REVIEW BOARD:** The proposed project shall be resubmitted for Preliminary/Final Review by DRB consisting of: (i) updated site plan, architectural floor plans, exterior elevations, landscape drawings and street improvement plans; and (ii) an updated visual simulation of the proposed project. The preliminary development plans shall be revised to address the issues raised by DRB in its Conceptual Review and shall incorporate all applicable mitigation measures and conditions of approval. The updated building exterior elevations shall be fully dimensioned, showing existing grade, finished grade, finished floor, average height and peak height. **Plan Requirements & Timing:** The preliminary development plans shall be revised and resubmitted to DRB for review and approval prior to issuance of a Land Use Permit ("LUP") for the project.

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

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

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

3. **SIGNS:** An Overall Sign Plan shall be prepared and submitted for review and approval by DRB and City staff **because** figurative signs shown on Planning Commission exhibits have not been reviewed for compliance with Sign Ordinance standards. **Plan Requirements & Timing:** The Overall Sign Plan shall be reviewed and approved by DRB and City staff prior to and as a condition precedent to installation of

any signs for the project. Individual signs shall be reviewed and approved by the DRB and City staff prior to issuance of a Sign Certificate of Conformance.

**Monitoring:** City staff shall verify that project signs are approved and installed according to the Overall Sign Plan.

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

The project landscaping shall consist of drought-tolerant native and/or Mediterranean type species which adequately complement the project design and integrate the site with surrounding land uses. Landscaping shall be compatible with the character of the surroundings, the architectural style of the structure and shall be adjusted necessary to: (i) provide adequate vehicle stopping sight distance at all driveway entrances (as determined by the City); (ii) visually screen parking areas from street view to the maximum extent reasonable; and (iii) screen, through plantings and other features, loading and services areas of the proposed hotel. **Plan Requirements & Timing:** The landscape plans shall be revised and resubmitted for review and approval prior to and as a condition precedent to issuance of any LUP for the project. The plans shall be submitted for review and the DRB and City staff prior to issuance of an LUP. All elements of the final landscape plan, including irrigation improvements, shall be installed prior to any occupancy clearance.

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

5. **LANDSCAPE AGREEMENT:** To ensure installation and long-term maintenance of the approved landscape plans, the applicant shall enter into an agreement to install required landscaping and water-conserving irrigation systems as well as maintain required landscaping for the life of the project. **Plan Requirements & Timing:** Performance securities for installation and maintenance for at least three (3) years shall be subject to review and approval by City staff. At a minimum, performance securities guaranteeing installation of the landscaping shall be furnished by the applicant prior to issuance of any LUP for the project. The landscape maintenance agreement shall be signed and filed with the City prior to approval of any certificate of occupancy for the project.



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

6. **LIGHTING:** All exterior night lighting shall be of low intensity/low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Exterior lighting fixtures shall be kept to the minimum number and intensity needed to ensure the public safety of employees, residents, and visitors to the commercial center. All upward directed exterior lighting shall be prohibited to protect night sky views of the stars. All exterior lighting fixtures shall be appropriate for the architectural style of the proposed structure and the surrounding area. The applicant shall develop a lighting plan incorporating these requirements and provisions for dimming lights after 11:00 p.m. to the maximum extent practical without compromising public safety. **Plan Requirements:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on the preliminary/final lighting plan and shall be reviewed and approved by DRB and City staff. **Timing:** The preliminary/final lighting plan shall be reviewed and approved by DRB and City staff prior to issuance of any LUP for the project.

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

7. **CONSTRUCTION TRASH CONTAINMENT:** 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 & Timing:** Prior to and as a condition precedent to issuance of any LUP for the project, the applicant shall designate and provide to City staff the name and phone number of a contact person(s) to monitor construction trash/waste and organize a clean-up crew. Additional covered receptacles shall be provided as determined necessary by City staff. This requirement shall be noted on all plans. Trash control shall occur throughout all grading and construction activities.

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

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



**Monitoring:** City staff shall verify compliance on project plans prior to approval of any LUP for the project. City staff shall verify installation of the approved trash enclosure prior to the issuance of any certificate of occupancy for the project.

9. **MECHANICAL EQUIPMENT:** The applicant shall submit a composite utility plan for DRB and City staff Preliminary/Final Review. All external/roof mounted mechanical equipment on the proposed hotel and restaurant (including HVAC condensers, switch boxes, etc.) shall be included on all building plans and shall be designed to be integrated into the structure and/or screened from public view in a manner deemed acceptable to the City. **Plan Requirements & Timing:** Detailed plans showing all external/roof mounted mechanical equipment shall be submitted for review by DRB and City staff prior to issuance of any LUP for the project.

**Monitoring:** City staff shall verify installation of all external/roof mounted mechanical equipment per the approved plans prior to the approval of any certificate of occupancy.

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

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

#### Residual Impact

With implementation of these mitigation measures, residual project specific and project contributions to cumulative Aesthetic impacts would be considered less than significant.

**AGRICULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Convert Prime Farmland, Unique Farmland, or Farmland of State-wide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓	
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?				✓	
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓	

Existing Setting

The project site is located within a developed area of the Hollister Corridor and no agricultural uses exist in the immediate vicinity.

Thresholds of Significance

A significant impact to Agricultural Resources would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additionally, a project may pose a significant environmental effect on agricultural resources if it conflicts with adopted environmental plans and goals of the City or converts prime agricultural land to non-agricultural use or impairs the agricultural productivity of prime agricultural land.

Project Specific Impacts

- a-c) The proposed project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the California Resources Agency. There are no agriculturally zoned properties or properties under a Williamson contract in the vicinity of the project site. The proposed project would not result in any environmental changes that would involve the conversion of any farmland to non-agricultural uses and therefore the project would have no impact on agricultural resources in the area.

Cumulative Impacts

The proposed project would not contribute to any cumulative impact on agricultural resources within the City of Goleta.

Required Mitigation Measures

No mitigation measures are required or recommended.

Residual Impact

No residual impacts (either project specific or cumulative) on Agricultural Resources would occur as a result of project implementation.

**AIR QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Conflict with or obstruct implementation of the applicable air quality plan?		✓			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		✓			
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in a state of non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓		
d. Expose sensitive receptors to substantial pollutant concentrations?				✓	
e. Create objectionable odors affecting a substantial number of people?			✓		

Existing Setting

To protect human health, State and Federal air quality standards have been established for 11 pollutants. Ozone air pollution is formed when nitrogen oxides (NO<sub>x</sub>) and reactive

organic compounds (ROCs) react in the presence of sunlight. According to the APCD, the major sources of ozone precursor emissions in Santa Barbara County are motor vehicles, the petroleum industry, and solvent usage (paints, consumer products, and certain industrial processes). Sources of particulate matter of varying micron sizes are another pollutant, with PM<sub>10</sub> often resulting from grading, demolition, agricultural tilling, road dust, mineral quarries, and vehicle exhaust.

According to the Air Pollution Control District (APCD, 5-22-08, and website <http://www.sbcapcd.org/sbc/pollut.htm#Ozone>, July 2008), Santa Barbara County is considered in attainment of the federal eight-hour ozone standard, and in attainment of the state one-hour ozone standard. It does not meet the state eight-hour ozone standard or the state standard for particulate matter less than ten microns in diameter (PM<sub>10</sub>); but does meet the federal PM<sub>10</sub> standard. There is not yet enough data to determine our attainment status for either the federal or state standards although the County will likely be in attainment for the federal PM<sub>2.5</sub> standard. Santa Barbara County is also in compliance with both state and federal eight-hour and one-hour standards for Carbon Monoxide (CO). Further, due to the relatively low background ambient carbon monoxide levels in the County, localized CO impacts associated with traffic at congested intersections are not expected to exceed the CO health-related air quality standards. Therefore, CO "Hotspot" analyses are not required any longer<sup>2</sup>.

#### Thresholds of Significance

A significant Air Quality impact would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. The City's *Environmental Thresholds & Guidelines Manual* has identified a long term quantitative emission threshold of significance of 25 pounds/day (PPD) for ozone precursors nitrogen oxides (NO<sub>x</sub>) and reactive organic compounds (ROCs). In addition, the City's thresholds establish criteria for conducting carbon monoxide (CO) emission modeling. A project will also have a significant long term air quality impact if it causes, by adding to the existing background carbon monoxide levels, a carbon monoxide "hot spot" where the California one-hour standard of 20 parts per million (PPM) carbon monoxide is exceeded. This typically occurs at severely congested intersections.<sup>3</sup> Screening for such an impact is determined by the project's peak hour trip contribution. If a project contributes less than 800 peak hour trips, then carbon monoxide modeling is not required. Short term thresholds for NO<sub>x</sub> and ROC emissions have not been established by the City due to the fact that such emissions generally result from construction activities. Under prior modeling by the County of Santa Barbara, such emissions were determined to account for only 6% of total NO<sub>x</sub> and ROG emissions. However, due to the fact that Santa Barbara County is not in compliance with State standards for airborne particulate matter

<sup>2</sup> Santa Barbara County APCD, May 22, 2008.

<sup>3</sup> Per the City's *Environmental Thresholds & Guidelines Manual*, projects that contribute 800 or more peak hour trips to an intersection operating @ LOS D or worse are generally considered to potentially pose a significant CO effect and therefore should be required to model CO impacts.

(PM<sub>10</sub>), construction generated fugitive dust (50% of total dust) is subject to the City's standard dust mitigation requirements.

### Project Specific Impacts

#### *Short Term Construction Impacts*

- a-d) Short term air quality impacts generally occur during project grading. Preliminary earthwork quantities are estimated at 7,500 yd<sup>3</sup> (5,400 after accounting for grubbing and shrinkage) of cut and 5,350 yd<sup>3</sup> of fill. As a result of this grading and associated diesel equipment exhaust, and the air basin's current non-attainment of State PM<sub>10</sub> standards, any project generated fugitive dust would be considered to pose a potentially significant air quality impact associated with PM<sub>10</sub> emissions. Additionally, the APCD requires implementation of standard dust control measures based on its 1979 Air Quality Attainment Plan policies. As such, project specific impacts on air quality standards or existing air quality violations as well as project contributions to the exposure of sensitive receptors to substantial pollutant concentrations in the City would be considered potentially significant.
- e) Construction of a new parking lot would require application of asphalt concrete (AC) that could create objectionable odors. The civil engineering plans for the project are anticipated to incorporate greater amounts of pervious surfaces and therefore lessen the quantities of AC, but this material would still be used, though temporary and localized. Because the City has no adopted thresholds of significance for such impacts, odors associated with AC paving would be considered adverse but not significant.

#### *Long Term Operational Impacts*

- a-e) As required by APCD, the URBEMIS software program (URBEMIS 2007 for Windows, Version 9.2.0) was used to calculate long term emissions from motor vehicles associated with the proposed project. This particular software program uses the California Air Resources Board's EMFAC2007 model for on-road vehicle emissions and the OFFROAD2007 model for off-road vehicle emissions. It was determined that project generated vehicular emissions (in combination with area source emissions) would be approximately 15.48 PPD of ROCs and 20.96 PPD NO<sub>x</sub>, well below the 25 PPD threshold for either ozone precursor. Furthermore, the increase of 125 PM peak hour trips estimated for the proposed project is well below the threshold of 800 peak hour trips that requires carbon monoxide modeling. As such, the long-term emissions from project generated traffic would not conflict with implementation of the County's Air Quality Attainment Plan, or result in a cumulatively considerable net increase of any criteria pollutant for which the County is in a state of non-attainment. The proposed project would not result in objectionable long term smoke, ash, or odors or expose sensitive receptors to substantial levels of pollutants. Such potential air quality impacts would therefore be considered adverse but less than significant.

### Cumulative Impacts

Per the City's *Environmental Thresholds & Guidelines Manual*, a project's contribution to cumulative air quality impacts is considered significant if the project's total emissions of either NO<sub>x</sub> or ROC exceed the long term threshold of 25 PPD. The project's contribution to overall emissions associated with construction of the proposed hotel would be less than this threshold, and therefore the project's contribution to cumulative air quality impacts involving NO<sub>x</sub> and ROC would be considered less than significant. However, as noted above, the project's contribution to cumulative PM<sub>10</sub> emissions would be considered potentially significant as a result of the existing violation of the State standard.

### Required Mitigation Measures

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

The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements & Timing:** All of the aforementioned requirements shall be noted on all 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 such persons shall be provided to City staff and the APCD.

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

2. **VEGETATIVE COVER:** If the construction site is graded and left undeveloped for over four weeks, the applicant shall employ the following methods immediately to inhibit dust generation:
  - a) Seeding and watering to revegetate graded areas; and/or
  - b) Spreading of soil binders; and/or

- c) Any other methods deemed appropriate by City staff.

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

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

3. **CONSTRUCTION EMISSIONS:** ROC and NO<sub>x</sub> emissions generated by construction equipment shall be reduced by implementing the following equipment control measures:
- a) The engine size of construction equipment shall be the minimum practical size;
  - b) The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time;
  - c) Construction equipment shall be maintained in tune per the manufacturer's specifications;
  - d) Construction equipment operating on-site shall be equipped with two-to-four degree engine timing retard or pre-combustion chamber engines;
  - e) Catalytic converters shall be installed on gasoline-powered equipment, if feasible;
  - f) Diesel catalytic converters shall be installed, if available;
  - g) Diesel-powered equipment shall be replaced by electric equipment whenever feasible; and
  - h) Construction worker trips shall be minimized by requiring carpooling and by providing for lunch on-site.

**Plan Requirements & 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. **APCD RULES AND REGULATIONS:** The project shall comply with all Rules and Regulations required by the Santa Barbara County Air Pollution Control District (APCD), including but not limited to:
- a) Compliance with APCD Rule 339, governing the application of cutback and emulsified asphalt paving materials by the contractor;
  - b) Obtaining required permits for any emergency diesel generators or large boilers prior to issuance of any land use permits;
  - c) Obtaining APCD permits prior to handling or treatment of any contaminated soil on site, if required;
  - d) Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes at any location and auxiliary power units should be used whenever

possible. Compliance with State law provisions require 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 no 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).

Residual Impact

With implementation of the above mitigation measures, residual project specific as well as project contributions to cumulative Air Quality impacts would be considered less than significant.

**BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓			



Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		✓			
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓	

Existing Setting

As noted above, the project site is presently undeveloped and devoid of vegetation other than sparse patches of non-native grass and ornamental Washingtonian Palms that line the street frontages. Per the City's adopted General Plan (Conservation Element, Figure 4-1), there are no rare, endangered, or special status animal species.

Thresholds of Significance

A significant impact on Biological Resources would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additionally, per the City's *Environmental Thresholds & Guidelines Manual* a project would pose a significant

environmental impact(s) on biological resources in any of the following would result from project implementation:

- a) A conflict with adopted environmental plans and goals of the community where it is located;
- b) Substantial effect on a rare or endangered plant or animal species;
- c) Substantial interference with the movement of any migratory or resident fish or wildlife species;
- d) Substantial diminishment of habitat for fish, wildlife, or plants.

#### Project Specific Impacts

- a) The proposed project would not result in any direct effect on any candidate, sensitive, or special status species or modification to any habitat of such species. As such, impacts on any candidate, sensitive, or listed species are not anticipated as a result of project implementation.
- b,c) Currently, all stormwater runoff either percolates into the surface of the site or sheet flows to storm water outlets located along Hollister Avenue and Cortona Drive. Run-off from large parking areas is often contaminated with a mix of petroleum products and other pollutants resulting from vehicular use. In addition, tailwater from landscape irrigation is often contaminated with fertilizers, pesticides, fungicides, and herbicides resulting from improper application methods and/or over-application. All such contaminants can pose potentially significant, adverse effects on sensitive riparian systems, surface water quality, and wetlands into which site runoff eventually flow. In June 2008, drainage plans were updated to in order to improve water quality and reduce the amount of runoff leaving the project site such that all parking stalls, walkways & patios would be constructed with permeable materials. In addition, runoff from the site will drain through a series of bio-swales/detention basins before entering the public right of way. Through the use of these measures, the City's water quality standards will be met, and post-development runoff will closely match pre-development runoff. Although the project includes use of bio-swales to pre-treat surface flows from most of the parking areas, additional Best Management Practices (BMPs) are prescribed in the City's Stormwater Management Program Ordinance and impending permit application under the National Pollutant Discharge Elimination Systems ("NPDES") for reducing contaminant levels in stormwater runoff. In addition, construction activities such as washing of concrete trucks, stucco equipment, painting equipment, etc can result in the introduction of significant levels of pollutants into neighboring surface waterbodies. Such short term impacts would be considered potentially significant.
- d-f) Due to surrounding urban development, the proposed project would not have any significant effect on the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. There are no other sensitive biological resources

onsite (e.g. native trees, sensitive habitat types such as wetlands or native grasslands, or sensitive bird species nesting/roosting sites) that would be subject to City protective policies. There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that either affect the project site or would be in conflict with the proposed hotel. Therefore, the proposed project poses no potential to generate such impacts.

### Cumulative Impacts

Projects that result in potentially significant project-specific biological impacts are generally considered to also make a potentially significant contribution to corresponding cumulative biological impacts. As such, the proposed project would result in a potentially significant but mitigable contribution to water quality degradation and the resulting effects on riparian systems and wetlands associated with El Encanto and Glen Annie Creeks as well as Goleta and Devereaux Sloughs.

### Required Mitigation Measures

1. **STORMWATER WATER QUALITY:** To reduce and filter stormwater runoff leaving the project site, the preliminary development plans shall be revised to incorporate BMPs in compliance with the City's Stormwater Management Program Ordinance and draft NPDES permit (and component Stormwater Management Plan) including, but not limited to: installation of an on-site fossil filter to pre-treat surface water before entering into the public storm drain system, erosion control and sediment discharge measures during construction, development of bioswales in landscaped areas, and use of permeable paving in parking areas (where feasible). **Plan Requirements & Timing:** Design details of the bioswales, permeable paving and other operational features shall be submitted to DRB and City staff for review and approval prior 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 equipment control measures.

2. **CONSTRUCTION WASH OUT:** During construction, washing of concrete, paint, or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified on the plans submitted for approval of any LUP for the project. The wash-off area shall be in place throughout construction. **Plan Requirements & Timing:**

The wash off area shall be designated on all plans and shall be reviewed and approved by City staff prior to issuance of any LUP for the project.

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

Residual Impact

With implementation of these mitigation measures, residual project specific and cumulative impacts on Biological Resources would be considered less than significant.

**CULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				✓	
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✓			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓			
d. Disturb any human remains, including those interred outside of formal cemeteries?		✓			

Existing Setting

The proposed project is located partly adjacent and within the vicinity of several archeological sites: CA-SBA-52, CA-SBA-53, CA-SBA-54 and CA-SBA-142. A Phase 1 archeological resources evaluation was prepared for the site by WPA in 2006 which defined the presence of 16 shellfish fragments dispersed evenly throughout the project site. The WPA evaluation was followed by an Extended Phase 1 investigation in early 2007 by Science Applications International Corporation (SAIC). The Extended Phase 1 investigation included nine backhoe trenches distributed evenly throughout the project site, consistent with professional archaeological practices, to determine the depth and density of any potential prehistoric Native American resources. The trenches measured 2' wide and between 6' to 8' long, and were excavated to between 2' to 3' deep. In summary, Extended Phase 1 excavations recovered very limited prehistoric cultural materials consisting solely of shellfish fragments. However, the color and texture of the

soils is not consistent with the native soil profile. The very low densities of shellfish, in the absence of any other indicator of prehistoric activity (i.e., animal bone, chipped stone artifacts, etc.), do not represent a significant "historical" (e.g., cultural or archaeological) resource as defined by CEQA Guidelines Section 15064.5 criteria.

Cultural resources are considered to include prehistoric archaeological resources, historic archaeological resources, and Native American heritage resources. Prehistoric archaeological resources are also considered Native American heritage resources. CEQA Guidelines Section 15064.5 provides four criteria that are used to determine if a cultural resource is eligible for listing on the California Register of Historic Places (i.e., a significant cultural resource). As stated in the Extended Phase 1 report, Criterion D requires that the resource "has yielded, or may be likely to yield, information important in prehistory or history." No other criterion is effectively used to judge the potential significance of archaeological sites, as Criterion A., B., and C. address architectural historical, or standing, resources, as explained below.

"(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

This criterion addresses specific historical events. Prehistoric, Native American sites cannot be associated with particular events, even if they are securely dated. Additionally, the project site is located outside the boundaries of the ancestral Goleta Slough, which is acknowledged to have occupied lower elevations up to 10 feet above sea level. Therefore, the site is not subject to extensive alluviation that deposited soils in the depressed slough embayment, particularly during the devastating flooding of 1861-1862. The soils encountered during Extended Phase 1 subsurface excavations may be the result of modern export and import, rather than natural deposition. It is not part of any recorded archaeological site, and is very distinct in characteristics from any archaeological site located within the Goleta Slough vicinity, including CA-SBA-46, the village of *Mescalitan*. This village, like other recorded around the periphery of the ancient Goleta Slough, has extensive midden soils developed from substantial deposition of food remains and their subsequent decomposition. Also, a variety of artifacts are found in association with the food refuse. None of these characteristics are identified at the project site, as recorded in the Extended Phase 1 investigation. Therefore, based on these scant shellfish remains, without any other evidence of prehistoric occupation, the sparse shellfish remains identified throughout the project site do not comprise a prehistoric site similar to the substantial village occupations associated at CA-SBA-53 and -54, outside of the project area.

"(B) Is associated with the lives of persons important in our past; "

This criterion addresses particular persons who are considered important in the past. Prehistoric remains are associated with Native American populations, but not with any particular Native American individual. The extremely low density of shellfish fragments, in the absence of any other prehistoric, Native American remains including animal bone, chipped stone tools, ground stone tools, etc., make it difficult to ascertain the nature of

the specific activities that occurred within the project site. This is in contrast with conspicuous, substantial deposits of shellfish, other food remains including animal bone, and varied tools and remains identified at recorded archaeological sites in the project vicinity.

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values;

This criterion addresses architectural historical attributes, not prehistoric sites.

### Project Specific Impacts

- a) A significant impact on Cultural Resources would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist as shaped by the CEQA Guidelines. It should be noted, however, that the Appendix G (Significant Effects) to the CEQA Guidelines, were removed several years ago, resulting in the Guidelines not addressing impacts on "a community, ethnic, or social group." Therefore such impacts are not considered in the City's CEQA thresholds of significance.

Pursuant to CEQA Guidelines Section 15064.5 (b)(1), a project would result in a significant impact on a cultural resource if it results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of such a resource would be materially impaired. As the sparse shellfish remains are not a significant "historical resource" as defined in CEQA Guidelines Section 15064.5, the proposed project would not result in a significant impact on cultural resources.

- b) Based on the results of Phase 1 and Extended Phase 1 investigations, grading, soil compaction, foundation construction and utility installation for the proposed project would not have a potentially significant impact on prehistoric archaeological, Native American remains (i.e., the sparse shellfish fragments). There exists, however, a remote potential to encounter unknown, potentially significant isolated areas of specific temporary prehistoric activity such as features (i.e., cooking hearths, etc.) that could "yield, or may be likely to yield, information important in prehistory or history." While this potential to impact unknown cultural resources is considered remote, ground disturbance activities and resultant impacts would be considered potentially significant.
- c) Geological formations underlying the proposed project site are associated with Quaternary age alluvial sediments. Though small marine fossils such as clams or invertebrates (snails, worms, etc.) can be found in these deposits, these are considered common and are not potentially significant paleontological resources. In contrast, potentially significant large vertebrate fossils are not associated with this geo-

logical formation. Therefore, there is no potential for the proposed project to impact significant paleontological resources.

- d) No specific area of prehistoric, Native American occupation or activity was identified throughout the project site during Extended Phase 1 excavations. Therefore, the likelihood of identifying Native American human remains is extremely remote, as isolated Native American burials have not been recorded outside the context of recorded archaeological sites. The potential for disturbing an isolated Native American burial would therefore be less than significant.

### Cumulative Impacts

Cumulative impacts related to past, present, and reasonably foreseeable projects on cultural resources within the project vicinity are significant, given the development of the Santa Barbara Airport and existing structures surrounding the ancestral Goleta Slough. The project's contribution to this cumulative impact, however, is less than considerable, as the very sparse shellfish remains identified during the Extended Phase 1 investigation are not in sufficient quantity to suggest a discrete activity area or use. Therefore, the project would not result in a potentially significant contribution to cumulative impacts on cultural/archaeological resources.

### Required Mitigation Measures

1. **CONSTRUCTION MONITORING:** In the event archaeological artifacts are encountered during grading or other ground disturbing activities, work shall be stopped immediately or redirected until a City approved archaeologist and Native American representative are retained by the applicant (at its cost) to evaluate the significance of the find pursuant to Phase 2 investigations. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program funded by the applicant. **Plan Requirements:** The applicant shall restate the provisions for archeological discovery on all building and grading plans. **Timing:** This condition shall be satisfied prior to issuance of any LUP for the project.

**Monitoring:** City staff shall check plans prior to approval of any LUP for the project and shall conduct periodic compliance inspections during and after construction.

### Residual Impact

With implementation of this mitigation measure, residual project specific and cumulative impacts on Cultural Resources would be less than significant.

**GEOLOGY & SOILS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		✓			
b. Strong seismic ground shaking?		✓			
c. Seismic-related ground failure, including liquefaction?			✓		
d. Landslides?				✓	
e. Result in substantial soil erosion or the loss of topsoil?		✓			
f. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?		✓			
g. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓		
h. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓	

Existing Setting



The project site is located in Seismic Zone 4 and is nearly level with a slope of less than 1% across the property. A preliminary foundation investigation (Pacific Materials Laboratory) and geologic hazards evaluation (Campbell Geo, Inc.) have been performed for the proposed project. The investigation included analysis of historical aerial photos, auger borings drilled to depths of 20 feet, field density tests, review of groundwater monitoring data, Cone Penetrometer Test Soundings (to depths of up to 34.5 feet) and 240 linear feet of trenching to evaluate features indicative of a fault surface rupture hazards. Together, the studies revealed the following: (i) a combination of clayey sand, clay, and silty sand layers underlies the site to a depth of approximately 20 feet (soil type S<sub>D</sub> per the Uniform Building Code Table 16-J; (ii) groundwater at depth 30 feet below surface; and (iii) confirmation of a non-active fault line (the North Ellwood I Fault) that clips the northeast corner of the project site (as shown on project site plan). These conditions indicate a medium potential for expansion, low liquefaction potential, slight surface settlement potential and susceptibility to ground shaking due to earthquake.

#### Thresholds of Significance

A significant impact on Geology/Soils would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. The City's *Environmental Thresholds & Guidelines Manual* assumes that a proposed project would result in a potentially significant impact on geological processes if the project, and/or implementation of required mitigation measures, could result in increased erosion, landslides, soil creep, mudslides, and/or unstable slopes. In addition, impacts are considered significant if the project would expose people and/or structures to major geological hazards such as earthquakes, seismic related ground failure, or expansive soils capable of creating a significant risk to life and property.

#### Project Specific Impacts

- a,b) There are no Alquist-Priolo mapped earthquake faults or zones within the City of Goleta. However, the Campbell Geo geologic investigation did confirm the existence of a non-active fault located at the northeast corner of the site. Impacts from fault rupture and ground shaking is considered potentially significant, but mitigable with adherence to setback standards, building code requirements and incorporation of geotechnical recommendations. In accordance with Policy SE 4.4 of the Goleta General Plan, the preliminary development plans incorporate a 50-foot structural setback from the North Ellwood I Fault. State regulations implementing the Alquist-Priolo Act (on which Policy SE 4.4 is based) prohibit "habitable structures" within the 50-foot setback area (Title 14, Division 2, Section 3603.a). Habitable structures are further defined in Section 3601.e. as constituting: "...any structure used or intended for supporting or sheltering any use or occupancy, which is expected to have a human occupancy rate of more than 2,000 person-hours per year." The setback shown on the preliminary development plans extends from the mapped fault line to the leading edge of the hotel structure. Non-habitable improvements located within the setback area include parking spaces, drive aisles, landscaping, pedestrian

walkways, retaining walls and access ramps/stairs. By definition, these improvements are not deemed habitable. However, due to the proximity of the non-active fault line, seismic impacts are considered potentially significant.

- c,d) Liquefaction is a state of almost complete failure of saturated sandy soil due to seismic shaking. Due to the depth of the ground water at 30 feet below the surface, the liquefaction potential is considered less than significant. Finally, due to the flat topography of the project site, the potential for the occurrence of landslides is considered non-existent.
- e) The proposed project does involve some grading and excavation which could result in erosion and sediment loss from stockpiled soils and graded areas onsite. These impacts are considered potentially significant. (Please refer to detailed mitigation to address such impacts under Hydrology & Water Resources below).
- f,g) Soil and geologic conditions are not extraordinary; in accordance with Building Code Section 1629.3.1, Table 16-J, and the underlying geology, a site Soil Profile Type Sd is appropriate for the proposed project (Steven H. Campbell, Certified Engineering Geologist, Campbell Geo, Inc., "Preliminary Geologic Hazards Evaluation," January 3, 2007, and Ronald J. Pike, Geotechnical Engineer, Pacific Materials Laboratory, Inc., "Preliminary Foundation Investigation," October 25, 2006). With proper foundation design, the proposed hotel structure can be properly supported and minimize risk to property.
- h) The proposed project would be connected to the Goleta West Sanitary District's central sewage effluent collection system and would not involve the use of any onsite septic system, therefore no such impacts would occur as a result of the project.

#### Cumulative Impacts

Project contributions to cumulative, adverse erosion and soil loss in the area would be considered potentially significant. All other project contributions to cumulative impacts on geologic processes and soils would be considered less than significant.

#### Required Mitigation Measures

1. **SITE DESIGN:** The applicant shall adhere to Policy SE 4.4 of the Goleta General Plan and comply with the 50-foot structural set back from the North Ellwood I Fault. The fault line and setback measurement shall be noted on all development plans and construction drawings. At the time of building permit application, the applicant shall demonstrate through a structural soils report, prepared by a certified engineering geologist, that all non-habitate structure improvements located within the 50-foot setback can be appropriately design to withstand or respond to fault rupture or other seismic damage. The recommendations prescribed in the structural soils report shall be implemented through construction plans and documents. **Plan**

**Requirements and Timing:** The structural soils report shall be reviewed and approved by the City Building Official prior to and as a condition precedent to issuance of any LUP for the project.

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

2. **STRUCTURAL DESIGN:** The applicant shall demonstrate through a structural soils and corrosivity report, prepared by a certified engineering geologist, that site preparation, structural design criteria, and final footings and foundation design accounts for liquefaction in accordance with the State Building Code and complies with the Preliminary Foundation Investigation and Preliminary Geologic Hazards Evaluation prepared for the proposed project. The structural soils report shall also prescribe recommendations for design and construction of site improvements to minimize long term damage to paved driveways, parking areas, sidewalks and other similar surface features that may be susceptible to possible settlement and lateral movement. The recommendations prescribed in the structural soils report shall be implemented through construction plans and documents. **Plan Requirements and Timing:** The structural soils report shall be reviewed and approved by the City Building Official prior to issuance of any LUP for the project.

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

#### Residual Impact

With implementation of the mitigation measures noted above, residual project specific and cumulative impacts on Geology & Soils would be considered less than significant.

**HAZARDS & HAZARDOUS MATERIALS**

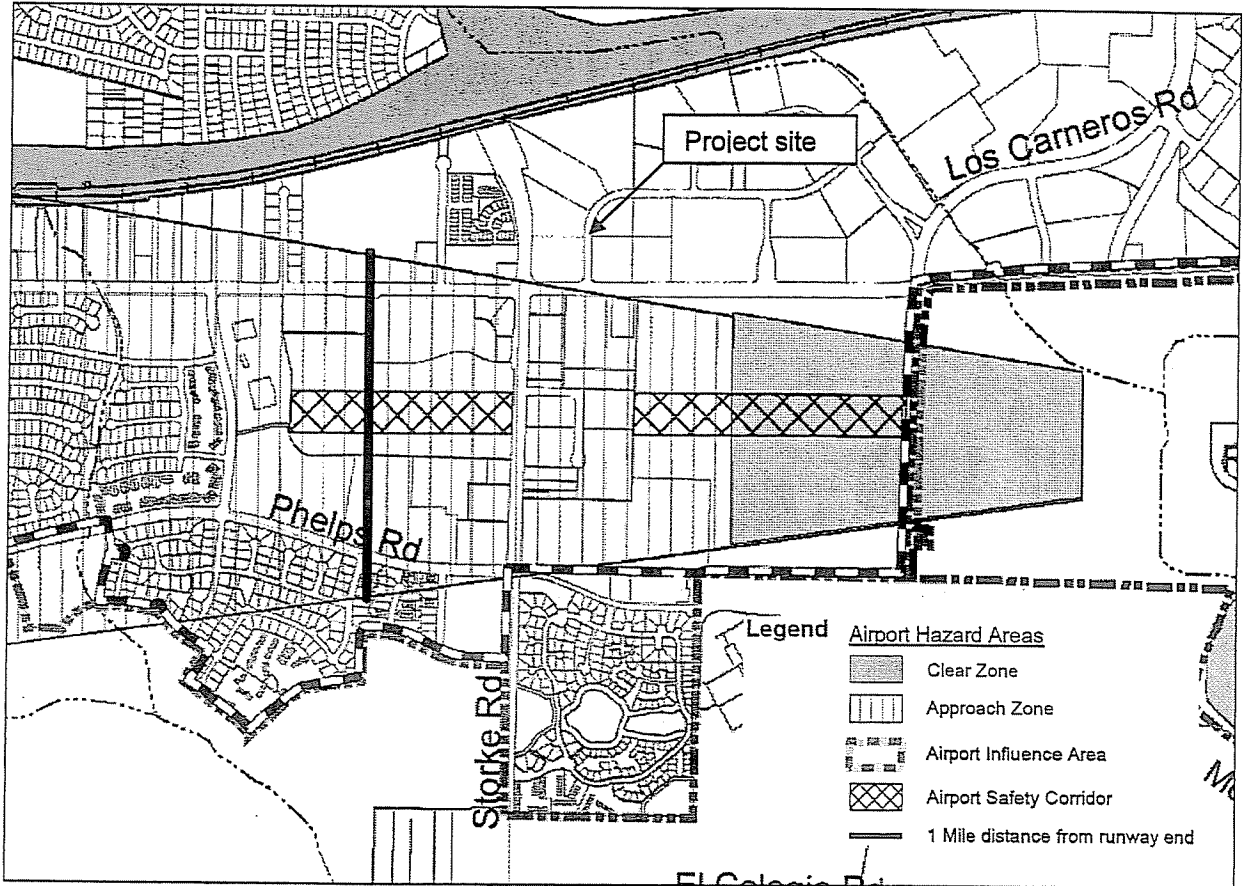
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?		✓			
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓		
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓	
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓	

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓	

Existing Setting

The proposed project is located directly south of the former Joslyn Electronics site. During Joslyn's facility closure in April 2002, a leaking underground clarifier was discovered, resulting in soil and ground water contamination. Remediation is ongoing under the direction of the Regional Water Quality Control Board and the Santa Barbara County Air Pollution Control District. A groundwater monitoring well is located on the project site to monitor water quality in the underlying water table. The gas station across Storke Road (formerly Unocal/Tosco station, 6930 Hollister) is an active leaking underground fuel tank (LUFT) site with migrating groundwater contaminants. A monitoring well for this off site condition was installed in February 2008 on the sidewalk area of the Rincon Palms project site. The project site is also located within one mile of the Santa Barbara Airport. However, as shown in Figure 13, the property is immediately adjacent, but outside of the Clear and Approach Zones.

Figure 13: Airport Hazards



Thresholds of Significance

A significant impact with regard to Hazards & Hazardous Materials would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. In addition, the City's *Environmental Thresholds & Guidelines Manual* addresses public safety impacts resulting from involuntary exposure to hazardous materials. These thresholds focus on the activities that include the installation or modification to facilities that handle hazardous materials, transportation of hazardous materials, or non-hazardous land uses in proximity to hazardous facilities. Since the proposed project is not a hazardous materials facility, the City's risk based thresholds are not particularly applicable. However, for the purposes of this analysis, the proposed project would be considered to pose a significant impact if it results in the exposure of people to a variety of hazards or hazardous materials as listed above.

Project Specific Impacts

- a-c) The proposed hotel development would not involve the routine transport, use, or disposal of hazardous materials. It would not pose a significant potential for the acciden-

tal release of hazardous materials into the environment, or result in hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Based on the absence of use of such materials onsite and the absence of a school within a ¼ mile of the project site, no impacts are expected regarding these issue areas.

- d) The project site is not identified as being hazardous under Government Code Section 65962.5. However, the parcel located immediately to the north and adjacent to the project does have a history of soil and ground water contamination attributable to past electronic plating activities and associated releases of metals and chlorinated solvents. Extensive background on the nature of contamination, off-site migration and remediation efforts are well documented in a "Semi-Annual Groundwater Monitoring Report, January-June 2007," prepared by Campbell Geo, Inc., and dated July 12, 2007. In summary, the parcel located at 6868 Cortona Drive has been undergoing regular groundwater and soil sampling, monitoring and remediation since 1992. Ongoing remediation includes groundwater recovery/discharge and soil vapor extraction. These activities are taking place under the direction and with the approval of the Central Coast California Regional Water Quality Control Board (RWQCB). A monitoring well located on the project site indicates that groundwater contamination has migrated to the south and impacts the subject parcel. However, monitoring reports show that contaminant levels have steadily declined over time. Heavy metals do not exceed County LUFT or State drinking water quality standards, and regular analysis has been suspended with RWQCB's approval. Volatile organic compounds do not exceed the California Department of Health Services State drinking water Maximum Contaminant Levels. Ongoing monitoring has also detected the presence of 1,2-dichloroethane (1,2-DCA) in the groundwater beneath the project site which is typically attributable to gas station releases. There are two gas station sites near the project site: Unocal/Tosco (at northwest corner of Hollister Avenue/Storke Road, 6930 Hollister Avenue) and Chevron (across Hollister, 6895 Hollister Avenue). The Unocal/Tosco gas station site is conducting remediation under the direction of the Santa Barbara County Fire Department Fire Prevention Division. At this time, a determination of whether there are concerns for hazards associated with soil gas vapor from any or all three of the adjacent sites has not been made. Additional work is necessary regarding this issue but will be pursued through mitigation measures discussed below. According to the Campbell Geo, Inc. report of July 2007, detectable amounts of 1,2-DCA no longer exceed the State drinking water standard of 0.5 parts per billion. Groundwater beneath the site occurs at a depth of approximately 30 feet as compared to a maximum surface penetration of 11 feet for foundation construction for the proposed project. As such, the potential for exposure to contaminated ground water is remote; however, site preparation activities, may expose workers to hazardous vapors or contact with contaminated soils. Consequently, the resulting exposure would be considered potentially significant. Additionally, the exposure to workers inside the building may also be potentially significant.

- e,f) The proposed project is located within two miles of the Santa Barbara Airport but is outside of the designated Airport Approach and Clear Zone. As such, the project would not expose people or structures to a significant risk of loss, injury or death involving airport operations nor would it conflict with the County Airport Land Use Plan.
- g,h) The proposed project would not interfere with any adopted emergency response plan or emergency evacuation plan. Due to its location within the urban core of the City, the proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

### Cumulative Impacts

Project specific risks associated with the residual presence of soil and groundwater contamination in the area due to prior adjacent uses would represent a potentially significant contribution to the cumulative exposure of people to such hazardous wastes.

### Required Mitigation Measures

- 1. SITE ASSESSMENTS:** Prior to commencement of ground disturbance activities, the applicant shall submit Phase I and Phase II Environmental Site Assessments to the Santa Barbara County Fire Department Fire Prevention Division (FPD), including earlier investigations performed by the parties responsible for the off-site contamination are deemed acceptable. If additional assessment or site remediation is warranted, all such work shall be performed to the satisfaction of the Santa Barbara County Fire Department FPD including, if necessary, the following: (i) soil vapor survey, comparing collected data against current screening levels including the California Human Health Screening Levels and EPA Region IX Preliminary Remediation Goals; (ii) groundwater assessment to determine the lateral extent of contamination on the project site; (iii) Remedial Action Plan ("RAP") incorporating appropriate mitigation measures (e.g., vapor barriers, vents, etc.) or site remediation to reduce contaminants to acceptable concentrations; This includes a 30 day public notification period prior to approval of the RAP by Santa Barbara County Fire Department FPD, and incorporation of relevant public comments in the RAP implementation; (iv) soils management plan in the event that contamination is encountered during construction; and (v) a dewatering plan if any groundwater is removed during construction, including required permits to discharge into the City's sewer or storm drain system. **Plan Requirements & Timing:** The applicant shall prepare a work plan that outlines the methodology to be followed in undertaking required Phase I and Phase II Environmental Site Assessments, if required. This plan shall be reviewed and approved by the Santa Barbara County Fire Department FPD, prior to commencing work. Thereafter, the various site assessment and remediation actions, if any are required, shall be reviewed and approved by the Santa Barbara County Fire Department FPD prior to issuance of any LUP for the project. All required remediation shall be completed prior to occupancy.



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

2. **WORKER PROTECTIONS:** Prior to commencement of ground disturbance activities, the applicant shall prepare a Worker Awareness Program to acquaint workers (including archeological data recovery personnel) on the hazards and potential exposure to contaminated groundwater, vapor and soil. The program shall described measures to minimize such exposure and medical procedures to be employed in the event of exposure. The applicant shall ensure that all workers are properly briefed on the Worker Awareness Program and that proper precautions are being taken throughout the duration of grading and construction. **Plan Requirements & Timing:** Depending on the results of the Phase I/II analysis, Hazwopper trained workers may be required. The Worker Awareness Program shall be reviewed and approved by the City and prior to issuance of any LUP for the project.

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

#### Residual Impact

Upon implementation of the above mitigation measure, residual project specific and cumulative Hazards & Hazardous Materials impacts would be less than significant.

**HYDROLOGY & WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Violate any water quality standards or waste discharge requirements?				✓	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or offsite?		✓			
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite?		✓			
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		✓			
f. Otherwise substantially degrade water quality?		✓			

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓	
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓	
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓	
j. Inundation by seiche, tsunami, or mudflow?			✓		

Existing Setting

The proposed project is located outside of mapped flood hazard areas (Figure 5-2 of the Goleta General Plan) and is part of Tract 10,212 Unit 1. A condition of approval for the tract was the construction of a storm drain system capable of handling full build-out of all lots with the subdivision. As described under Biological Resources, all stormwater runoff either percolates into the surface of the site or sheet flows to storm water outlets located along Hollister Avenue and Cortona Drive. The project site is included in the Goleta Slough Ecosystem Management Plan area which does not contain specific policies related to this site, but encourages appropriate best management practices for stormwater runoff. The proposed project would cover approximately 57% of the entire site with paved surfaces, many of which would be pervious based on the June 2008 drainage plan update.

Thresholds of Significance

A significant impact on Hydrology & Water Quality would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. In addition, the City's *Environmental Thresholds & Guidelines Manual* assume that a significant impact on hydrology and water resources would occur if a project would result in a substantial alteration of existing drainage patterns, alter the course of a stream or river, increase the rate of surface runoff to the extent that flooding, including increased erosion

or sedimentation, occurs, create or contribute to runoff volumes exceed existing or planned stormwater runoff facilities, or substantially degrade water quality.

#### Project Specific Impacts

- a,b) The proposed project would not result in any wastewater discharge violating any State or Federal water quality standards or requiring Wastewater Discharge Requirement Orders (WDRs) from the Regional Water Quality Control Board (RWCQB). All sewage effluent would be handled via connection to the Goleta West Sanitary District's central sewer system.
- c) The proposed project would involve 7,500 yd<sup>3</sup> of cut and 5,000 yd<sup>3</sup> of fill with the entirety of the site being graded for project construction over a several week period. If construction activities extend into the rainy season, the project site could generate a significant amount of sediment laden stormwater runoff. The discharge of sediment laden runoff from the project site could result in substantial site erosion and siltation of downstream receiving waterbodies such as Goleta or Devereaux Slough. Such impacts would be considered potentially significant.
- d,g-i) The proposed project is located outside of any flood hazard area as identified in the Goleta General Plan (Figure 5-2). The project has been designed to capture runoff and regulate discharge so as not to increase the pre-existing rate of runoff through distribution of drainage to catch basins (i.e., tributary areas) and use of depressed (landscape) bio-swales (Dale Weber, MAC Design Associates, personal communication on December 3, 2007). However, due to the increase in impervious surfaces associated with the project design, drainage impacts are considered potentially significant.
- e,f) Storm drain pipes and sidewalk drains have been sized according to the results of a Preliminary Hydraulic Report. Anticipated storm water runoff has been calculated using Santa Barbara County Flood Control computer programs and design charts assuming a 25-year return period and weighted coefficients of 0.68 for landscape areas and 0.90 for impervious surfaces. The Preliminary Drainage Plan distributes surface flows among three tributary areas. While 57% of the site is proposed for building coverage and pervious and impervious surfaces, computer modeling shows that storm drain pipes and sidewalk drains are adequate to handle storm event flows. On-site landscaped bioswales are used to reduce the level of contaminants picked up by stormwater runoff as it leaves the project site. According to the treatment control best management practice for biofilters (TC-4) contained in the "California Storm Water Best Management Practice Handbook," the project site requires approximately 2,520 square feet of biofilter as compared to a total of 7,250 square feet provided; nearly three times the amount necessary. Such design features would mitigate these potentially significant drainage and water quality impacts associated with the project construction.

- j) As noted in the Goleta General Plan (Figure 5-2), the project site is located outside of any area mapped as having a tsunami hazard.

### Cumulative Impacts

The City's *Environmental Thresholds & Guidelines Manual* assumes that projects resulting in significant, project specific, hydrologic and water quality impacts are also considered to result in a significant contribution to cumulative hydrologic and water quality impacts. As such, the proposed project's contribution to cumulative hydrologic and water quality impacts, especially to El Encanto and Glen Annie Creeks, would be considered potentially significant.

### Required Mitigation Measures

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

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

2. **STORMWATER WATER QUALITY:** To reduce and filter stormwater runoff leaving the project site, the preliminary development plans shall incorporate BMPs in compliance with the City's Stormwater Management Program Ordinance and draft NPDES permit (and component Stormwater Management Plan) including, but not limited to: installation of an on-site fossil filter to pre-treat surface water before entering into the public storm drain system, erosion control and sediment discharge measures during construction, development of bioswales in landscaped areas, and use of permeable paving in parking areas (where feasible). **Plan Requirements & Timing:** Design details of the bioswales, permeable paving and other operational features shall be submitted to DRB and City staff for review and approval prior and as a condition precedent to issuance of any LUP for the project. Erosion control and sediment discharge measures shall be specified on a separate sheet attached to the grading and building plans. These measures shall be implemented during and after project construction, as appropriate. After installation, the applicant shall be responsible for on-

going maintenance of all on-site storm water pollution control devices in accordance with the manufacturer's specifications.

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

Residual Impact

With implementation of these mitigation measures, residual project specific and cumulative Hydrology & Water Quality impacts would be considered less than significant.

**LAND USE & PLANNING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Physically divide an established community?				✓	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for purpose of avoiding or mitigating an environmental effect?			✓		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓	

Existing Setting

The project site is presently zoned M-RP (Industrial Research Park) and is bordered to the east, north and south by similarly designated property, developed with a mix of professional office, light-manufacturing and commercial retail uses. Storke Road borders the project site on the west with commercial retail and residential uses beyond. Existing development surrounding the project site is comprised primarily of one and two story structures.

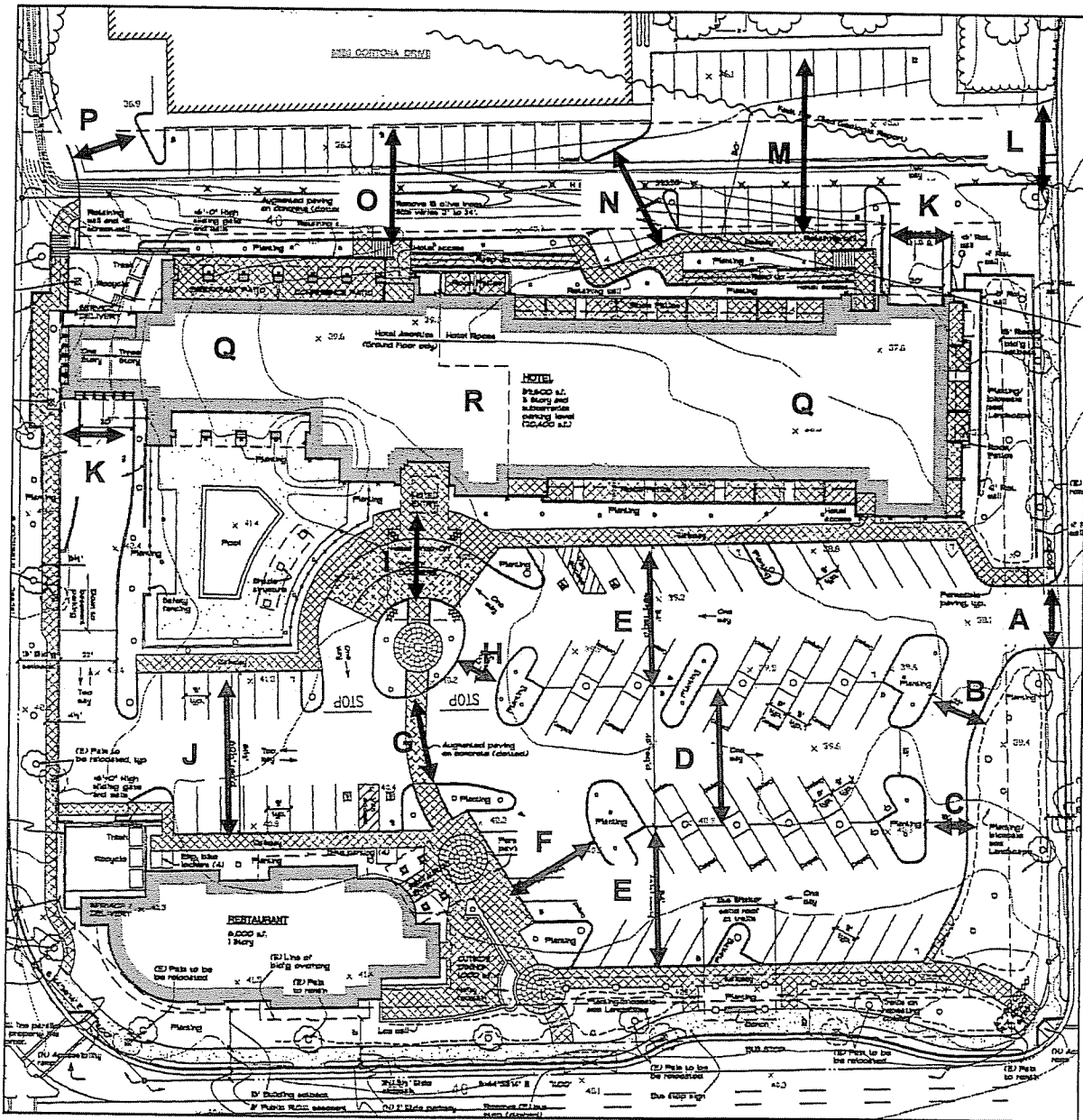
### Thresholds of Significance

A significant Land Use & Planning impact would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist.

### Project Specific Impacts

- a) The proposed project constitutes infill development within an area that is already predominantly urbanized. It would not divide nor introduce an incompatible use within the range of existing office, research-manufacturing and commercial retail uses. The amenities offered by the hotel are intended, in part, to serve the businesses that exist in the immediate vicinity. No such associated impacts would occur as a result of project implementation.
  
- b) The proposed hotel would include a three-story building, averaging 35 feet in height as measured from finished grade, with architectural elements protruding up to 15 feet at various points above the M-RP height limit. Project plans show existing point elevations of 37.6 to 40.3, and the planned finished floor level would be 42. Consistent with recent General Plan revisions, adopted June 17, 2008, the Land Use Element recommends a peak height limit of 35 feet. This may be lessened upon good cause findings for projects that do not meet this height. In this case, the Rincon Palms project would already be consistent with Sections 35-317.8.1 and 35-321.2.3.d. of the City's Zoning Ordinance which permit height exceptions for architectural features up to 50' in all zone districts and a general exception of 10% in overall height per Sections 35-276.1 and 35-321.2.3.d., respectively. DRB reviewed the height exception for the proposed project and found the modification to be acceptable. DRB's opinion, in this regard, was influenced by the liberal building setback from Hollister Avenue, thereby diminishing its vertical profile. In each instance, the height penetration is attributable to special features such as the main elevator tower, decorative spire and associated roof elements as opposed to increasing commercially viable building space. DRB found these elements as desirable features to help mitigate long linear expanses of the building.

Figure 14: Site Layout



	A	B	C	D	E	F	G	H	I
<b>Required</b>	20' <sup>A</sup>	12' <sup>*</sup>	12' <sup>*</sup>	45'	46.5'	30'	23' <sup>**</sup>	20' <sup>*</sup>	20' <sup>*</sup>
<b>Dimensioned</b>	35'	22'	16'	55'	54'	35'	33'	20'	20'
	J	K	L	M	N	O	P	Q	R
<b>Required</b>	60.5'	20' <sup>A</sup>	30'	60.5'	39'	39'	23' <sup>**</sup>	60.5'	39'
<b>Dimensioned</b>	61.5'	20'	30'	69'	40'	43'	28'	70'	50'

<sup>A</sup>Based on Fire Department comment letter dated August 6, 2007, October 10, 2007 and plan review March 5, 2008.

<sup>\*</sup>Based on Article III, Section 35-265, Figure 6-1 of the Goleta (Inland) Zoning Ordinance for one way traffic (without parking on either side of drive aisle).

<sup>\*\*</sup>Based on Article III, Section 35-265, Figure 6-1 of the Goleta (Inland) Zoning Ordinance for two way traffic (without parking on either side of drive aisle).





The proposal includes a request to amend the Zoning Ordinance by creating a Hotel Overlay District and changing the site's base zoning of M-RP (Industrial Research Park) to Professional Institutional (PI). These actions are consistent with the Office and Institutional and Hotel Overlay land use designations for the property as set forth in the City's 2006 General Plan (Land Use Map, Figure 2-1). The proposed rezoning would result in a reduction of perimeter setback requirements from 50' feet (as measured from the edge of right-of-way) to 15' from the ROW under the proposed PI zoning. This change is consistent with streetscape and development patterns in the vicinity of the site. Under the proposed Hotel Overlay, design parameters default to the underlying base zoning in regard to setbacks, height limits and other development standards. A comparative review of applicable regulations to the proposed site plan shows that the proposed design aligns with applicable regulations. The single exception entails minor building encroachments into the parkway along Hollister Avenue. As shown in Figures 15 and 16, the exception entails a five-foot encroachment of a 35' segment of the restaurant fronting on Hollister Avenue. This exception arises from the City's need for additional right-of-way to accommodate a bike lane. Deviations of this nature are permissible by citation of Section 35-317.8 of the City's Zoning Ordinance.

In regard to parking, a detailed review of the site plan reveals consistency with all dimensions required by Article III, Section 35-264 of the City's Municipal Code (Inland Zoning Ordinance), including aisle width, parking stall depth, and the provision of a loading space on-site (at rear of hotel, adjacent to Storke Road). Additionally, there is a surplus number of on-site parking stalls (160 spaces provided vs. 153 required), and the current site plan was deemed acceptable by the Santa Barbara County Fire Department with respect to access and circulation for emergency vehicles (Martin Johnson, March 5, 2008). Therefore, parking lot layout would be less than significant.

- c) There are no habitat or natural community conservation plans covering property in the vicinity of the project site nor would this proposal conflict with any other such plans in the City of Goleta.

### Cumulative Impacts

The project's contribution to cumulative land use and planning impacts would be less than significant.

### Required/Recommended Mitigation Measures

1. **SITE DESIGN MODIFICATIONS:** Development plans for the proposed project shall be consistent with the March 2008 plans reviewed by County Fire Department and City staff that (i) incorporate at least one loading space; and (ii) ensure compliance relevant to aisleway parking lot standards. **Plan Requirements & Timing:** The project plans shall be resubmitted for review and approval by DRB,

the Santa Barbara County Fire Department (Fire Prevention Division), and City staff to determine compliance with relevant driveway and aisleway standards prior to issuance of any LUP for the project.

**MONITORING:** The Preliminary Development Plans shall be installed as shown on plans reviewed in March 2008 by the Fire Department. City staff shall site inspect construction and striping of the parking lot prior to occupancy clearance.

Residual Impact

With implementation of the above mitigation measures, residual project and cumulative impacts on Land Use & Planning would be considered less than significant.

**MINERAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				✓	
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓	

Existing Setting

There are no known mineral resources onsite of any significance.

Thresholds of Significance

A significant impact on Mineral Resources would be expected to occur if the proposed project resulted in any of the impacts noted in the checklist above.

Project Specific Impacts

- a,b) The proposed project would not result in the loss of availability of any known mineral resource or identified resource recovery site. No such impacts would occur.

Cumulative Impacts

The proposed project would have no impact on any cumulative loss of mineral resources or resource recovery sites.

Required/Recommended Mitigation Measures

No mitigation measures are required or recommended.

Residual Impact

The proposed project would not result in any residual impacts on Mineral Resources.

**NOISE**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓		
b. Exposure of persons to or generation of excessive ground-borne vibration or groundborne noise levels?			✓		
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓		
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓			
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓		

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓	

Existing Setting

Frontages of the project site along Hollister Avenue and Storke Road lie within the 65 dB Community Noise Equivalent Level (CNEL) noise exposure contour of the City, while the balance of the site is exposed to noise levels approaching 60 dB (Goleta General Plan, Figures 9-1 through 9-4). The primary sources of noise in the area are vehicular traffic and operations at the Santa Barbara Municipal Airport. Noise is defined as unwanted or objectionable sound. The measurement of sound takes into account three variables; 1) magnitude, 2) frequency, and 3) duration. Magnitude is the measure of a sound's "loudness" and is expressed in decibels (dB) on a logarithmic scale. Decibel levels diminish (attenuate) as the distance from the noise source increases. For instance, the attenuation rate for a point noise source is 6dB every time the distance from the source is doubled. For linear sources such as Highway 101 or the railroad tracks, the attenuation is 3 dB for each doubling of distance to the source. The frequency of a sound relates to the number of times per second the sound vibrates. One vibration/second equals one hertz (Hz). Normal human hearing can detect sounds ranging from 20 HZ to 20,000 Hz. Duration is a measure of the time to which the noise receptor is exposed to the noise. Because noise levels in any given location fluctuate during the day, it is necessary to quantify the level of variation to accurately describe the noise environment. One of the best measures to describe the noise environment is the Community Noise Equivalent Level or CNEL. CNEL is a noise index that attempts to take into account differences in the intrusiveness of noise between daytime hours and nighttime hours. Specifically, CNEL weights average noise levels at different times of the day as follows:

- Daytime—7 am to 7 pm Weighting Factor = 1 dB
- Evening—7 pm to 10 pm Weighting Factor = 5 dB
- Nighttime—10 pm to 7 am Weighting Factor = 10 dB

Thresholds of Significance

A significant impact on Noise would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additional thresholds are contained in the City's *Environmental Thresholds & Guidelines Manual*. The City's adopted thresholds assume that outdoor CNEL noise levels in excess of 64 dB are considered to pose significant noise impacts on sensitive receptors.

### Project Specific Impacts

- a) As noted above, the project site lies within the 60-65 dB CNEL noise contour of the City. The Goleta General Plan sets a threshold of 65 dB CNEL for transient lodging facilities (i.e., hotels and motels), and as such, noise impacts on the proposed project would be considered less than significant. Restaurants are not listed in the General Plan Land Use Compatibility Table (Noise Element, Table 9-2). However, outdoor seating is proposed within the 65 dB CNEL contour and could expose patrons to nuisance noise levels that could be considered adverse but less than significant. The DRB has suggested the inclusion of water features and other measures to moderate background noise.
- b,c,f) The proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity, nor expose persons to, or generation of, excessive groundborne vibration or groundborne noise levels. There are no private airports or airstrips in the vicinity of the project site. Therefore, such impacts would be considered less than significant for this project.
- d) Although the project site is not located immediately adjacent to sensitive noise receptors, it is located in the vicinity of residential uses that are located along the westerly side of Storke Road. Noise and vibration associated with heavy equipment operation and construction activities can average as high as 95 dB or more measured 50 feet from the source. These conditions may be further aggravated by soil geology which may allow vibrations to travel outside of the parcel boundaries. As such, construction activities may pose a potentially significant short-term impact in the immediate vicinity.
- e) Although the project site does lie within the area of influence of the Santa Barbara Municipal Airport as defined by the Santa Barbara County Airport Land Use Plan, it is outside of any airport noise contour of 65 dB or greater. As such, noise impacts from airport operations on the proposed project would be considered less than significant.

### Cumulative Impacts

Short term project construction noise would result in a potentially significant cumulative noise impacts on sensitive receptors along the Hollister Avenue corridor and in the vicinity of the Santa Barbara Municipal Airport.

### Required Mitigation Measure

1. **SOUND ATTENUATION:** The applicant shall prepare an acoustical study that: (i) includes field measurement of noise levels in the vicinity of the proposed restaurant, with specific assessment of the outdoor seating area; (ii) identifies the noise sources, magnitude of impacts and potential mitigation measures, taking into account existing and future noise exposure; and (iii) specifically addresses the poten-

tial and effectiveness of adding glass to proposed screen walls and installation of water features (as "white" noise). The study shall be presented, along with design alterations, for consideration by the DRB in connection with the Preliminary/Final Review of the project. **Plan Requirements & Timing:** The acoustical study and design modifications for the restaurant (if any are proposed) shall be submitted to DRB for review and approval prior to issuance of a Land Use Permit ("LUP") for the project.

**Monitoring:** City staff shall withhold issuance of an LUP pending approval of the final development plans by DRB. City staff shall verify that the project is constructed per the final architectural plans approved by DRB prior to issuance of any certificate of occupancy.

- 2. CONSTRUCTION ACTIVITIES:** Noise generating construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday, and no construction shall occur on State holidays (e.g. Christmas, Thanksgiving, Memorial Day, 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 and Environmental Services. Non-noise generating construction activities such as interior painting are not subject to these restrictions. Prior to commencement of pile driving operations, businesses within the vicinity of the site shall be notified not less than 72 hours in advance of commencement. Said notice shall provide businesses with the anticipated time and duration of pile driving and shall be reissued if there is a substantial change in scheduling. **Plan Requirements:** Two signs stating these restrictions shall be provided by the applicant and posted on site prior to commencement of construction. **Timing:** The signs shall be in place prior to beginning of and throughout all grading and construction activities. Violations may result in suspension of permits.

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

- 3. CONSTRUCTION ACTIVITIES:** Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to the City of Goleta's satisfaction and/or shall be located at a minimum of 1,600 feet from sensitive receptors. **Plan Requirements:** The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

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

### Residual Impact

With implementation of the required mitigation measure, the residual project specific and project contribution to cumulative Noise impacts would be less than significant.

**POPULATION & HOUSING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓		
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓	
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓	

Existing Setting

The project site lies within the commercial/business corridor along Hollister Avenue, is presently zoned M-RP (Industrial Research Park) and is bordered to the east, south and north by similarly designated property. This immediate area is developed with a mix of professional office, light-manufacturing and commercial retail uses. Storke Road borders the site on the west with residential uses beyond.

Thresholds of Significance

A significant impact on Population & Housing would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist.

Project Specific Impacts

- a) No new housing would be constructed as part of the proposed project and the anticipated increase in employment resulting from the proposed project would be so minimal (approximately 22 individuals on any one shift for the restaurant and hotel combined) that no measurable impact on population growth in the area would occur.



No new roads or infrastructure that could support other new development would be required. As such, impacts resulting from potential inducement of population growth in the City would be considered less than significant.

b,c) The proposed project would not displace any existing housing units or require the displacement of any people thereby necessitating the construction of replacement housing. No such impacts would occur.

Cumulative Impacts

The project's contribution to cumulative population growth as well as adverse impacts on the area's housing supply would be less than significant (population growth) or non-existent (housing supply).

Required/ Recommended Mitigation Measures

No mitigation measures are required or recommended.

Residual Impact

Residual impacts on population growth and the area's housing supply, as well as the project's contribution to such cumulative impacts would be less than significant (Population) or non-existent (Housing).

**PUBLIC SERVICES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of these public services:					
a. fire protection?		✓			
b. police protection?			✓		
c. schools?			✓		
d. parks?			✓		
e. other public facilities?			✓		

Existing Setting

Police and fire protection services would be provided by the City of Goleta Police Department and Santa Barbara County Fire Department. School aged children, if any resulted from the proposed project, would attend the Goleta Union School District for elementary and junior high school and the Santa Barbara School and High School District for high school. Patrons and employees of the proposed hotel could avail themselves of a variety of parks and other public services such as the Goleta Branch of the County Library and a mix of City, County, and privately owned parks in the Goleta Valley.

#### Thresholds of Significance

A significant impact on Public Services would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. In addition, the City's *Environmental Thresholds & Guidelines Manual* includes thresholds of significance for potential impacts on area schools. Specifically, under these thresholds any project that would generate enough students to generate the need for an additional classroom using current State standards, would be considered to result in a significant impact on area schools.<sup>4</sup>

#### Project Specific Impacts

- a) The proposed project has been reviewed by the Santa Barbara County Fire Department for impacts to public safety. The primary responding County Fire Station for the proposed project would either be Station 11, down the street on Storke Road. Response times from this station are within County Fire Department guidelines (five minutes or less). The Fire Department anticipates the need for three new fire hydrants for the project (Glenn Fidler, Inspector, Fire Prevention Division, Santa Barbara County Fire Department, August 6, 2007 and Martin Johnson, October 10, 2007, confirmed July 2008). In addition, the Fire Department requests that the main driveway serving the south side of the hotel be a minimum of 20-feet in width. The southern most drive aisle is 18'6", but this is designated as a one way aisle. The March 2008 project site plan was reviewed for access and turning movement accommodation by the County Fire Department and deemed acceptable as shown (discussion under "Land Use and Planning"). The Fire Department also requests that Phase I and II Environmental Site Assessments be performed (see discussion under "Hazards and Hazardous Materials") and that the applicant retain a qualified Fire Protection Specialist to devise a fire protection plan. Minimum project requirements include an alarm system, fire sprinklers, stand pipes, and roof access with signage (through one or more interior stair wells). With inclusion of these measures, impacts attributable to the project would be deemed less than significant.

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<sup>4</sup> Current State standards for classroom size are as follows:  
Grade K-2—20 students/classroom  
Grade 3-8—29 students/classroom  
Grades 9-12—28 students/classroom

- b-e) The number of patrons and employees resulting from the proposed project would have a minimal impact on the County Sheriff Department's ability to adequately serve the citizens of the City. Provided the proposed hotel is occupied for limited stays, no school aged children would be expected to impact enrollment in either the Goleta Union or Santa Barbara School & High School Districts. Similarly, any potential demand generated by the project for parks and other public facilities/services would be so minimal as to be immeasurable.

### Cumulative Impacts

The proposed project would make no measurable contribution to cumulative impacts on fire or police protective services or the demand for parks and other public facilities and services provided that hotel occupancy is limited to short-term stays.

### Required Mitigation Measures

1. **DESIGN MODIFICATIONS:** Site plans shall be consistent with those reviewed and approved by the County Fire Department March 5, 2008, including provision of necessary fire driveway and aisleway width requirements and utility plans shall be revised to include the installation of necessary fire hydrants. **Plan Requirements & Timing:** The project plans shall be updated and submitted for review and approval by the Santa Barbara County Fire Department prior to and as a condition precedent to: (i) Preliminary/Final Review by DRB; and (ii) issuance of any LUP for the project. The required fire hydrants shall be installed and approved in the field by Santa Barbara County Fire Department personnel prior to any occupancy clearance.

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

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

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

### Residual Impact

Upon implementation of these mitigation measures, residual project specific impacts on Fire Protection Services would be less than significant. All other residual project specific and project contributions to cumulative impacts on Public Services would be less than significant.

**RECREATION**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓		
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓	

Existing Setting

The City's 10 public parks, 4 private parks, and 20 public open space areas comprise a total of 523 acres, which equate to approximately 18 acres per thousand residents. The three larger City-owned regional open space preserves, the Sperling Preserve, Santa Barbara Shores Park, and Lake Los Carneros Natural & Historical Preserve collectively account for 363 acres of that total. Approximately 40 percent of the City's two miles of Pacific shoreline is held in City ownership. Together with the neighborhood open space areas, these preserves provide many opportunities for passive recreation activities and enjoyment of natural areas. Areas specifically developed for active recreational uses however are less abundant with about three acres of land per thousand residents. The City's single recreation center, the Goleta Valley Community Center, is insufficient to fulfill all the needs of community groups and residents. Although privately owned and managed, Girsh Park provides much-needed facilities for active recreation but there remains a shortage of public facilities for active recreation such as sports fields, tennis courts, swimming pools, and dedicated trails.

Thresholds of Significance

A significant impact on Recreation would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist.

Project Specific Impacts

- a) Provided the proposed hotel is occupied for limited stays, the project would have a minimal effect on recreation facilities. As noted in the project description, the proposed hotel would have a limited range of recreational amenities (i.e., pool, guest

swimming pool, outdoor lounge patio and roof deck to accommodate informal gatherings) to accommodate short-term stays. The proposed hotel is designed for shorter stays limited stays, and does not include kitchen facilities in rooms or similar amenities characteristic of extended stay hotels.

- b) As noted above, the proposed project includes a limited range of on-site recreational amenities. These facilities would be integral to the overall project and would not result in any adverse environmental effects. No other recreational facilities are proposed or required. As such, no impacts regarding recreation would be attributable to the project.

### Cumulative Impacts

Although the project would not result in any project specific, significant effects on recreational facilities or create new demand for such public amenities, the resulting incremental increase in demand would represent an adverse contribution to cumulative impacts on recreational facilities and the demand for such amenities in the area.

### Required/Recommended Mitigation Measures

The proposed project's adverse contribution to cumulative demand for parks and recreational facilities would be addressed through the payment of park and recreation development impact fees. No recreational impact mitigation measures are required or recommended.

### Residual Impact

Residual demand for parks and recreational facilities generated by the proposed project would be considered adverse but less than significant.

**TRANSPORTATION/TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		✓			
b. Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?		✓			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓	
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		✓			
e. Result in inadequate emergency access?		✓			
f. Result in inadequate parking capacity?		✓			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		✓			

Existing Setting

The project site is located along the northerly side of Hollister Avenue within a developed area comprised principally of professional offices, light manufacturing and commercial retail uses. The street network generally affected by the project consists of the following intersections and street segments.

Street Intersections:

- 1) Hwy 101NB Ramps at Storke Road
- 2) Hwy 101SB Ramps at Storke Road
- 3) Hollister Avenue at Marketplace Drive
- 4) Hollister Avenue at Storke Road
- 5) Hollister Avenue at Cortona Drive
- 6) Hollister Avenue at Los Carneros Road
- 7) Storke Road at Marketplace Drive

Roadway Segments:

- 1) Hollister Avenue West of Storke Road
- 2) Hollister Avenue East of Storke Road
- 3) Hollister Avenue East of Los Carneros Road
- 4) Storke Road North of Hollister Avenue
- 5) Storke Road South of Marketplace Drive
- 6) Glen Annie Road North of Calle Real

Primary access to the project site is proposed via a new 35' wide dedicated driveway on Cortona Drive, south of the hotel. Secondary access to the site would be through an existing driveway that currently serves the adjacent parcel to the north (6880 Cortona Drive). This northerly driveway would become shared in order to provide access the rear of the hotel, as well as egress from the proposed underground parking structure. Frontage improvements include:

- Widening of Hollister Avenue by 4 feet for street improvements;
- Provision of a bus turnout 30' west of Cortona Drive;
- New 5 ½ foot sidewalk, 2' parkway and curb and gutter along Hollister Avenue;
- Restriping the southbound approach of the Hollister/Cortona intersection to provide separate right and left turn lanes;
- New 4 ½ foot sidewalk and 3' parkway along Cortona Drive frontage;
- On-site pedestrian path along building and site frontage on Storke Road.

Other frontage and site improvements as conditioned by Community Services Department will include: crack seal repair to the centerline of the street along entire subject property frontage and a minimum of twenty-feet (20') beyond the limits of all trenching; street tree wells, underground service utilities, public drainage improvements including installation of drainage pipe, curb drain outlet, slot/trench drain, drop inlet, detention, erosion protection, etc., construction of ADA compliant access ramps, provision/installation of commercial standard street lights, and preservation and/or resetting of survey monuments. A bike lane will also be required by the City for that portion of westbound Hollister Avenue fronting the project site.

Thresholds of Significance

A significant impact on Transportation/Traffic would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additional thresholds of significance are set forth in the City's *Environmental Thresholds & Guidelines Manual* and include the following:

- 1) The addition of project traffic to an intersection increases the volume to capacity (V/C) ratio by the value provided below or sends at least 5, 10, or 15 trips to intersections operating at LOS F, E or D, respectively.

LEVEL OF SERVICE (including the project)	INCREASE IN V/C (greater than)
A	.20
B	.15
C	.10

OR THE ADDITION OF

D	15 trips
E	10 trips
F	5 trips

- 2) Project access to a major road or arterial road would require a driveway that would create an unsafe situation or a new traffic signal or major revisions to an existing traffic signal.
- 3) Project adds traffic to a roadway that has design features (e.g. narrow width, road side ditches, sharp curves, poor sight distance, inadequate pavement structure) or receives use which would be incompatible with a substantial increase in traffic (e.g. rural roads with use by farm equipment, livestock, horseback riding, or residential roads with heavy pedestrian or recreational use, etc.) that will become potential safety problems with the addition of project or cumulative traffic.
- 4) Project traffic would utilize a substantial portion of an intersection(s) capacity where the intersection is currently operating at acceptable levels of service (A-C) but with cumulative traffic would degrade to or approach LOS D (V/C 0.81) or lower. Substantial is defined as a minimum change of 0.03 for intersections which would operate from 0.80 to 0.85 and a change of 0.02 for intersections which would operate from 0.86 to 0.90, and 0.01 for intersections operating at anything lower.

Project Specific Impacts

- a,b) To assess potential traffic impacts resulting from the project, a traffic study was performed by Associated Transportation Engineers (Scott A. Schell, Associated Transportation Engineers, "Rincon Palms Hotel Project – Traffic, Circulation and



Parking Study," October 17, 2007; hereinafter referred to as the "Traffic Study"), in consultation with the City's Traffic Engineer. Project trip generation estimates were developed using rates contained in Trip Generation (7<sup>th</sup> Edition), prepared by the Institute of Transportation Engineers, for Hotels (ITE #310) and High Turnover (Sit-Down) Restaurants (ITE #932). The ITE Handbook cites studies of mixed use developments that realize 15-45% reductions in trip generation due to patronage from adjacent or nearby land uses. For the Rincon Palms analysis, a conservative mixed use adjustment of 10% was applied to recognize restaurant patrons that walk over from the adjacent hotel.

Table 3 – Project Trip Generation								
Land Use	Size	Mixed Use Rate	ADT		AM PHT		PM PHT	
			Rate	Trips	Rate	Trips	Rate	Trips
Hotel	112 Rooms	-	8.17	915	0.56	63	0.59	66
Restaurant	6,000 SF	10%	127.15	687	11.52	62	10.92	59
<b>Total</b>				<b>1,602</b>		<b>125</b>		<b>125</b>

Project related traffic was distributed onto the street network according to the percentages provided in Table 4, based on City data and the Goleta Traffic Model. This distribution was developed to provide a worst case analysis of potentially impacted intersections, with over 60% of project related trips distributed through the Storke/Hollister intersection. The trip distribution pattern utilized was developed based on a select zone run completed specifically for the proposed project using the City's traffic model. The select zone model run provides a detailed analysis of the distribution pattern for the land uses proposed on the site based on the expected trip origins and destinations, trip lengths, and surrounding land uses.

Regarding the locally distributed trips, this pattern accounts for hotel guests who would shop or dine at the many restaurants and retail facilities located in the vicinity of the site, as well as primarily local residents drawn to the restaurant component of the project. A large percentage of these would be trips travelling to and from the east on Hollister Avenue, oriented to the businesses in the area, the Santa Barbara Airport and Goleta Old Town area.

Table 4 – Project Trip Distribution Percentages		
Origin/Destination	Direction	Percentage
U.S. Highway 101	West	10%
U.S. Highway 101	East	25%
Hollister Avenue	West	4%
Hollister Avenue	East	26%
Storke Road	South	12%
Glen Annie Road	North	2%
Calle Real	West	2%
Cortona Drive	East	2%
Camino Real Marketplace	-	8%
K-Mart Shopping Center	-	7%
Total:		100%

Project impact evaluations for level of service conditions on roadway segments and intersections were evaluated by comparing existing conditions to existing plus project conditions, as summarized in Table 5. Roadway segment level of service was determined by relating the estimated roadway segment average daily traffic (ADT) to a specific level of service. Signalized Intersection levels of service (LOS) were calculated utilizing the Intersection Capacity Utilization (ICU) methodology, which generates a volume to capacity (V/C) ratio that is then correlated to a specific level of service. This ICU methodology is the adopted analysis tool by the City of Goleta, County of Santa Barbara, and Santa Barbara County Association of Governments (SBCAG) for the CMP monitoring program. This is also the methodology required for the City's CEQA thresholds. Levels of service for unsignalized intersections were calculated using the Highway Capacity Manual (HCM) methodology which relates delay (seconds/vehicle) to a specific level of service. Existing peak hour volumes for the study-area intersections were derived from the Goleta General Plan, supplemented by updated count data provide by the City's Traffic Engineer. Principal results and findings of the Traffic Study are tabulated in Tables 5 through 8, while conclusions and impact determinations are summarized below:

**Roadway Segment Impacts:** The roadway segment of Storke Road north of Hollister Avenue currently carries volumes above the City's acceptable capacity rating. In such event, the City's administrative practice is to define significant impact when a project would increase existing traffic volumes by more than 1.0%. As shown in Table 5, the proposed project would increase the existing traffic volume on the roadway segment of Storke Road north of Hollister Avenue by 1.6%, thereby generating a significant roadway impact for existing and cumulative scenarios. The City has developed an improvement plan to add an additional northbound travel lane on Storke Road, to be funded by Goleta Transportation Impact Fee funding, and feasi-

ble for construction within existing City right of way on Storke Road. With the completion of this improvement, impacts would be reduced to a level of insignificance. The remaining roadway segments operate well below acceptable capacity, and would not be impacted by project related traffic.

<b>Table 5: Existing/Existing + Project Roadway ADT</b>					
<b>Location</b>	<b>Existing + Project Roadway Volumes</b>				
	<b>Acceptable Capacity</b>	<b>Existing ADT</b>	<b>Project ADT</b>	<b>Percent Change</b>	<b>Project Impact?</b>
Hollister Avenue w/o Storke Road	34,000	21,640	128	0.6%	No
Hollister Avenue e/o Storke Road	34,000	15,880	497	3.1%	No
Hollister Avenue e/o Los Carneros Road	34,000	22,000	417	1.9%	No
Storke Road n/o Hollister Avenue	<b>34,000</b>	<b>39,660</b>	<b>625</b>	<b>1.6%</b>	<b>Yes</b>
Storke Road s/o Marketplace Drive	34,000	21,350	192	0.9%	No
Glen Annie Road n/o Calle Real	14,300	8,520	32	0.4%	No

<b>Table 6: Cumulative/Cumulative + Project Roadway ADT</b>					
<b>Location</b>	<b>Cumulative &amp; Cumulative + Project Roadway Volumes</b>				
	<b>Acceptable Capacity</b>	<b>Existing ADT</b>	<b>Project ADT</b>	<b>Percent Change</b>	<b>Project Impact?</b>
Hollister Avenue w/o Storke Road	34,000	27,260	128	0.5%	No
Hollister Avenue e/o Storke Road	34,000	24,760	497	2.0%	No
Hollister Avenue e/o Los Carneros Road	34,000	25,320	417	1.6%	No
Storke Road n/o Hollister Avenue	<b>34,000</b>	<b>46,020</b>	<b>625</b>	<b>1.4%</b>	<b>Yes</b>
Storke Road s/o Marketplace Drive	34,000	24,750	192	0.8%	No
Glen Annie Road n/o Calle Real	14,300	11,070	32	0.3%	No

Table 7: AM Peak Hour Intersection Capacity Utilization						
Location	Existing + A.M. Peak Hour					
	Existing		Existing + Project		Project Added Trips	Project Impact?
	ICU	LOS	ICU	LOS		
U.S. 101NB Ramps/ Storke Road	0.66	B	0.66	B	28	No
U.S. 101 SB Ramps/ Storke Road	0.71	C	0.72	C	49	No
Hollister Avenue / Marketplace Drive	0.43	A	0.43	A	10	No
Hollister Avenue/ Storke Road	0.63	B	0.64	B	81	No
Hollister Avenue/ Cortona Drive	8.5 sec.	A	9.5 sec.	A	120	No
Hollister Avenue/ Los Carneros Road	0.49	A	0.49	A	32	No
Storke Road/ Marketplace Drive	0.36	A	0.36	A	22	No

Table 8: PM Peak Hour Intersection Capacity Utilization						
Location	Existing + P.M. Peak Hour					
	Existing		Existing + Project		Project Added Trips	Project Impact?
	ICU	LOS	ICU	LOS		
U.S. 101NB Ramps/ Storke Road	0.65	B	0.65	B	28	No
U.S. 101 SB Ramps/ Storke Road	0.73	C	0.74	C	49	No
Hollister Avenue / Marketplace Drive	0.57	A	0.57	A	10	No
Hollister Avenue/ Storke Road	0.77	C	0.79	C	81	No
Hollister Avenue/ Cortona Drive	14.1 sec.	B	15.0 sec.	B	120	No
Hollister Avenue/ Los Carneros Road	0.69	B	0.69	B	32	No
Storke Road/ Marketplace Drive	0.56	A	0.57	A	22	No

**Intersection Operational Impacts:** As shown in Tables 7 and 8, the proposed project would not significantly impact any of the study-area intersections under the Existing + Project scenario<sup>5</sup>.

Cumulative Impacts:

**Cumulative Projects:** The cumulative forecasts were developed by the City of Goleta utilizing data from the City's traffic model that was updated to include a list of approved and pending projects located in the City and the adjacent areas of the County, the City of Santa Barbara (airport area), and UCSB. The list of projects used was the most current available at time the project application was being processed by the City and is on file with the City as part of the ATE October 17, 2007 traffic study. The Camino Real Hotel Project was not a pending application at the time the modeling analysis was completed. However, inclusion of the traffic from this project into the cumulative model would not change the findings of the study. The Rincon Palms Hotel Project would not generate significant cumulative impacts to City or Caltrans facilities based on the City's thresholds, based on Goleta capital improvement projects anticipated for construction in the project area.

**Cumulative Roadway Impacts:** Table 6 above summarizes the contribution of project related traffic to cumulative conditions (existing + project + approved + pending projects). As noted above, the proposed project would increase the existing traffic volume on the roadway segment of Storke Road north of Hollister Avenue by 1.6%, thereby generating a significant roadway impact for the cumulative scenario. The City has developed an improvement plan to add an additional northbound travel lane on Storke Road, to be funded by Goleta Transportation Impact Fee funding. With the completion of this improvement, impacts would be reduced to a level of insignificance. The remaining roadway segments operate well below acceptable capacity, and would not be impacted by project related traffic.

**Cumulative Intersection Impacts:** As shown below in Table 9, the project would not have any cumulative impacts on intersections in the AM peak hour. However, as Table 10 shows, the project would significantly impact the Hollister Avenue/Storke Road and the Hollister Avenue/Cortona Road intersections (V/C increase greater than 0.01) during the P.M. peak hour under the Cumulative scenario.

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<sup>5</sup> Comments received on the draft MND noted that the addition of more than 15 PM peak hour trips to the Storke Road/US 101 SB on ramp should be noted as a significant impact. However, this threshold applies only to cumulative conditions, for which a significant impact would be considered a V/C change of .03 at an intersection operating from .80 to .85.

<b>Table 9: AM Peak Hour Cumulative Intersection Capacity Utilization</b>						
<b>Location</b>	<b>Cumulative &amp; Project A.M. Peak Hour</b>					
	<b>Cumulative</b>		<b>Cum. + Project</b>		<b>Project V/C Change</b>	<b>Project Impact?</b>
	<b>ICU</b>	<b>LOS</b>	<b>ICU</b>	<b>LOS</b>		
U.S. 101NB Ramps/ Storke Road	0.72	C	0.72	C	0.003	No
U.S. 101 SB Ramps/ Storke Road	0.83	D	0.83	D	0.007	No
Hollister Avenue / Marketplace Drive	0.52	A	0.52	A	0.002	No
Hollister Avenue/ Storke Road	0.80	C	0.81	D	0.010	No
Hollister Avenue/ Cortona Drive	9.4 sec.	A	10.6 sec.	B	-	No
Hollister Avenue/ Los Carneros Road	0.65	B	0.66	B	0.005	No
Storke Road/ Marketplace Drive	0.49	A	0.49	A	0.004	No

<b>Table 10: PM Peak Hour Cumulative Intersection Capacity Utilization</b>						
<b>Location</b>	<b>Cumulative &amp; Project P.M. Peak Hour</b>					
	<b>Cumulative</b>		<b>Cum. + Project</b>		<b>Project V/C Change</b>	<b>Project Impact?</b>
	<b>ICU</b>	<b>LOS</b>	<b>ICU</b>	<b>LOS</b>		
U.S. 101NB Ramps/ Storke Road	0.74	B	0.75	B	0.005	No
U.S. 101 SB Ramps/ Storke Road	0.87	D	0.88	D	0.007	No
Hollister Avenue / Marketplace Drive	0.60	A	0.61	A	0.003	No
Hollister Avenue/ Storke Road	0.94	E	0.95	E	0.010	Yes
Hollister Avenue/ Cortona Drive	>50 sec.	F	>50 sec.	F	4.1%	Yes
Hollister Avenue/ Los Carneros Road	0.84	D	0.84	D	0.005	No
Storke Road/ Marketplace Drive	0.61	B	0.62	B	0.005	No

(i) In regard to the Hollister Avenue/Storke Road intersection, the Goleta General Plan includes various improvements that would retain an LOS D operation upon completion. The Goleta General Plan also determines that LOS D is an acceptable operation for this location. These improvements include freeway overcrossings at Ellwood Station and La Patera Lane, and the extension of Phelps Road from Storke Road to Los Carneros Road. The proposed project would contribute toward the construction of these improvements, listed on the City's Capital Improvement Program, through the payment of GTIP fees, and with such payment, cumulative impacts associated with the proposed project would be reduced to a level of insignificance.

(ii) In regard to the Hollister Avenue/Cortona Drive intersection, Cumulative + Project traffic is forecast to result in a LOS F during the P.M. peak hour. The poor LOS is related to the outbound left-turn traffic from Cortona Drive onto Hollister Avenue. The cumulative traffic forecasts provided by the City show a significant increase in eastbound and westbound through traffic on Hollister Avenue, which reduces the gaps available for the outbound left turns from Cortona Drive. The Cumulative peak hour volumes at the intersection meet signal warrants. However, installation of a traffic signal is not recommended due to the proximity of the Storke Road/Hollister Avenue intersection. The traffic signal at Cortona Drive/Hollister Avenue would require coordination of the two signals and would degrade operations at the Storke Road/Hollister Avenue intersections.

An improvement project that could improve future operations at this intersection is the installation of traffic signals at the Hollister Avenue/Coromar Drive intersection, which is located to the east of the Cortona Drive/Hollister Avenue intersection. This signal would provide an alternate route for the Cortona Drive outbound traffic that would experience heavy delays due to the increase in eastbound and westbound through traffic on Hollister Avenue.

The Rincon Palms Project will be required to either install (or bond for this installation) of a traffic signal at the Coromar Drive/Hollister Avenue intersection, including a traffic signal interconnect to Hollister Avenue signals. This contribution would mitigate the cumulative impacts of the project Cortona Drive/Hollister Avenue. The project's fair share contribution to the installation of the signals at the intersection is 8.9%, subject to review by the City Community Services Department.<sup>6</sup> The project would also be required to restripe the southbound approach of Cortona Drive to provide separate left and right turn lanes to Hollister Avenue.

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<sup>6</sup> It should also be noted that the Cabrillo Business Park Project has been required to install the traffic signal Hollister Avenue/Coromar Drive as a condition of approval. If the Rincon Palms Project is completed before the Cabrillo Business Park Project, the traffic signal would need to be installed by the Rincon Palms applicant prior to occupancy, and the costs of the signal would be subject to a reimbursement agreement with the City.

**Congestion Management Program Analysis:** The Santa Barbara County Association of Governments ("SBCAG") has developed a set of traffic impact thresholds to assess the impacts of land use decisions on regional transportation facilities located within the Congestion Management Program ("CMP") roadway system. Of the study area intersections included within the CMP, the Storke Road/U.S. 101 southbound ramps and the Storke Road/Hollister Avenue intersection are forecast to operate at LOS E under Cumulative + Project conditions. The CMP requires that deficiency plans be prepared when an intersection reaches LOS E. Currently, this intersection operates at LOS C. As noted above, the Goleta General Plan includes various improvements that would retain an acceptable LOS D at these particular intersections upon completion, thereby meeting City standards and maintaining an LOS better than LOS E, thus complying with CMP criteria. The proposed project would contribute toward the construction of these improvements through the payment of GTIP fees, and with such payment, cumulative impacts associated with the proposed project would be reduced to a level of insignificance.

- c) The proposed project is located within two miles of the Santa Barbara Airport but is outside of the designated Airport Approach and Clear Zone. As such, the project would not expose people or structures to a significant risk of loss, injury or death involving airport operations nor would it conflict with the County Airport Land Use Plan.
- d) The initial site plan filed in connection with the project entitlement application dated February 7, 2007, was revised to address comments made by staff and County Fire Department personnel regarding internal circulation and emergency vehicle access. The initial review revealed several areas of concern including the need to: flatten the curb radius of on-site landscape planters to provide comfortable turning movements; interconnect perimeter sidewalks to on-site pedestrian paths (along Storke Road in particular); add a continuous sidewalk in front of the compact parking stalls at the rear of the hotel; increase the minimum width of driveway entrances to the subterranean parking from 16' to 20'; adjust the turn radius/driveway widths at the subterranean parking entrance to accommodate safe/convenient turning movements; relocate the proposed driveway entrance on Cortona further removed from the Hollister intersection; reconfigure the driveway aisles at the rear of the hotel as well as the subterranean parking to achieve better symmetry/alignment; and give further study to the distribution of compact parking stalls at the front of the hotel. These issues were subsequently addressed through DRB's Conceptual Review and are reflected in the most recent iteration of project plans last revised on October 24, 2007 and March 2008 (as reviewed by County Fire Department, as discussed under Public Services above).
- e) Based on the project's incorporation of design modifications related to on site circulation and driveway access points, as also discussed under "Public Services" above, potential impacts on emergency access would be considered less than significant.



f) A shared parking analysis was conducted for the proposed project as part of the ATE Traffic Study. The inventory of available parking is summarized in Table 11 and includes a total of 160 spaces proposed on the project site (105 surface stalls and 55 garage stalls), 29 spaces on the adjacent lot to be used through a reciprocal parking agreement (only available after 5:00 p.m. on weekdays and all day on weekends). The layout of the shared parking spaces would provide access to both the hotel and R&D site as the 90-degree stalls are located along a central driveway shared by both parcels. On the adjacent research and development parcel, there are 181 existing spaces, and 17 are proposed to be constructed at the east end of the driveway, for a total of 198 to serve that R&D parcel. As Table 11 indicates, the supply of available parking exceeds the minimum amount required by City Ordinance.

Compliance notwithstanding, an independent assessment was made of parking demand based on actual studies and industry standards. Demand calculations are summarized in Table 12 while a comparison to parking supply is displayed in Table 13. In summary, parking demand for the existing research-manufacturing facility and the proposed hotel/restaurant project would require up to 184 spaces which could be accommodated during a typical weekday or weekend if a shared parking agreement is provided; absent such an agreement, impacts attributable to the proposed project would be considered potentially significant.

Table 11: Parking Supply & Zoning Compliance									
Project Land Use	Parking Supply				Zoning Requirements				Surplus/Deficit
	Exist'g	Shared	New	Total	Patrons	Employees	Loading	Total	
Hotel					112	10		122	
Restau-rant					18	12		30	
Total		29	160	189			1	152	36
R&D Parcel	181		17	198		121	1	122	+76

**NOTES:**

1. "Shared" parking consists of surface parking on the R&D Property that will only be available after 5:00 p.m. on weekdays and all day on weekends to serve the proposed project.
2. "Zoning Requirements" reflect the calculated amount of on-site parking necessary to satisfy City Ordinance standards based on attributes specific to each property (Article III, Chapter 35, Division 6 of the Goleta Municipal Code).

Project Land Use	Peak Periods		Weekdays		Weekends	
	Daytime Peak	Evening Peak	Daytime Peak	Evening Peak	Daytime Peak	Evening Peak
Hotel	12-1 p.m.	8-9 p.m.	94	97	93	112
Restaurant	12-1 p.m.	8-9 p.m.	63	52	91	63
Total			157	149	184	175
<b>R&amp;D Property</b>	n.a.	n.a.	156	n.a.	n.a.	n.a.

**NOTES:**

1. Peak parking demand for the proposed hotel and restaurant is based on Urban Land Institute standards ("Shared Parking," Urban Land Institute, 2<sup>nd</sup> Edition, 2005) utilizing the following parking demand factors: 1.15 spaces/hotel room and 10.5 spaces/sq.ft. of restaurant space.
2. Parking demand for the R&D Property is based on studies conducted at the University Business Center located adjacent to Los Carneros Road and Hollister Avenue utilizing weekday demand factor of 2.58 spaces/1,000 sq.ft. of building area.

Land Use	Weekdays			Weekends		
	Available Supply	Peak Demand	Surplus/Deficit	Available Supply	Peak Demand	Surplus/Deficit
<b>Proposed Project</b>	160	157	+3	189	184	+5
<b>R&amp;D Property</b>	198	156	+42	n.a.	n.a.	n.a.

**NOTES:**

1. Available Supply is derived from Table 11.
2. Peak parking demand is derived from Table 12 and reflects the largest number of parking spaces among the two peak demand periods.

- g) An unknown number of guests and employees of the proposed project would be transit dependent; that is, they would rely upon public transportation as their principal means of access (e.g., business travelers who arrive at the proposed hotel directly from the Santa Barbara Municipal Airport). An existing bus stop exists along the Hollister Avenue frontage of the project site. The contribution of transit users to the City service area would be considered a potentially significant impact.

Required Mitigation Measures

1. **IMPROVEMENT PLANS:** Detailed street improvement plans for the proposed project shall be prepared for review and approval by the City's Community Services De-

partment. The drawings and specifications shall substantially conform to the Preliminary Development Plans and incorporate the following: (i) the improvements described in the "Existing Setting" above; (ii) relocation and reconstruction of a bus stop in accordance with current City standards, including concrete pad, sign, bench, trash receptacle and shelter; and (iii) dedication/alignment of right-of-way along Hollister Avenue and Storke Road as necessary to accommodate perimeter parkway improvements, bike lane and bus turnout. **Plan Requirements & Timing:** The project plans shall be updated and resubmitted for review and approval by the City's Public Works Department prior to and as a condition precedent to issuance of any LUP for the project. The required street improvements shall be installed and approved in the field by City staff prior to any occupancy clearance.

**MONITORING:** City staff shall verify compliance with the requirement to prepare modified plans. City staff shall inspect and approve the completed street improvements prior to any occupancy clearance.

2. **TRAFFIC IMPACT MITIGATION (COROMAR/HOLLISTER):** The applicant shall either; 1) install a traffic signal at the Coromar Drive/Hollister Avenue intersection, including a traffic signal interconnect to the adjacent traffic signals on Hollister Avenue as well as modifying the southbound approach on Coromar Drive to provide one left-turn lane and one through-right lane, or 2) bond for installation of this traffic signal and related improvements, to address the Rincon Palms fair share contribution to this improvement of 8.9%. It is noted that this mitigation measure is also included as mitigation for impacts that would occur as a result of the Cabrillo Business Park and Village at Los Carneros developments, as identified in the EIR's for those projects. If the Cabrillo Business Park or Villages at Los Carneros projects are constructed prior to issuance of the first occupancy clearance at Rincon Palms, this measure will not be required for the Rincon Palms project. If the Cabrillo Business Park or Villages at Los Carneros projects are not implemented prior to the timing requirements for this mitigation measure as noted below, the City shall initiate and implement a reimbursement agreement that would require future projects contributing to traffic impacts necessitating these improvements to pay the Rincon Palms project their pro-rata share of the improvement costs. **Plan Requirements and Timing:** The design of the signal and roadway improvement shall be reviewed and approved by the City prior to approval of any Land Use Permit for public road improvements. The signal and roadway improvement shall be either; 1) constructed by the applicant and approved by the City prior to the first occupancy clearance for the project, or 2) the applicant shall post a performance security deemed adequate by the City to cover the cost of all such improvements prior to the first occupancy clearance. Occupancy clearance shall not be issued until all of the aforementioned improvements are either fully completed or bonds for such improvements have been posted.

**Monitoring:** City staff shall verify signal and roadway design review and approval prior to recordation of the final map or approval of a Land Use Permit for public road improvements and shall either; 1) verify installation of the signal and all other related improvements as described above prior to the first occupancy clearance for the project,

or 2) verify posting of an adequate performance security for these improvements prior to the first occupancy clearance. The performance security shall be released upon completion as determined by the City of the signal and related improvements.

3. **TRAFFIC IMPACT MITIGATION (STORKE ROAD):** The applicant shall implement, or provide for implementation of, an additional northbound lane on Storke Road north of Hollister Avenue. If the Cabrillo Business Park or Villages at Los Carneros projects are not implemented prior to the Rincon Palms project, the City shall initiate and implement a reimbursement agreement that would require future projects contributing to traffic impacts necessitating these improvements to pay the Rincon Palms project their pro-rata share of the improvement costs. **Plan Requirements and Timing:** The applicant shall submit Improvement Plans for review and approval by the City of Goleta. Cost of improvements and/or payment of fees shall be per the applicant's fair share contribution to this roadway impact and in consideration of the Cabrillo Business Park and Villages at Los Carneros

**MONITORING:** The City of Goleta shall ensure compliance prior to land use permit, bundling permit, or occupancy clearance as appropriate.

4. **SHARED PARKING:** The applicant shall prepare and record a shared parking and reciprocal access agreement to facilitate conjunctive use of parking on the project site and the adjacent parcel to the north, including the elimination of fencing that currently obstructs driveway access between the two properties. The agreement shall be in a form acceptable to the City and shall be recorded as a covenant against both parcels. **Plan Requirements & Timing:** The reciprocal access and shared parking agreement shall be submitted for review and approval by City staff, and thereafter recorded against both properties, prior to and as a condition precedent to issuance of any LUP for the project.

**MONITORING:** City shall verify recordation of the reciprocal access and shared parking agreement prior to issuance of any LUP for the project.

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

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

### Residual Impact

With implementation of these mitigation measures, residual project specific Transportation/Traffic impacts would be considered less than significant. Mitigation to address deficiencies in emergency vehicle access is identified under the discussion of Public Services (Fire Protection Services) of this document.

**UTILITIES & SERVICE SYSTEMS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		✓			
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded entitlements needed?		✓			
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		✓			
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓		
g. Comply with federal, state, and local statutes and regulations related to solid waste?				✓	

Existing Setting

*Sewage Disposal*

The Goleta West Sanitary District (GWSD), provides wastewater collection to the western portion of the City, including the project site. The eastern portion of the City is served by Goleta Sanitary District, which collects, treats, and disposes of all wastewater, including wastewater received from GWSD. The District's wastewater treatment

plant has a current capacity of 9.7 million gallons per day (MGPD) with a RWQCB permitted treatment capacity of 7.64 MGPD and a current throughput of 5.5 MGPD (Comstock Homes Development & Ellwood Mesa Open Space Plan EIR, 04-EIR-01, 2004).

#### *Water Supply*

The Goleta Water District (GWD) provides water for the Hollister Avenue corridor and operates under the Wright Judgment that prohibits overdrafting of the Goleta Groundwater Basin (GGWB) and required the basin to be returned to a hydrologically balanced condition by 1998. The District draws its water supply from Lake Cachuma, the State Water Project, the GWB, and wastewater reclamation for a total yearly supply of between 15,486 to 17,672 acre feet per year ("AFY") depending upon drought conditions. Average current demand for GWD water in the City of Goleta is currently 5,528 AFY, increasing to 6,792 in the year 2030 (General Plan Final EIR, Tables 3.9-1 and 3.9-2).

#### *Stormwater Control Facilities*

The proposed project is located outside of mapped flood hazard areas (Figure 5-2 of the Goleta General Plan) and is part of Tract 10,212 Unit 1. A condition of approval for the tract was the construction of a storm drain system capable of handling full build-out of all lots with the subdivision. As described under Biological Resources, all stormwater runoff either percolates into the surface of the site or sheet flows to storm water outlets located along Hollister Avenue and Cortona Drive. The proposed project would cover approximately 57% the entire site with impervious surfaces, including approximately 75,100 ft<sup>2</sup> of paved areas and buildings.

#### *Solid Waste*

Solid waste generated in the City is collected by BFI, Marborg, and Allied Waste and transported to the Tajiguas Landfill 20 miles to the west of Goleta on the Gaviota Coast. The County has received approval from the RWQCB and the State Integrated Waste Management Board to expand the landfill to provide for an additional 13 years of solid waste disposal capacity. The landfill now has sufficient capacity to provide solid waste disposal services to the South Coast until 2020 (General Plan Final EIR, page 3.12-16).

#### Thresholds of Significance

A significant impact on Utilities & Service Systems would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. In addition, under the City's *Environmental Thresholds & Guidelines Manual*, a project that would generate 196 tons of solid waste/year, after receiving a 50% credit for source reduction, recycling, and composting would result in a project specific, significant impact on the City's solid waste stream. Any project generating 40 tons/year, after receiving a 50% credit for source reduction, recycling, and composting would be considered to make an adverse contribution to cumulative impacts to the City's solid waste stream.

#### Project Specific Impacts

- a,b,e) Based on a GWSD generation factor of 100 gallons per day of wastewater for every 1,000 square feet of habitable commercial building space, the proposed project is estimated to generate roughly 6,600 GPD. GWSD has issued a Sewer Service Availability letter for the proposed project and indicates that 34 ERU (equivalent residential unit) are presently available to serve the project. This allotment amounts to between 6,256 and 7,480 GPD and represents approximately 0.13% of the remaining available treatment capacity. Although the GWSD has issued a Sewer Service Availability letter, a firm commitment and reservation of a capacity has not yet been secured. As such, the proposed project poses a potentially significant impact on the availability and adequacy of wastewater disposal service.
- c) The proposed project is part of Tract 10,212 Unit 1. A condition of approval for the tract was the construction of a storm drain system capable of handling full build-out of all lots with the subdivision. Computer modeling performed in conjunction with a Preliminary Hydraulic Report shows that storm drain pipes and sidewalk drains are adequate to handle storm event flows. On-site landscaped bioswales are used to reduce the level of contaminants picked up by stormwater runoff as it leaves the project site. According to the treatment control best management practice for biofilters (TC-4) contained in the "California Storm Water Best Management Practice Handbook," the project site requires approximately 2,520 square feet of biofilter as compared to a total of 7,250 square feet provided; nearly three times the amount necessary. Additional Best Management Practices ("BMPs") are proposed as mitigation to further reduce impacts. With these measures, the quality and quantity of stormwater runoff from the site considered less than significant. As such, the proposed project would not require the construction of any new stormwater facilities and as such, no corresponding environmental impacts normally associated with such facility construction and/or expansion would not occur.
- d) Based on the Water Duty Factors as noted in the City's *Environmental Thresholds & Guidelines Manual*, the proposed project is expected to require approximately 27.18 AFY, roughly equivalent to 2.2% of the City's total forecasted demand through 2030, and less than 0.2% of the GWD's total annual supply. While this level of estimated demand would not necessitate any new entitlements, resources, or require expansion of any existing entitlements, and although the applicant has obtained a Water Classification letter from GWD, a firm commitment and reservation of a capacity has not yet been secured. Until such a commitment is given by the GWD, a final determination as to the availability of central water service by the GWD to serve the proposed project cannot be made. As such, the proposed project poses a potentially significant impact on the availability and adequacy of water service.
- f,g) As noted above, projects that are estimated to generate 196 tons/year or more of solid waste, after receiving a 50% credit for source reduction, recycling, and composting, are considered to pose a significant, project specific impact. Based on the solid waste generation factors noted in the City's *Environmental Thresholds & Guidelines Manual*, the proposed project is expected to generate approximately

158.6 tons/year in solid waste. A 50% source reduction allowance would reduce the waste stream to 79.3 tons/year, well below the 196 tons/day impact threshold. As such, project specific impacts on the solid waste flow into the Tajiguas Landfill would be considered adverse but less than significant. Furthermore, the proposed project would not result in the generation of any solid waste in violation of any Federal, State, or local solid waste regulations or statutes.

### Cumulative Impacts

Project contributions to cumulative impacts on public utilities or service systems such as wastewater collection and treatment, potable water supplies, storm drain and runoff control infrastructure, or the Tajiguas Landfill would be less than significant.

### Required Mitigation Measures

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

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

2. **WATER SERVICE COMMITMENT:** A CAWS from the Goleta Water District (GWD) shall be provided indicating that adequate water supply is available to serve the project upon demand and without exception (or equivalent guarantee). **Plan Requirements & Timing:** A CAWS shall be forwarded to the City of Goleta prior to issuance of any LUP for the project.

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

3. **WATER CONSERVATION:** Outdoor water use shall be limited through the following measures: (i) landscaping shall be primarily with native and/or drought tolerant species; (ii) drip irrigation or other water-conserving irrigation shall be installed; (iii) plant material shall be grouped by water needs; (iii) no turf shall be allowed on slopes of over 4%; (iv) extensive mulching (2" minimum) shall be used in all landscaped areas



to improve the water holding capacity of the soil by reducing evaporation and soil compaction; and (v) soil moisture sensing devices shall be installed to prevent unnecessary irrigation. Indoor water use shall be limited through the following measures: (i) all hot water lines shall be insulated; (ii) recirculating, point-of-use, on-demand, or other energy efficient water heaters shall be installed; (iii) water efficient clothes washers and dishwashers shall be installed; and (iv) lavatories and drinking fountains in commercial structures shall be equipped with self-closing valves. **Implementation and Timing:** The outdoor water conserving measures shall be incorporated into the final landscape plan that is submitted for review and approval by DRB pursuant to Mitigation Measure #4 under Aesthetics. The indoor water-conserving measures shall be graphically depicted on building plans and approved prior to issuance of any LUP for the project.

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

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

General

- a) Provision of at least 50 ft<sup>2</sup> of space and/or bins for storage of recyclable materials within the project site.
- b) Implementation of a green waste source reduction program focusing on recycling of all green waste generated onsite.

Commercial Only

- a) Development of a Source Reduction Plan ("SRP"), describing the recommended program(s) and the estimated reduction of the solid waste disposed by the project. For example, the SRP may include a description of how fill will be used on the construction site, instead of sending excess fill material to a landfill, or a detailed set of office procedures such as use of duplex copy machines and purchase of office supplies with recycled content.
- b) Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). The program could include requesting suppliers to show recycled materials content. To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of such programs, subject to City staff review and approval prior to issuance of any certificate of occupancy

**Plan Requirement & Timing:** The applicant shall submit the Solid Waste Management Program to City staff for review and approval prior to approval of any LUP

for the project. Program components shall be implemented prior to occupancy clearance and throughout the life of the project.

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

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

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

#### Residual Impact

With implementation of the above mitigation measures, residual project specific and cumulative impacts on Utilities & Service Systems, would be considered less than significant.

**MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓			
b. Does the project have the potential to achieve short-term to the disadvantage of long-term environmental goals?			✓		
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		✓			
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓			
e. Is there disagreement supported by facts, reasonable assumptions predicated upon facts and/or expert opinion supported by facts over the significance of an effect which would warrant investigation in an EIR ?				✓	

#### **14. PREPARERS OF THE INITIAL STUDY, CONTACTS, AND REFERENCES**

**Preparers of the Initial Study:** This document was prepared under the direction and approval of the City of Goleta.

**Contributors and Contacts:** The following individuals participated in the analysis of the proposed project or otherwise furnished information vital to preparation of this document.

##### City of Goleta

Steve Wagner, Director of Public Works  
Steve Chase, Director Planning and Environmental Services  
Jim Biega, Contract Traffic Engineer  
Patricia Miller, Planning Manager  
Marti Schultz, Senior Engineer  
Diana White, Assistant Engineer  
Laura Bridley, Contract Planner, Goleta PES Department

##### Public Agencies

Goleta Water District (Carrie Bennett)  
Santa Barbara Metropolitan Transportation District (Cynthia Boche)  
County of Santa Barbara (Glenn Fidler, Kate Sulka, Andrea Murphy, Jon Frye)  
Santa Barbara Air Pollution Control District (Vijaya Jammalamadaka)

**References:** The following documents were consulted during preparation of this document and form the basis of the relevant findings and conclusions:

Associated Transportation Engineers, Traffic Circulation and Parking Study for Rincon Palms Hotel Project, August 30, 2007, and October 17, 2007.

Associated Transportation Engineers, Traffic Analysis for the Storke/Hollister Hotel Project, City of Goleta, February 12, 2007.

Campbell Geo, Inc., Preliminary Geologic Hazards Evaluation of Proposed Hotel/Retail Development, Cortona Drive and Hollister Avenue, (APN 73-140-04), Goleta, California, January 3, 2007.

Campbell Geo, Inc., Semi-Annual Groundwater Monitoring Report, January – June 2007, Joslyn Electronic Systems Corporation, 6868 Cortona Drive, Goleta, California, July 12, 2007.

City of Goleta, Design Review Board (Conceptual Review Proposed Rincon Palms Hotel and Restaurant Project), April to June, 2007.

City of Goleta, Environmental Thresholds & Guidelines Manual, 2003.

City of Goleta  
Final Mitigated Negative Declaration  
Rincon Palms Hotel & Restaurant  
July 11, 2008

City of Goleta, General Plan, October 2, 2006, and Amendments adopted June 16, 2008.

Daketta Pacific (Cortona Opportunity, LTD.), Application for Proposed Rincon Palms Hotel and Restaurant, (Various Forms, Plans and Exhibits), 2007.

Lenvik & Minor Architects, Preliminary Development Plans, February – November 2007.

MAC Design Associates, Revised Preliminary Hydraulic Report for Rincon Palms Hotel and Restaurant, 817 Cortona Drive, June 12, 2007.

Pacific Materials Laboratory of Santa Barbara, Inc., Preliminary Foundation Investigation, Proposed Commercial Development, Northeast Corner of Storke Road and Hollister Avenue, Goleta, California, October 25, 2006.

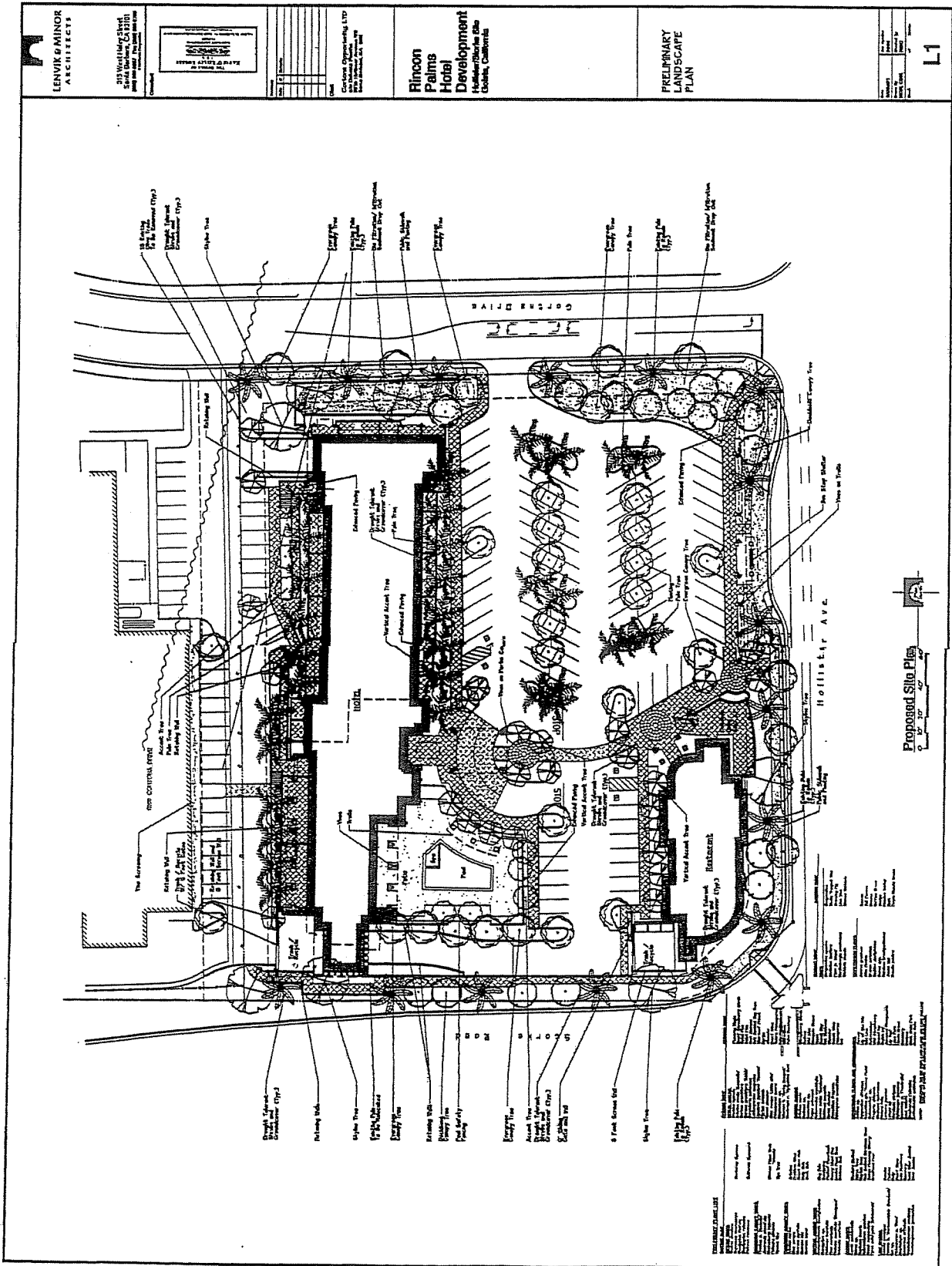
Science Applications International Corporation, Extended Phase 1 Archeological Investigation, Daketta Pacific Development Project, 5276 Hollister Avenue, Goleta, California, January 2007.

Suzanne Elledge Planning & Permitting Services, Inc., Air Quality Impact Analysis for Proposed Rincon Palms Hotel and Restaurant Project, September 17, 2007.

## **15. ATTACHMENTS**

- A. Site Plan
- B. Preliminary Landscape Plan
- C. Elevations
- D. Proposed General Plan Amendment
- E. Proposed Zoning Ordinance Amendment









## ZONING ORDINANCE AMENDMENT Case Nos. 07-020-OA

### **Sec.35-251      HO - Hotel Overlay** **(Amended by Ord. [to be inserted])**

#### ***Sec. 35-251.1. Purpose and Intent***

This Overlay District is only applicable to property having a land use designation of Business Park (I-BP) or Office and Institutional (I-OI), with a Hotel Overlay as shown on the General Plan Land Use Map. The purpose of this district is to facilitate the co-existence of commerce and hospitality services. By creating diverse and complementary employment opportunities and related economic activities, the intent is to minimize impacts to surrounding neighborhoods, manage traffic patterns and centralize services.

#### ***Sec.35-251.2. Permit and Processing Requirements***

All new structures and development as well as alterations to existing structures within the HO Overlay District shall be subject to review by the Design Review Board. No permits for development within the Hotel Overlay project shall be issued except in conformance with an approved Development Plan (Section *[to be inserted]*).

#### ***Sec. 35-251.3. Setbacks, Height Limits, and Other District Restrictions***

Except as stipulated below, all new structures and development as well as alterations to existing structures shall comply with the requirements of the base zone, including exceptions as allowed by Development Plan approval.

1. The maximum FAR for hotel uses within the HO Overlay District shall be 0.6.
2. There may be a percentage of joint use of parking spaces. In this regard, conjunctive use shall be defined as the joint use of parking spaces for two or more land uses where the hours of operation and demand for parking are such that the parking spaces can be used by the individual uses at different times of the day or week and, therefore, can serve more than one use. The intent is to provide for possible reduction in the number of parking spaces ordinarily required for two or more land uses and the sharing of parking spaces under a set of unique circumstances, including the compatibility of the land uses, adjacent properties, and lack of need for separate parking facilities. A reduction in the number of required parking spaces may be granted subject to and contingent upon: (i) site-specific parking studies that account for shared uses conducted on the property; (ii) approval as part of the Development Plan.



**LETTERS OF RESPONSE TO:**

**DRAFT MITIGATED NEGATIVE DECLARATION  
for the  
RINCON PALMS HOTEL AND RESTAURANT**

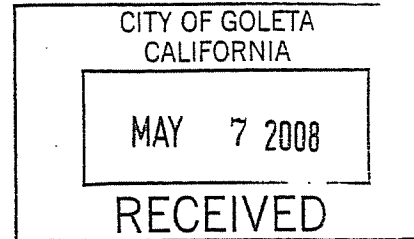


## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364  
 SACRAMENTO, CA 95814  
 (916) 653-4082  
 (916) 657-5390 - Fax



May 2, 2008



Laura Bridley/Patricia Miller  
 City of Goleta  
 130 Cremona Drive, Suite B  
 Goleta, CA 93117

RE: SCH# 2008041165 Rincon Palms Hotel and Restaurant Project; Santa Barbara County.

Dear Ms. Bridley/Miller:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
  - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
  - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

*Katy Sanchez*  
 Katy Sanchez  
 Program Analyst

CC: State Clearinghouse

**Native American Contacts**  
Santa Barbara County  
May 2, 2008

Ernestine DeSoto  
1027 Cacique Street, #A Chumash  
Santa Barbara , CA 93103  
805) 962-3598

Diane Napoleone and Associates  
Diane Napoleone  
6997 Vista del Rincon Chumash  
La Conchita , CA 93001  
dnaassociates@sbcglobal.net

Dwl Clan  
Dr. Kote & Lin A-Lul'Koy Lotah  
18825 Sapaque Road Chumash  
Bradley , CA 93426  
805) 472-9536

Santa Ynez Tribal Elders Council  
Adelina Alva-Padilla, Chair Woman  
P.O. Box 365 Chumash  
Santa Ynez , CA 93460  
elders@santaynezchumash.org  
(805) 688-8446  
(805) 693-1768 FAX

Santa Ynez Band of Mission Indians  
/incen Armenta, Chairperson  
P.O. Box 517 Chumash  
Santa Ynez , CA 93460  
armenta@santaynezchumash.org  
805) 688-7997  
805) 686-9578 Fax

Coastal Band of the Chumash Nation  
Janet Garcia, Chairperson  
P.O. Box 4464 Chumash  
Santa Barbara , CA 93140  
805-964-3447

John Ruiz  
1826 Stanwood Drive Chumash  
Santa Barbara , CA 93103  
805) 965-8983

Santa Ynez Band of Mission Indians  
Sam Cohen, Tribal Administrator  
P.O. Box 517 Chumash  
Santa Ynez , CA 93460  
(805) 688-7997  
(805) 686-9578 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2008041165 Rincon Palms Hotel and REstaurant Project; Santa Barbara County.

OWL CLAN CONSULTANTS



CITY OF GOLETA  
CALIFORNIA

MAY 14 2008

RECEIVED

805-472-9536  
48825 Sapague Rd. Bradley Ca. 93426  
OWLCLANCONSULTANTS@gmail.com

May 7, 2008

Laura Bridley  
Contract Planner/Planning Manager  
Planning and Environmental Services  
130 Cremona Drive, Suite B  
Goleta, CA. 93117

**Subject: Rincon Palms Hotel and Restaurant**

Dear Laura Bridley,

This letter is in response to your letter regarding the notice of availability of draft Mitigated Negative Declaration.

Owl Clan Consultants are expressing concern for our Chumash Cultural sites, located in the proposed area and up to a 5mile radius around the proposed project site. Our firm is also expressing concern for the lack of Native involvement during the preparation of the initial study.

Please inform us of any meetings that occur in which we can formally discuss our concerns, or if no meetings are scheduled we can arrange to meet as soon as possible.

Thank you for your cooperation,

Owl Clan Consultants







# Fire Department

"Serving the community since 1926"

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

John M. Scherrei  
Fire Chief  
County Fire Warden

May 8, 2008

Laura Bridley  
Contract Planner, Planning Manager  
City of Goleta  
Planning and Environmental Services  
130 Cremona Drive, Suite B  
Goleta, CA 93117

Dear Ms. Bridley:

Subject: Draft Mitigated Negative Declaration  
Rincon Palms Hotel and Restaurant Project

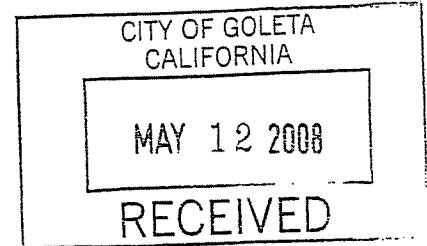
The Santa Barbara County Fire Department, Fire Prevention Division (FPD) appreciates the opportunity to comment on the Draft Mitigated Negative Declaration dated April 29, 2008, prepared for the Rincon Palms Hotel and Restaurant Project. FPD is satisfied with the proposed mitigation measures presented for the Hazardous and Hazardous Materials Section. FPD has the following general comments:

- All references referring to FPD in the Hazardous and Hazardous Materials Section shall be the Santa Barbara County Fire Department, Fire Prevention Division or FPD.
- Page 35, under Existing Setting: Change the 4<sup>th</sup> sentence to read "A *groundwater* monitoring well..." not "A *visual* monitoring well..."
- Page 37, first paragraph: The Unocal/Tosco gas station site is known as 6930 Hollister Avenue.
- Page 37, under Required Mitigation Measures: The site assessments are commonly referred to as *Phase I and Phase II Environmental Site Assessments*, not *Phase One and Phase Two Site Assessments*.
- Page 37, under Required Mitigation Measures: Previous investigations shall be submitted as part of the Phase I and Phase II Environmental Site Assessments, but not in lieu of the Phase I and Phase II Environmental Site Assessments.
- Page 38, second line: *too* shall be changed to *to*.

If you have any questions regarding this letter, please contact the undersigned at 805-686-8146. Submit all written correspondence concerning this site to me at the Fire Prevention Division, 195 West Highway 246, Buellton, California, 93427 or via Fax at 805-686-8183.

Sincerely,

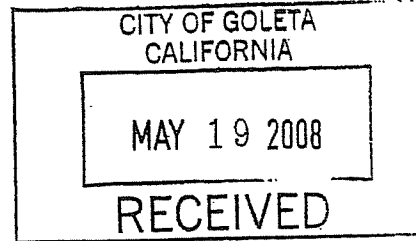
Andrea S. Murphy, MESM, REA  
Senior Hazardous Materials Specialist





**DEPARTMENT OF TRANSPORTATION**

50 HIGUERA STREET  
 SAN LUIS OBISPO, CA 93401-5415  
 PHONE (805) 549-3101  
 FAX (805) 549-3329  
 TDD (805) 549-3259  
<http://www.dot.ca.gov/dist05/>



*Flex your power!  
 Be energy efficient!*

May 15, 2008

Laura Bridley  
 Goleta Planning Department  
 130 Cremona Dr #B  
 Goleta, CA 93117

05-SB-101-24.79  
 SCH 2008041165

Subject: Rincon Palms Hotel and Restaurant Negative Declaration

Dear Ms. Bridley:

Thank you for the opportunity to review the Rincon Palms Hotel and Restaurant Negative Declaration and the associated traffic study. Caltrans offers the following comments based on review:

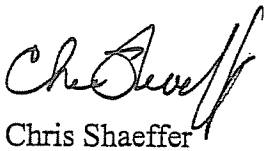
1. Trip Generation. Caltrans agrees with the conservative treatment regarding both pass-by and captured trips. The rationale is well presented.
2. Trip Distribution. The trip distribution to/from US 101 seems low. According to the Camino Real Hotel project traffic study, 30% of those trips were distributed to east US 101. That project is located further south on Storke Road. Given Rincon's proximity to US 101, it would seem that at least the same percentage, or more, would be appropriate. Caltrans recommends 35% distribution, which would access East US 101 from Storke Road and 10% (as recorded) or even 15% from the West.
  - a. Distribution along easterly Hollister Avenue, on the east side of Los Carneros Road, is presented as 26%. Zero trips are allocated to Los Carneros. Given the regional nature of this project type, this suggests that these trips will access US 101 from Fairview Road or access SR 217 directly; probably the latter, given the more direct route. A ramp intersection analysis should be conducted at the freeway access points that these trips will use. If these trips are not distributed to the regional facility easterly, we suggest that at least 50% of these trips be re-distributed to US 101 / Storke Road.
  - b. Approximately 25% of the trips appear to be distributed locally. This seems somewhat high. Please discuss why 25% of the hotel trips that are generated will be local residents on a consistent basis – unless these are particular to the restaurant.
3. The project will add more than 15 trips to the Storke Road / US 101 SB on ramp intersection. According to the stated thresholds (MND pages 61, 62), a facility or roadway component operating at LOS D with an addition of 15 or more trips, experiences a significant impact. Therefore, Table 10 (PM Peak Hour Cumulative Intersection Capacity Utilization) should reflect that this intersection in the Cumulative + Project will experience a significant project impact. By extension, this will require a discussion of mitigation.

Laura Bridley  
May 15, 2008  
Page 2

4. The cumulative project list does not include the Camino Real Hotel project on Storke Road. Does the cumulative traffic analysis include that project's traffic generation numbers?
5. Page 71 of the MND discusses right of way dedication along Hollister Ave. The GTIP anticipates widening Storke Road north of Hollister Ave, as well as widening the Storke Rd / SB US 101 on-ramp. It appears these two projects will be or should be coordinated in both time and financing. Does the City have sufficient right of way along Storke Rd to accommodate the widening from Hollister to the on-ramp?
6. For purposes of analyzing Caltrans facilities, including signalized ramp nodes, the Highway Capacity Manual (HCM2000) methodology should be used. Re-evaluation using the modified trip distribution discussed above should be accomplished with HCM.
7. With respect to GTIP implementation, Caltrans makes the observation that numerous projects have been approved in past few years and more are pending currently for which traffic fees are assessed.. Caltrans staff encourages the City to begin Preliminary Study Reports (PSR) or combined PSR / Project Reports for projects such as the Storke Road / US 101 SB on-ramp. Staff is available for early consultation to facilitate these efforts and we are interested in learning the City's anticipated schedule. Perhaps we can coordinate an inter-departmental meeting to discuss further.

Thank you for considering these comments. If you have questions please contact me at (805) 549.3632. I will be available to coordinate an inter-departmental project meeting with you.

Sincerely,



Chris Shaeffer  
D5 Development Review

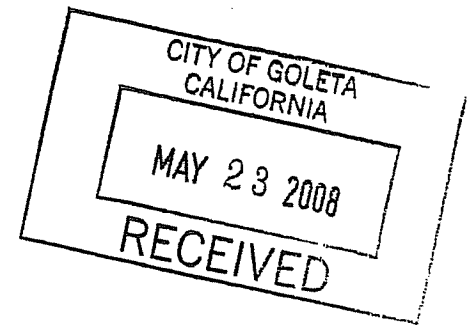
C: L Newland, D5  
C. Espino, D5  
P. McClintic, D5



**Santa Barbara County  
Air Pollution Control District**

May 22, 2008

Laura Bridley, AICP  
Contract Planner  
City of Goleta Planning & Environmental Services  
130 Cremona Drive, Suite B  
Goleta, CA 93117



**RE: Rincon Palms Hotel and Restaurant Project (07-020-GP; -OA, -RZ, -DP): Comments on the Draft MND (08-MND-001).**

Dear Laura,

The Santa Barbara County Air Pollution Control District (APCD) has reviewed the Draft Mitigated Negative Declaration for the above mentioned project. In general, we concur with the City of Goleta that this 112-room hotel project with a free-standing restaurant is not expected to have significant air quality impacts with the implementation of the listed air pollution mitigation measures.

We have the following comments on the Draft MND:

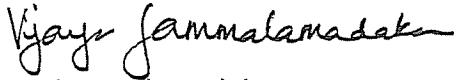
1. **Page 20, Existing Setting:** Please use the latest attainment status that is available on the APCD website. Currently, Santa Barbara County is considered in attainment of the federal eight-hour ozone standard, and in attainment of the state one-hour ozone standard. The County does not meet the state eight-hour ozone standard or the state standard for particulate matter less than ten microns in diameter (PM10); and does meet the federal PM10 standard. There is not yet enough data to determine the attainment status for either the federal standard for particulate matter less than 2.5 microns in diameter (PM2.5) or the state PM2.5 standard, although the County will likely be in attainment for the federal 2.5 standard.
2. **Page 21 and 22, regarding Carbon Monoxide:** Due to the relatively low background ambient CO levels in Santa Barbara County, localized CO impacts associated with traffic at congested intersections are not expected to exceed the CO health-related air quality standards. Therefore, CO "Hotspot" analyses are not required anymore.
3. **Page 21, Construction Impacts:** While neither the City nor the APCD have adopted thresholds of significance for emissions from construction activities, the mitigation measures listed in the MND are required, not for the reason stated in the MND (which refers to the 1993 Rate-of-Progress Plan) but for the following reasons:

- *Fugitive Dust Reduction:* In order to reduce fugitive dust standard dust control measures (as listed in the MND) are required for all discretionary projects involving earthmoving activities regardless of the project size or duration. This APCD requirement is based on the 1979 Air Quality Attainment Plan policies and because the County still does not meet the state standard for particulate matter.
  - *Construction Equipment Exhaust Emissions:* Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore during project grading and construction and hauling, construction contracts must specify that construction contractors shall adhere to the requirements listed in the MND to reduce emissions of ozone precursors and particulate emissions from diesel exhaust.
4. **Page 21, Regarding Odors from Asphalt Concrete:** We concur that application of Asphalt Concrete could create temporary and localized, objectionable odors. Please also add that APCD Rule 339, a prohibitory Rule governing the application of cutback and emulsified asphalt paving materials in the County must be followed by the contractor.
  5. In addition, the project must also comply with all **APCD Rules and Regulations**, as applicable, including obtaining required permits for any emergency diesel generators or large boilers prior to land use clearance. Prior to handling or treating contaminated soil, APCD permits shall be obtained, if required.
  6. **Global climate change** is a growing concern and a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of greenhouse gases. Therefore, we strongly recommend that this project reduce emissions of greenhouse gases from existing and new construction by incorporating green building technologies; increasing energy efficiency at least 20% beyond Title 24 requirements; encouraging the use of transit, bicycling and walking by hotel employees and residents and increased recycling.
  7. **Idling of heavy-duty diesel trucks** during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible. State law requires that drivers of diesel-fueled commercial vehicles weighing more than 10,000 pounds:
    - a. shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location
    - b. 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).

Please contact me by phone at 961-8893, or by e-mail: [VLJ@sbcapcd.org](mailto:VLJ@sbcapcd.org) if you have questions.

Sincerely,



Vijaya Jammalamadaka  
Air Quality Specialist  
Technology and Environmental Assessment Division

cc: TEA Chron File





**Laura Bridley**

---

**From:** Masseybarb@aol.com  
**Sent:** Tuesday, May 27, 2008 8:42 AM  
**To:** Laura Bridley; Patricia Miller  
**Subject:** Rincon Palms MND comments  
**Attachments:** New Rincon MND comments.doc

Laura and Patty,

Attached are my comments on the Rincon Palms Draft MND. I will drop off a signed hardcopy at City Hall.

Barbara

---

Get trade secrets for amazing burgers. [Watch "Cooking with Tyler Florence" on AOL Food.](#)



May 27, 2008

Laura Bridley  
City of Goleta  
Planning and Environmental Services  
130 Cremona Drive, Suite B  
Goleta, CA 93117

Dear Laura,

These are my comments on the Rincon Palms Hotel and Restaurant Draft Mitigated Negative Declaration.

At the back of this document it indicates that the Air Quality Analysis for this project was prepared on September 17, 2007, by Suzanne Elledge Planning and Permitting Services, Inc. This is a clear conflict of interest, since Elledge is the agent for the developers on this project. The air quality analysis must be redone by an impartial firm. The new environmental document will need to be recirculated.

It became clear during my reading of the MND that an Environmental Impact Report should have been written for the Rincon Palms project. All impacts of this project must be studied and discussed in this document. There are studies put off until after the approval of this MND. These studies should be done first with the information and required mitigation included in an EIR. Studies are not mitigation.

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There is discussion of the General Plan Amendment wanted for this project but no discussion of the General Plan consistency of this project. This should have been included.

There are additional issues with this document that are addressed in the appropriate section.

The impacts cannot be adequately assessed without all the relevant information. CEQA requirements have not been satisfied.

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## **HAZARDS & HAZARDOUS MATERIALS**

p. 36 d) It states that regular analysis of the groundwater has been suspended with RWQCB's approval. Has any groundwater monitoring been done for this document and if not, why not?

p. 37 Determination of the hazard associated with soil gas vapors on the project site should be part of this document. This section fails to adequately determine and discuss the impact of exposure to hazardous vapor and contact with contaminated soils. The existence of these must be determined and if necessary mitigated for this document to be an adequate assessment of

environmental impacts of this project. The City of Goleta, not the County Fire Department should decide these issues.

There is also no mention of radon.

The 1. Site Assessments is not adequate as it is an after the fact survey of potential problems at the site, not mitigation.

#### LAND USE & PLANNING

There is no indication that the existing grade is the finished grade. Without drawings that clearly show the finished grade, the true appearance of the buildings cannot be adequately determined. If there is an increased elevation above the existing elevation, that change will impact the appearance and view obstruction.

p. 44 I don't understand how it can be claimed that the height limit modification is acceptable due to "liberal building setback from Hollister". The hotel may be set back from Hollister but along Hollister, the restaurant encroaches into the setback. There is no real setback on the Storke side of the hotel. The towers add nothing to the appearance and exceeding the height limit cannot be justified.

p. 47 The Storke/Hollister intersection has the other buildings setback for an open, unobstructed view. This project gives the intersection a crowded, constricted appearance.

There should be two loading areas, one for the hotel and one for the restaurant. Suppliers will not park at the hotel loading area and carry supplies to the restaurant and the reverse is also true. Without the two loading areas, the suppliers will park in the driveways and block traffic. This is what happens at every other poorly designed location.

There is no reason that the restaurant should be granted a five foot encroachment into the setback. Removal of the encroaching canopy would improve the appearance of the building.

#### NOISE

A noise study should have been done for this document. The noise issues must be addressed and mitigated. An acoustical study is not mitigation, it is the study required to identify needed mitigation.

#### PUBLIC SERVICES

P. 56 The primary responding County fire station for the project should be Station 11 on Storke, not Station 14 on Los Carneros.

#### TRANSPORTATION/TRAFFIC

The addition of a northbound travel lane on Storke Road would reduce the significant impact. The lane needs to be constructed at the same time as the additional traffic generators are being developed. Until the completion of this improvement, there will be serious traffic impacts.

p. 68 The traffic impacts are not solved by paying GTIP fees. Only when the improvements are constructed is the impact mitigated. How much will the necessary CMP improvements cost? How much money is available and when will the improvements be finished?

p. 69 The shared parking spaces appear to be configured for use only by the Rincon Palms project. There does not appear to be access to these parking spaces from the R&D property. If the R&D employees have to drive into the Rincon Palms property to access these spaces, then it is not true shared parking. Shared parking should be easily accessed from both properties.

p. 70, Table 12 It would seem that the hotel would have different peak parking demand hours than the restaurant. I question the hours indicated.

p. 71 Bicycling from the nearby homes, businesses, and the University should be encouraged. I see no indication of bicycle parking or storage for the hotel or the restaurant.

There is currently a problem with vehicles and people not using the Storke Road signal but instead crossing Hollister in the middle of the block. The hotel and restaurant will encourage more people to cross Hollister. A planted center median should be installed along Hollister from Storke to Coromar for public safety and as traffic mitigation. Vehicles will need to be prohibited from making left turns across Hollister and this would improve the appearance of the Hollister corridor.

This project should not have been processed until there is a decision on the General Plan changes to the height limit and the FAR's. A project that doesn't conform to the General Plan should not be moving forward.

Thank you for this opportunity to comment on the MND.

Barbara S. Massey  
7912 Winchester Circle  
Goleta, CA 93117  
(805) 685-5968  
masseybarb@aol.com

Tuesday, May 28, 2008

Patricia Miller Planning Manager

Laura M. Bridley Project planner

Planning and Environmental Services

City of Goleta

130 Cremona Drive

Goleta, Ca 93117

Subject: Draft MND For the Rincon Palms Hotel and Restaurant Project

Good evening, first I would like to thank you all for allowing me to comment here today. My name is Frank Arredondo, I am Chumash, descending from the prehistoric village of Tipu. I am here speaking on behalf of my ancestors, the Chumash people.

My reason for commenting is to argue the merits of the Draft Mitigated Negative Declaration (MND). As well bring out the best results from cohesive planning, active collaboration and to take the CEQA process to a new stage where it is not just thought of as a check list. I hope that good faith efforts will come from all sides of the project.

The Guidelines for implementation of CEQA (Adopted by the Board of supervisors of the County of SB which the City of Goleta has adopted states :

Article VI Negative Declarations (Pg 16)

- A. Responsibility for preparation. 2. P & D shall determine whether the proposed ND is Complex or Non-complex project. The MND does not make this Claim either way.

Per the Environmental Thresholds and Guidelines manual, Chapter 8 Cultural Resources guidelines archaeological, Historical, and Ethnic elements section E. Ethnic Impacts #1. Ethnic Impact Assessment Appendix G, significant Effects of CEQA defines the need for evaluating the impacts of a project may have on a community, ethnic, or social group. In order to evaluate these potential impacts, the County requires that appropriate representatives of affected community groups be contacted to assess their concerns and view points concerning measures to mitigate these impacts.

If the affected community does not consider to mitigation measures proposed by consulting archaeologist and incorporated in the project description by the applicant, the project maybe considered to result in a significant impact and a EIR may be prepared.

There is no documentation that this effort has been done prior to or during any Initial study stage or scoping meetings or in Initial evaluation of the project.

If assessment with the appropriate community had been done, there might be changes that have substantial evidence to show a material error or incorrect conclusion in the Initial Study. As I have seen in recent projects this is a growing issue that I am very concerned about.

The P&D may offer consideration of the information submitted, the Director of the P&D shall Affirm, Reverse, or Modify the conclusions of the Initial Study and this determination is not appealable. (Pg15 Guidelines for the Implement of CEQA)

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MAY 28 2008  
City of Goleta  
Planning & Environmental Svcs.

Under the Environmental Thresholds & Guidelines manual Ethnic Impacts E. #3, Native Americans are retained during all subsurface investigations and disturbances of archaeological sites to insure compliance with appendix K section VIII. They may be involved in a Phase 1 field work investigation as well.

No where in the MND, Phase 1 or extended Phase 1 study indicate that any Native American was ever consulted with. There is no documentation that a Native American was present for any subsurface investigations. There are no documentations and this is not a sensitive issue that would prevent a listing of contacts used.

Pg 28 of the MND the width of the 9 backhoe trenches is listed as "measuring 3' wide by 2' to 3' deep and 6' to 8' long." The Extended phase 1 archaeological investigation page 4 states "measured 2feet wide, between 2 and 3 feet deep and between 6 and 8 feet long"

The inconsistency of the width is in question.

Pg 9 of the extended Phase 1 states that the ability of a site to yield information is framed in terms of data retrieval. Specifying criteria "d" as what the norm is devaluates the other criteria and should not be done.

Also on pg 9 of the same study compare remains from site to neighboring sites to determine if they can help explain patterns of behavior over a large area. But under pg 29 of the MND Cumulative Impacts section the MND fails to identify what the Cumulative impacts are, rather gives a declaration definition of what a Cumulative Impact is.

When reviewing site location in relation to Goleta Slough ( adopted from Harrison and Harrison 1966) the range of villages run along the ancient slough boundaries with CA-SBa53-54 between the project site. It is a fair argument that any project with in the Goleta Area should be treated as if there is a high probability of Impact and monitors should be retained & Native Communities be consulted with.

A statement that "the remains are not considered culturally significant" on pg 9 of Extended Phase 1 is faulty because this determination should be made by the ethnic and social community as the Environmental Thresholds & Guidelines require.

County qualified archaeologist and City certified ethnologist along with local Chumash representatives should be retained to evaluate the projects scope and Initial studies.

It is my recommendation that all currently open projects be listed and sent to Natives for consultation purposes. Every project should have a records search and documented and reviewed like this Rincon Palms project. Evaluations been done like this extended phase 1 list and as well as using the background listings found on pg 12 of that document.

If the Native Community is not consulted on matters of cultural relevance is that grounds for discrimination?

In previous hearings it was said that when it comes to a Mitigated Negative Declaration, the commission and the community are required to have faith in the staff that all the work has been done and that the Impacts have been mitigated to a level of less significance. Policies and Guidelines have been created to assist P&D to achieve theses goals. But if P&D does not follow the guidelines as they should are we truly doing our best?

My review was only a short review of the material, and only of the cultural resource section of the MND. I am unsure of the whole of the document if I have found theses issues with this small section alone.



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**FAX**

To Laura Bradley From James Weighill

Company City of Goleta CA. Phone number \_\_\_\_\_

Fax number (805) 966 7256 (or) 685-2635 Fax number \_\_\_\_\_

Date 5/28/2008 Total pages 3

Job number Rincon Palms Hotel and Restaurant  
07-020-GP; -OA; -R; DP  
08-MND-001

Message: Please accep this public comment letter  
for The Rincon Palms Hotel Project  
Thank you.  
James weighill, Vice Chair, Coastal Band of the Church  
Nation

Date: May 28, 2008

To: Laura Bridley, City of Goleta, Planning Consultant

RE: Public Comment Rincon Palms Hotel and Restaurant Project  
Case Nos. 07-020=GP; -OA; -RZ; -DP 08-MND-001

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Thank you for the opportunity to address the issue at hand, we hope to positively address environmental issues within the draft Mitigated Negative declaration (DMND) prepared for the Rincon Palms Hotel and Restaurant Project.

Of specific concern are the areas pertaining to Native American Chumash culturally affiliated resources which in one instance they are referred to as "archaeological artifacts" (pg.29) we think this desensitizes and or removes our connection to them. The wording needs to remain consistent throughout the document when referring to cultural resources, we do not think this was intentional but would like to bring it to your attention. We understand that the proposed project footprint is located adjacent to and in the vicinity of known previously recorded Native American Chumash culturally affiliated sites referred to in the (DMND) (pg.28) as archaeological sites CA-SBA-52, CA-SBA-53, CA-SBA-54, and CA-SBA-142.

Phase 1 archaeological investigations in 2006 did note the recovery of 16 shellfish fragments dispersed evenly throughout the project site, in a report prepared by WPA. Extended Phase 1 excavations in early 2007 by Science Applications International Corporation in which nine (9) backhoe trenches were excavated measuring 6 to 8 feet long by 3 foot in width and 2 to 3 feet in depth which did recover limited prehistoric Cultural materials consisting of shellfish fragments.

It has been through my experience in dealing with cultural resources over the last 27 years that given the location of the project footprint in proximity to the previously mentioned recorded archaeological sites tell me that the area is an extended habitation footprint by prehistoric Chumash daily activity. During the time period since occupation stopped there have been many weather related events which have altered the original state of the project footprint ground surface. Storms may have deposited large deposits of flood related soils on top of cultural resources creating deep subsurface deposits of cultural resources. We know that such a storm occurred in 1860 or 1861 in which a flood deposited 4 to 5 meters of sediment in areas of Goleta, such an instance would cause the subsurface excavations to interpret the impact of a sterile soil mistakenly.

In the "Thresholds of Significance" section of the (DMND) pg.29 addresses what a significant impact on cultural resources would be if it occurred. The cities adopted thresholds indicate that a project would result in a significant impact on a cultural resource if it results in the physical demolition, destruction, relocation or alteration of the resource or its immediate surroundings such that the significance of such a resource would be materially impaired. This area is the old Goleta Slough and part of the Mescalito Island occupation site daily activity area and one which we consider a sensitive area and cultural place.

**Sensitive Areas Sacred and Cultural Places:** The cultural footprints of Chumash people whether prehistoric or historic represent a traditional cultural landscape and is a district, consisting of the places used and inhabited by a traditional culture. A traditional cultural landscape defined as a district could include a village site, related milling features, stone quarries and lithic tool process areas, ceremonial locations and landmarks, and temporary or seasonal camps. Together, these represent a traditional cultural landscape, a sacred district. If an area has multiple sites within a short distance of each other, the land between the sites should be also considered sensitive, a village district.

In the "Required Mitigation Measures" 1. Construction Monitoring:

In the event "archaeological artifacts" are encountered during grading or ground breaking activities, work shall be stopped immediately or redirected until a City approved archaeologist and Native American representative are retained by the applicant (at his cost) to evaluate the significance of the find pursuant to Phase 2 investigations. If remains are found to be significant they shall be subject to phase 3 Mitigation funded by the applicant.

Note: the cultural resource items of prehistoric Chumash is stated above to be an "archaeological artifact"

In the event Chumash cultural resources are encountered during grading or ground breaking activities is addressing the issue after the fact that disturbance has occurred. Who on the project site is an expert in the field of Native American Chumash culturally affiliated ancestral footprints. Certainly not an archaeologist or any one else outside of the field of the Native American culturally affiliated Chumash representative. I would not be comfortable with that being the standard and would like to be insured that preventive Mitigation Measures are incorporated into the (DNMD) to insure on site presence of a Native American Chumash representative monitoring staff to make the determination of cultural significance. Along with an archaeologist to record data of any subsurface Chumash Artifacts are encountered during any and all grading or ground breaking activities of the proposed project referenced in the draft Mitigated Negative Declaration for the Rincon Palms Hotel and Restaurant.

Thank you very much for the opportunity to provide comments.

Sincerely

James Weighill, Vice Chair, Coastal Band of the Chumash Nation.



May 27, 2008



Laura Bridley  
City of Goleta  
Planning and Environmental Services  
130 Cremona Drive, Suite B  
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p. 36 d) It states that regular analysis of the groundwater has been suspended with RWQCB's approval. Has any groundwater monitoring been done for this document and if not, why not?

p. 37 Determination of the hazard associated with soil gas vapors on the project site should be part of this document. This section fails to adequately determine and discuss the impact of exposure to hazardous vapor and contact with contaminated soils. The City of Goleta, not the County Fire Department should decide these issues.

The existence of these must be determined and if necessary mitigated for this document to be an adequate assessment of environmental impacts of this project.

There is also no mention of radon.

The 1. Site Assessments is not adequate as it is an after the fact survey of potential problems at the site, not mitigation.

## **LAND USE & PLANNING**

There is no indication that the existing grade is the finished grade. Without drawings that clearly show the finished grade, the true appearance of the buildings cannot be adequately determined. If there is an increased elevation above the existing elevation, that change will impact the appearance and view obstruction.

p. 44 I don't understand how it can be claimed that the height limit modification is acceptable due to "liberal building setback from Hollister". The hotel may be set back from Hollister but there no real setback on the Storke side of the hotel. Along Hollister, the restaurant encroaches into the setback. The towers add nothing to the appearance and exceeding the height limit cannot be justified.

p. 47 The Storke/Hollister intersection has the other buildings setback for an open, unobstructed view. This project gives the intersection a crowded, constricted appearance.

There should be two loading areas, one for the hotel and one for the restaurant. Suppliers will not park at the hotel loading area and carry supplies to the restaurant and the reverse is also true. Without the two loading areas, the suppliers will park in the driveways and block traffic. This is what happens at every other poorly designed location.

There is no reason that the restaurant should be granted a five foot encroachment into the setback. Removal of the encroaching canopy would improve the appearance of the building.

## **NOISE**

A noise study should have been done for this document. The noise issues must be addressed and mitigated. An acoustical study is not mitigation, it is the study required to identify needed mitigation.

## **PUBLIC SERVICES**

P. 56 The primary responding County fire station for the project should be Station 11 on Storke, not Station 14 on Los Carneros.

## **TRANSPORTATION/TRAFFIC**

The addition of a northbound travel lane on Storke Road would reduce the significant impact. The lane needs to be constructed at the same time as the additional traffic generators are being developed. Until the completion of this improvement there will be serious traffic impacts.

p. 68 The traffic impacts are not solved by paying GTIP fees. Only when the improvements are constructed is the impact mitigated. How much will the necessary CMP improvements cost? How much money is available and when will the improvements be finished?

p. 69 The shared parking spaces appear to be configured for use only by the Rincon Palms project. There does not appear to be access to these parking spaces from the R&D property. If the R&D employees have to drive into the Rincon Palms property to access these spaces, then it is not true shared parking. Shared parking should be easily accessed from both properties.

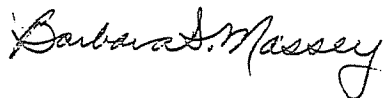
p. 70, Table 12 It would seem that the hotel would have different peak parking demand hours than the restaurant. I question the hours indicated.

p. 71 Bicycling from the nearby homes, businesses, and the University should be encouraged. I see no indication of bicycle parking or storage for the hotel or the restaurant.

There is currently a problem with vehicles and people not using the Storke Road signal but instead crossing Hollister in the middle of the block. The hotel and restaurant will encourage more people to cross Hollister. A planted center median should be installed along Hollister from Storke to Coromar for public safety and as traffic mitigation. Vehicles will need to be prohibited from making left turns across Hollister and this would improve the appearance of the Hollister corridor.

This project should not have been processed until there is a decision on the General Plan changes to the height limit and the FAR's. A project that doesn't conform to the General Plan should not be moving forward.

Thank you for this opportunity to comment on the MND.



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ATTACHMENT 7  
GENERAL PLAN CONSISTENCY ANALYSIS



**RINCON PALMS  
GENERAL PLAN CONSISTENCY ANALYSIS  
07-020-OA, -RZ, -DP**

***Land Use Element***

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

Consistent. This policy is intended to ensure that new development is compatible with the surrounding neighborhood. The bulk, mass, and scale of the project would fit with the surrounding business park and office developments along Cortona as well as the Hollister Avenue corridor. The height of the hotel tower elements in excess of 35' would be consistent with the findings of good cause made per Policy LU 4.3 below. The project would also provide a compatible commercial land use in relation to the Camino Real Marketplace and Kmart Shopping Center. While the project would result in some viewshed interruption from Hollister Avenue, such aesthetic impacts would be addressed through further design review and refinement by DRB. Therefore, the proposed project would be consistent with this policy.

***Policy LU 1.9 Quality Design in the Built Environment. [GP/CP]*** The City shall encourage quality site, architectural, and landscape design in all new development proposals. Development proposals shall include coordinated site planning, circulation, and design. Public and/or common open spaces with quality visual environments shall be included to create attractive community gathering areas with a sense of place and scale

Consistent. The design of the project includes architecturally innovative features and landscaping deemed appropriate by the DRB. Sidewalks along the project frontages on Hollister Avenue and Cortona Drive, and attractive landscaping along all three site frontages would provide quality development on this visible corner of the City. Therefore, as conditioned to provide quality design and certain improvements, the proposed project would be consistent with this policy.

***LU 1.13 Adequate Infrastructure and Services. [GP/CP]*** For health, safety, and general welfare reasons, approvals of new development shall be subject to a finding that adequate infrastructure and services will be available to serve the proposed development in accordance with the Public Facilities and Transportation Elements.

Consistent. The contribution of project traffic would result in a significant impact on the roadway segment of Storke Road north of Hollister Avenue (project-specific and cumulative impact) and the intersections of Hollister Avenue/Cortona Drive and Hollister Avenue/Storke Road (cumulative impact).

The project would be responsible for an additional lane on Storke Road north of Hollister Avenue as well as the installation of a traffic signal at the Hollister Avenue/Coromar Drive intersection. This would occur through actual construction of improvements (and re-imburement of costs above the project's fair share), posting of a bond, and/or contribution of a fair share payment toward these improvements, depending on timing.

Payment of Goleta Transportation Impact Fees to help fund improvements at Hollister Avenue/Storke Road would also be made by the project. The applicant would also improve the Cortona Drive/Hollister Avenue intersection to provide separate southbound left-turn and right-turn lanes as well as provide frontage improvements along Hollister Avenue and Cortona Drive. All other utility service providers have provided letters indicating that such services are available for the development. Therefore, the proposed project as conditioned would be consistent with this policy.

**LU 4.3 Office and Institutional I-OI. [GP]** *This designation is intended to provide areas for existing and future office-based uses. Uses allowed include moderate-density business and professional offices, medical and medical-related uses, hospitals, research and development, services oriented primarily to employees such as day care centers, restaurants, personal and professional services, and public and quasi-public uses. In addition, lands designated with a Hotel Overlay may include transient lodging and related uses. Mixed-use developments with residential uses on the same site may be permitted at appropriate locations where the residential uses are compatible with adjacent uses and do not break up the continuity of office and institutional uses.*

*The Office and Institutional use category includes lands intended to support the needs of the Goleta Valley Cottage Hospital and related medical services. These lands, which are in the vicinity of Hollister Avenue and Patterson Avenue, are designated within a Hospital Overlay on the land use plan map Figure 2-1. The following shall apply solely to lands within the Hospital Overlay:*

- a. *The maximum recommended FAR set forth in Table 2-3 is increased from 0.4 to 0.8 for hospital buildings and to 0.5 for medical office buildings. The portions of garage structures devoted to vehicular parking and circulation shall not be included in the calculation of the FAR.*
- b. *The maximum recommended structure height set forth in Table 2-3 is increased from 35 feet to 55 feet for hospital buildings and to 45 feet for medical office buildings, provided however that no building shall exceed 3 stories in height. The heights of hospital and medical office buildings shall be the minimum height necessary to comply with applicable state hospital construction standards and/or technical requirements.*
- c. *The maximum recommended lot coverage ratio set forth in Table 2-3 is increased from 0.4 to 0.6 for hospitals and to 0.5 for medical office buildings.*

**LAND USE ELEMENT, TABLE 2-3:**

**TABLE 2-3  
ALLOWABLE USES AND STANDARDS FOR OFFICE AND  
INDUSTRIAL USE CATEGORIES**

Allowed Uses and Standards	Office and Industrial Use Categories			
	I-BP	I-OI	I-S	I-G
<b>Industrial (Manufacturing)</b>				
General Manufacturing – No Noxious Impacts	X	–	X	X
General Manufacturing – Potential Noxious Impacts	–	–	–	X
Research and Development	X	X	–	X
Scientific and Similar Instruments	X	X	–	X
Bio-Medical Technology	X	X	–	X
Other Advanced Technology	X	X	–	X
<b>Transportation and Utilities</b>				
Transportation (other than right-of-way)	–	–	X	X
Wireless Communications/Telecommunications	X	X	X	X
Utilities	X	X	–	–
<b>Retail Trade</b>				
Building/Landscape Materials and Equipment	–	X	–	X
Eating and Drinking Establishments	X	X	–	–
Other Retail Trade Establishments	X	X	–	–
<b>Services (Including Offices)</b>				
Finance, Insurance, and Real Estate	X	X	–	–
Personal Services	X	X	–	–
Business Services	X	X	–	–
Information Technology Services	X	X	–	–
Professional Services	–	X	–	–
Medical and Health-Related Services	–	X	–	–
Educational Services	–	X	–	–
Entertainment and Recreation Services	–	X	–	–
Building and Construction Services	–	–	X	X
Other Services	–	–	X	X
<b>Auto-Related Uses</b>				
Automotive Sales and Rentals	–	–	X	X
Auto Repair and Painting	–	–	X	X
Auto Wrecking Yard/Junk Yard	–	–	X	X
Auto Service (Gas) Station	–	–	–	X
<b>Wholesale Trade and Storage</b>				
General Wholesale Trade	–	–	X	X
Warehousing – General	X *	–	X	X
Warehousing – Self-Storage	–	–	X	X
Outdoor Storage	–	–	X	X
<b>Residential Uses</b>				
Residential Units	–	X	–	–
One Caretaker Unit Per Parcel	X	X	X	X
Assisted-Living Residential Units	–	X	–	–
<b>Other Uses</b>				
Public and Quasi-public Uses	X	X	X	X
Religious Institutions	–	X	–	–
<b>Standards for Density and Building Intensity</b>				
<i>Recommended Standards for Density</i>				
Maximum Residential Density	N/A	20units/acre	N/A	N/A
<i>Recommended Standards for Building Intensity</i>				
Maximum FAR	0.40	0.40	0.60	0.30
Maximum FAR for Hotels (with Hotel Overlay)	0.50	0.50	N/A	N/A
Maximum Structure Heights	35 feet	35 feet	35 feet	35 feet

Allowed Uses and Standards	Office and Industrial Use Categories			
	I-BP	I-OI	I-S	I-G
Maximum Lot Coverage Ratio	0.35	0.40	N/A	N/A
Minimum Open Space/Landscaping Ratio	0.30	0.10	0.10	0.10
Minimum Lot Size	N/A	N/A	N/A	N/A

Notes:

1. Use Categories: I-BP – Business Park; I-OI – Office and Institutional; I-S – Service Industrial; I-G – General Industrial.
2. X indicates use is allowed in the use category; - indicates use not allowed.
3. General Note: Some uses requiring approval of a conditional use permit are set forth in text policies, and others are specified in the zoning code.
4. The standards for building intensity recommended by this General Plan pursuant to Government Code Section 65302(a) may be revised by a Resolution of the decision-making body of the City for specific projects based upon a finding of good cause.
5. N/A = Not applicable.

\* Warehousing is allowed on parcels designated Business Park (I-BP) if it's in association with a permitted use.

Consistent (Policy LU 4.3 and Table 2-3). The subject property (designated Office and Institutional in the City's Land Use Element) has a hotel overlay, which would allow for hotel and restaurant functions at the project site. These commercial uses would serve the needs of the surrounding business park uses and transition from the light industrial uses along Cortona Drive and north of Hollister to the commercial development at the K Mart Center and Camino Real Marketplace regional shopping center. The project would provide one driveway from Hollister Avenue and one from Cortona Drive, and no direct access to Storke Road.

The project FAR and the project height would meet the recommended standards outlined in this policy and Table 2-3, with the exception of two architectural projections of 50 feet each. However, these towers are reasonable and consistent with the proposed base zone district of PI, which allows for architectural projections to exceed the 35 foot height limit. A portion of the height also services to provide elevator access to the hotel roof deck. For such exceptions to be granted, a good cause finding must be made, per the GP/CLUP Glossary, if the exception is:

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

This good cause finding can be made based on:

- a. The supportive comments received for the architectural projections from the City DRB during its conceptual review,
- b. A portion of the height of the towers serves to screen proposed elevator shafts which would otherwise be unattractive on the project roof deck,
- c. The elevators provide accessibility to all floors of the hotel, consistent with Americans with Disability Act and building code requirements, and
- d. Because they are not continuous, they do not create a uniform adverse impact to the community character, aesthetics, or public views.

Based on this finding and required conditions, the proposed project would be consistent with this policy.

## **Open Space Element**

**OS 8.3 Preservation. [GP/CP]** *The City shall protect and preserve cultural resources from destruction. The preferred method for preserving a recorded archeological site shall be by preservation in place to maintain the relationship between the artifacts and the archaeological context. Preservation in place may be accomplished by deed restriction as a permanent conservation easement, avoidance through site planning and design, or incorporation of sites into other open spaces to prevent any future development or use that might otherwise adversely impact these resources.*

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

**OS 8.5 Mitigation. [GP/CP]** *If research and surface reconnaissance shows that the project area contains a resource of cultural significance that would be adversely impacted by proposed development and avoidance is infeasible, mitigation measures sensitive to the cultural beliefs of the affected population shall be required. Reasonable efforts to leave these resources in an undisturbed state through capping or covering resources with a soil layer prior to development shall be required. If data recovery through excavation is the only feasible mitigation, the City shall confer with the affected Native American nation or most-likely descendants, as well as agencies charged with the responsibility of preserving these resources and organizations having a professional or cultural interest, prior to the removal and disposition of any artifacts.*

Consistent (Policies OS 8.3 – 8.5). A Phase I archaeological resources evaluation was prepared for this site in 2006 by WPA. This study defined the presence of 16 shellfish fragments dispersed evenly throughout the site. An Extended Phase 1 investigation including nine backhoe trenches, was completed in 2007 by SAIC. This effort also recovered very little cultural material, consisting mostly of shellfish fragments, and noted that the color and texture of the soils is not consistent with the native soil profile. The SAIC report and the Final MND conclude that the project's contribution to impacts on cultural resources is less than significant due to the lack of prehistoric deposits. Therefore, the proposed project would be consistent with these policies.

**OS 8.6 Monitoring and Discovery. [GP/CP]** *On-site monitoring by a qualified archaeologist and appropriate Native American observer shall be required for all grading, excavation, and site preparation that involves earth moving operations*

*on sites identified as archaeologically sensitive. If cultural resources of potential importance are uncovered during construction, the following shall occur:*

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

Consistent. As noted above, the proposed project site did not contain significant resources as determined by two archaeological investigations. Therefore, construction monitoring would not be required. Therefore, the proposed project would be consistent with this policy.

## **Conservation Element**

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

- d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.*
- j. In areas that are not adjacent to ESHAs, where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations.*

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

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



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

- a. Retention and detention basins;
- b. Vegetated swales;
- c. Infiltration galleries or injection wells;
- d. Use of permeable paving materials;
- e. Mechanical devices such as oil-water separators and filters;
- f. Revegetation of graded or disturbed areas.
- g. Other measures that are promoted by the Central Coast Regional Water Quality Control Board and those described in the BMP report of the Bay Area Association of Stormwater Management Agencies.

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

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

Consistent (Policies CE 1.9, 10.2, 10.3 and 10.6). Project design (MAC Design, July 2008) includes numerous storm water BMPs into the site design including but not limited to porous concrete in parking areas, pavers, bio swales/detention basins. Through the use of these measures, the City's water quality standards will be met during construction and ensure that post-development runoff will closely match pre-development runoff. Therefore, the proposed project would be consistent with these policies.

## **Safety Element**

**SE 1.3 Site-Specific Hazards Studies [GP/CP]** Applications for new development shall consider exposure of the new development to coastal and other hazards. Where appropriate, an application for new development shall include a geologic/soils/geotechnical study and any other studies that identify geologic hazards affecting the proposed project site and any necessary

*mitigation measures. The study report shall contain a statement certifying that the project site is suitable for the proposed development and that the development will be safe from geologic hazards. The report shall be prepared and signed by a licensed certified engineering geologist or geotechnical engineer and shall be subject to review and acceptance by the City.*

**SE 4.3 Geotechnical and Geologic Studies Required. [GP/CP]** *Where appropriate, the City shall require applications for planning entitlements for new or expanded development to address potential geologic and seismic hazards through the preparation of geotechnical and geologic reports for City review and acceptance.*

**SE 4.4 Setback from Faults. [GP/CP]** *New development shall not be located closer than 50 feet to any active or potentially active fault line to reduce potential damage from surface rupture. Nonstructural development may be allowed in such areas, depending on how such nonstructural development would withstand or respond to fault rupture or other seismic damage.*

Consistent (Policies SE 1.3, 4.3, 4.4). The project site is located in Seismic Zone 4 and is nearly level with a slope of less than 1% across the property. A preliminary foundation investigation (Pacific Materials Laboratory) and geologic hazards evaluation (Campbell Geo, Inc., January 2007) have been performed for the proposed project. These conditions indicate a medium potential for expansion, low liquefaction potential due to the groundwater being located 30 feet below the surface, slight surface settlement potential and susceptibility to ground shaking due to earthquake. With proper foundation design, the proposed hotel structure can be properly supported and minimize risk to property. Therefore, the proposed project would be consistent with these policies.

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

Consistent. This policy is intended to ensure adequate fire protection infrastructure is incorporated into the design of new development. The project plans were revised in early 2008 to incorporate Fire Department requirements for access, emergency access, fire hydrants, and fire hydrant pressure. These plans were reviewed and approved by the Santa Barbara County Fire Department in March 2008. Therefore, the proposed project would be consistent with this policy.

**SE 9.2 Height Restrictions. [GP]** *The City shall ensure that the heights of proposed buildings, other structures, and landscaping conform to airport operational requirements to minimize the risk of aircraft accidents. The City shall*

*establish and maintain standards in its zoning ordinance for building and structure height restrictions for development in proximity to the Santa Barbara Municipal Airport. To ensure compliance with height restrictions, proposed development or uses that require Airport Land Use Commission (ALUC) review pursuant to the Airport Land Use Plan shall be referred to the ALUC for review.*

**SE 9.3** *Limitations on Development and Uses. [GP] The City shall establish and maintain standards in its zoning ordinance for use restrictions for development near the Santa Barbara Municipal Airport. These standards should identify uses that may be compatible in each zone. Proposed development or uses that require Airport Land Use Commission (ALUC) review pursuant to the Airport Land Use Plan shall be referred to the ALUC for review.*

Consistent (Policies SE 9.2 and 9.3). The project site is immediately adjacent, but outside, the Clear and Approach Zones to the Airport, as shown in the MND, Figure 13. Therefore, the building height proposed with the Development Plan, including the hotel towers up to 50' from the proposed grade to the top of the roof ridge line, would be consistent with Policy SE 9.2. Additionally, the proposed project is not subject to ALUC review, and would also be consistent with Policy SE 9.3.

**SE 10.6** *Responsibility for Cleanup by Responsible Party. [GP] No new development or substantial redevelopment shall be permitted on land determined to contain actionable contamination until the party responsible for such contamination has been identified and has accepted financial responsibility for any required remediation. The posting of a bond or other appropriate surety in an amount and form acceptable to the City shall be required as a condition of development approval. In appropriate circumstances, the City may assist in attempting to obtain outside grants or other resources to address contamination issues and help fund remediation.*

Consistent. As confirmed by the Santa Barbara County Fire Prevention Division, the landowner is currently considered the responsible party for monitoring soils and groundwater remediation of the site. This effort will continue to be monitored per the County Fire Prevention Division letter of March 2008, which also calls for installation of a soil vapor barrier and protections to workers during construction. The monitoring reports have indicated a lowering trend of pollutant concentrations for several years. Therefore, with these conditions, the proposed project would be consistent with this policy.

## ***Visual and Historic Resources Element***

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

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

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

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

Consistent (Policies VH 1.1 and 1.4). These policies are intended to protect the City's scenic resources as defined in Policy VH 1.1 of the General Plan, public views of the mountains and foothills, public views of open space, and natural landforms. The project could interrupt intermittent mountain views from Hollister Avenue for the majority of the project site, but would generally be in line with the profile of the existing light industrial buildings immediately north of the site. Additionally, the restaurant structure would be tucked into one corner of the site, not interrupting viewsheds to the mountains. In its conceptual review of the project, the DRB supported the height extension for the towers for the project, as well as the overall project design and site plan. Therefore, with implementation of further DRB review and related conditions of approval requiring a surveyed building height, the proposed project would be consistent with these policies.

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

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

Consistent. This policy is intended to ensure that new development adjacent to designated scenic corridors does not obstruct or degrade public views of scenic resources as seen from these view corridors. The project will continue DRB review prior to land use permits, and further refine its design and presence on the property. Although the project site is directly visible from Hollister Avenue, a scenic corridor in

the General Plan, it would not block a continuous view from Hollister Avenue as this area is already developed with lower structures over which mountain views remain. Therefore, the proposed project would be consistent with this policy with conditions of approval.

**VH 3.1 Community Design Character [GP]** *The visual character of Goleta is derived from the natural landscape and the built environment. The City's agricultural heritage, open spaces, views of natural features, established low-density residential neighborhoods, and small-scale development with few visually prominent buildings contribute to this character. Residential, commercial, and industrial development should acknowledge and respect the desired aspects of Goleta's visual character and make a positive contribution to the city through exemplary design.*

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

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

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

Consistent (Policy 3.1 through 3.4). The intent of these policies is to ensure that new development is designed in a manner to be consistent with the City's visual character provided through views of open spaces, natural features, low density neighborhoods, and few prominent buildings and structures. The Rincon Palms project is located in a neighborhood of business park uses and retail centers along the Hollister Corridor. The project would add some variety and presence to this section of Hollister Avenue with the building height and architectural style. Along with generous landscaping proposed and canopy trees, these design features would make the project consistent with these policies, as conditioned.

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

Consistent. This policy is intended to promote pedestrian friendly design for aesthetic reasons purposes. The project includes improved pedestrian paths and accessible ramps along the project frontages on Cortona Drive and Hollister Avenue, as well as aesthetically connected walkways within the project site. Therefore, the proposed project would be consistent with this policy subject to required conditions.

**VH 4.7 Office Buildings, Business Parks, Institutional, and Public/Quasi-Public Uses. [GP]** *The following standards shall be applicable to office and business park development and institutional and public/quasi-public uses:*

- a. *Buildings and structures shall be designed to be compatible with adjacent development relative to size, bulk, and scale.*
- b. *Street elevations of buildings and structures should enhance the streetscape and should be pedestrian friendly. To create diversity and avoid monotonous façades, varied building setbacks should be provided and be proportionate to the scale of the building.*
- c. *Plazas, courtyards, and landscaped open space should be provided to create a campus-like setting and encourage pedestrian access.*
- d. *Parking lots should not be the dominant visual element and shall be located behind or beside buildings, where appropriate. Where buildings do not screen parking lots, landscaping, berms, and/or low walls shall be used to screen cars from adjacent roadways and other developments.*
- e. *Architectural elements such as arcades are encouraged to identify the main entrance and reinforce the pedestrian scale.*
- f. *Bicycle access shall be provided and encouraged via bike lanes. Sufficient, secure, and protected bicycle parking shall be provided.*
- g. *Public transit shall be encouraged through effective placement of stops for local and regional transit services. Existing stops shall be upgraded as appropriate.*
- h. *Loading areas and recycling and trash facilities shall be easily accessed and screened from view with landscaping and/or fencing or walls. Adjacent uses shall be considered when such areas are sited.*
- i. *Roof mounted equipment shall be screened and considered as part of the structure for height calculations.*

Consistent. The Rincon Palms Restaurant and Hotel would provide a transitional commercial use from the light industrial buildings north of Hollister to the retail activity at the Fairview Center and Camino Real. Site design details including decorative pavers, a landscaped trellis, bicycle parking, and a new bus pocket along Hollister Avenue would add to the proposed project's consistency with this policy.

**VH 4.9 Landscape Design [GP]** *Landscaping shall be considered and designed as an integral part of development, not relegated to remaining portions of a site*

*following placement of buildings, parking, or vehicular access. Landscaping shall conform to the following standards:*

- a. Landscaping that conforms to the natural topography and protects existing specimen trees is encouraged.*
- b. Any specimen trees removed shall be replaced with a similar size tree or with a tree deemed appropriate by the City.*
- c. Landscaping shall emphasize the use of native and drought-tolerant vegetation and should include a range and density of plantings including trees, shrubs, groundcover, and vines of various heights and species.*
- d. The use of invasive plants shall be prohibited.*
- e. Landscaping shall be incorporated into the design to soften building masses, reinforce pedestrian scale, and provide screening along public streets and off-street parking areas.*

Consistent. These policies establish architectural guidelines for project design and landscaping. The proposed project includes entryway and street trees, a landscaped trellis, a drought tolerant plant palette and extensive pervious paving solutions. The existing signature Washingtonian palms would be preserved and included/relocated within the proposed landscape plan. Existing olive trees along the northern property boundary would need to be removed in order to provide for access. Approximately 17 - 18 replacement trees would be provided. As conditioned, the project would be consistent with these policies.

***VH 4.10 Streetscape and Frontage Design. [GP]*** *A unified streetscape shall be created to improve the interface between pedestrians and vehicles. The following design elements shall be incorporated where feasible:*

- a. Abundant street trees and landscaped medians.*
- b. Landscaping that buffers pedestrians and bicyclists from traffic without creating site distance conflicts.*
- c. Coordination of landscaping within the public right-of-way and adjacent development to provide an integrated street frontage.*
- d. Provision of street furniture including benches, planter seating, trash containers, and pedestrian scale light fixtures.*
- e. Use of pavement treatments and decorative tree wells.*
- f. Accent planting, textured paving, and specimen trees used to establish identities at building entries.*
- g. Traffic control and utility hardware such as backflow devices, traffic control cabinets, cable television boxes, and air vacuum and release enclosures shall be screened from view and colored to blend in with the surroundings. Such hardware should be placed outside sidewalks and away from intersections to the extent feasible.*



Consistent. The project design includes the introduction of pedestrian amenities with walkways and landscaping along the project frontage which continue through the use of decorative pavers and plantings into the project site. Along with the provision of new sidewalks, these amenities will enhance the pedestrian experience along the hotel project frontage. Conditions of approval also require screening of utility hardware to maintain an attractive street frontage. Therefore, with implementation of conditions of approval, the proposed project would be consistent with this policy.

**VH 4.11 Parking Lots. [GP]** *Parking lots shall be adequately designed and landscaped. The following standards shall apply (see related Policy TE 9):*

- a. Adequate parking requirements shall be established for all zone districts and conditionally permitted uses.*
- b. Adequate parking space dimensions and aisle widths shall be established.*
- c. Angled parking spaces are encouraged in order to maximize visibility for drivers and pedestrians. Retail parking lot design that includes 90-degree parking spaces is discouraged.*
- d. Pedestrian circulation shall be adequate, clearly delineated, and integrated with internal vehicle circulation to allow for safe and convenient pedestrian links from parking areas to building entrances. Planting strips should be used between traffic zones and sidewalks wherever possible.*
- e. Retail parking lots shall provide for adequate shopping cart storage that is adequately screened.*
- f. Parking lot landscaping shall provide for adequate visual relief, screening, and shade. Adequate tree density shall be established and shall include approximately one tree for every four parking spaces. Deciduous trees in parking lots are discouraged due to the visual effects of loss of canopy.*
- g. Parking lot lighting shall be considered relative to the selection and location of parking lot trees and their height at maturity.*
- h. Shared parking arrangements are encouraged where neighboring uses have different peak use periods.*
- i. Permeable parking surfaces and grass-incorporated paving systems are encouraged to reduce stormwater runoff. Water quality protection measures such as storm drain filters should be used to minimize pollutants that would result in impacts to downstream water bodies or habitat.*

Consistent. The proposed project would provide sufficient parking for both the hotel and restaurant uses. Parking regulations would require the provision of 152 parking spaces. A total of 189 spaces would be made available as follows:

onsite	=	105 spaces
onsite (garage)	=	55 spaces
offsite	=	17 spaces (new spaces; exclusive use for hotel)
offsite	=	12 spaces (existing spaces; conjunctive use)
<b>TOTAL</b>	<b>=</b>	<b>189 spaces</b>

The project includes pedestrian amenities with walkways and landscaping along the project frontage which continue through the use of decorative pavers and plantings into the project site. The project plans also include extensive use of bioswales and pervious surfacing to reduce stormwater runoff. Therefore, with the conditions of approval, the proposed project would be consistent with this policy.

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

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

Consistent. The proposed project would continue to be reviewed by DRB for provision of appropriate lighting standards, fixtures, and styles to minimize night sky lighting and maintain consistency with the surrounding area. Therefore, with conditions of approval, the proposed project would be consistent with this policy.

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

Consistent. This policy requires all utilities serving new development to be undergrounded. Conditions of approval for the project require all new utility service connections to proposed Parcel 2, as well as all utility connections along Hollister Avenue, to be undergrounded. Therefore, the proposed project would be consistent with these policies as conditioned.

## **Transportation Element**

**TE 3.3 Major Arterials. [GP/CP]** Roads designated as major arterials are shown in Figure 7-2. The following criteria and standards shall apply to roads designated as major arterials:

- a. Definition/Function. Major arterials are continuous routes that carry through traffic between various neighborhoods and communities, frequently providing access to major traffic generators such as shopping areas, employment centers, recreational areas, higher-density residential areas, and places of assembly. Driveway access, especially for residential uses, to a major arterial is generally discouraged or kept to a minimum in order to facilitate traffic flows.
- b. Access to Abutting Properties. Although established patterns of development in Goleta have created driveways along most arterial segments, access to abutting properties shall be managed to maximize safety and functionality for through traffic, including but not limited to the following characteristics:
  - 1) Driveways shall have sufficient width to minimize conflicts between through traffic and turning movements.
  - 2) Driveways shall adhere to safe sight-distance requirements to the extent feasible.
  - 3) New development abutting major and minor arterials shall accommodate safe ingress and egress without necessitating backing movements into the arterial.
  - 4) Where feasible, sharing driveways with adjoining properties is encouraged, with provision of reciprocal access easements.

Where street standards cannot be fully met and access from the arterial must be approved due to the absence of any other feasible and practicable alternative, development intensity may be reduced on the site to lessen or avoid potential traffic safety hazards and vehicular conflicts.

- c. Design Standards. The following standards shall apply:
  - 1) A principal or major arterial may be a divided or an undivided multi-lane road, with or without center median.
  - 2) The maximum number of through-travel lanes shall be two lanes in each direction except for street segments between US-101 and Hollister Avenue, where the maximum number of lanes shall be three lanes in each direction.
  - 3) Lane widths and intersection geometrics shall be adequate to accommodate transit vehicles and large trucks.

- 4) *Intersections of arterials with cross-routes are provided at grade, although partial control of access may occur at some locations. Intersection controls shall give priority to traffic flow on the arterial rather than the cross-route.*
- 5) *Major arterials shall include facilities to accommodate pedestrians and bicycles.*
- 6) *At a minimum, major arterials shall include curbs, gutters, and sidewalks. Major arterials may include landscaped medians and/or landscaped strips between curb and sidewalk.*
- 7) *Parking may be provided in appropriate segments on either or both*

Consistent. The project would provide all access to the site from Cortona Drive, thereby avoiding potential ingress/egress conflicts along Hollister Avenue. The project would be installing a new bus turnout along Hollister, which would help with overall circulation on this arterial. All parking and driveway circulation meets parking ordinance standards, and the project would be providing standard curb and gutter improvements along Cortona and Hollister, subject to Community Services Department's approval. With these improvements and based on conditions of approval, the proposed project would be consistent with this policy.

***TE 3.9 Right-of-Way Dedications and Improvements. [GP/CP]*** *Existing and future rights-of-way may vary along different segments of individual streets within a single functional classification, based upon the existing patterns of development along the various segments. The appropriate street cross section, frontage improvements, and right-of-way dedications shall be established by the City Engineer when imposing conditions of approval for development applications on abutting parcels. Dedications of right-of-way may be greater in locations where it is appropriate to secure space for utilities, street appurtenances, transit facilities, and landscaped areas.*

Consistent. The project has incorporated dedication of ROW and frontage improvements along Hollister Avenue, and frontage improvements along Cortona Drive. The project will be required to record reciprocal access agreements for the shared driveway and parking with the parcel to the north (6868 Cortona Drive), as provided in the conditions of approval. With these improvements, subject to final plan review by Community Services Department, the proposed project would be consistent with this policy.

***TE 4.1 General Level of Service Standard. [GP]*** *A traffic LOS standard C shall apply citywide to major arterials, minor arterials, and collector roadways and signalized and unsignalized intersections, except as provided in TE 4.2. The standard shall apply to daily traffic volumes and both AM and PM peak hours for intersections, and to average daily traffic volumes (ADT) for roadway segments. Table 7-3 provides descriptions of the LOS categories.*

***TE 4.2 Modified Level of Service Standard for Specific Intersections at Planned Capacity. [GP]*** *Any intersection or arterial link that is developed to the maximum permitted number of lanes (see Policy TE 3 and TE 6.5) shall be considered to be at "planned capacity," and the forecasted volume to capacity*

*ratio with all planned transportation improvements, as shown in Table 7-1, shall be the applicable LOS standard. As of 2005, the Storke-Hollister intersection was the only intersection in the city at “planned capacity,” and the applicable volume to capacity standard is 0.89.*

Consistent (Policies TE 4.1 and 4.2). The contribution of project traffic would result in a significant impact on the roadway segment of Storke Road north of Hollister Avenue (project-specific and cumulative impact) and the intersections of Hollister Avenue/Cortona Drive and Hollister Avenue/Storke Road (cumulative impact). The project would be responsible for an additional lane on Storke Road north of Hollister Avenue as well as the installation of a traffic signal at the Hollister Avenue/Coromar Drive intersection. This would occur through actual construction of improvements (and re-imburement of costs above the project's fair share), posting of a bond, and/or contribution of a fair share payment toward these improvements, depending on timing. Payment of Goleta Transportation Impact Fees to help fund improvements at Hollister Avenue/Storke Road would also be made by the project. The applicant would also improve the Cortona Drive/Hollister Avenue intersection to provide separate southbound left-turn and right-turn lanes as well as provide frontage improvements along Hollister Avenue and Cortona Drive. Therefore, the proposed project as conditioned would be consistent with this policy.

***TE 7.8 Hollister Avenue Transit Corridor. [GP]*** *Hollister Avenue from the eastern city boundary west to Pacific Oaks Road is designated as the Hollister Avenue Transit Corridor. The public transportation map in Figure 7-4 illustrates that the highest concentration of transit routes and greatest frequency of service occur in this area. The land areas along this corridor include existing and planned future retail commercial and employment centers as well as higher-density housing. These higher-intensity uses are transit oriented; the City supports efforts by MTD and other providers to expand express and local bus services along this corridor as ridership levels warrant.*

***TE 7.12 Transit Amenities in New Development. [GP/CP]*** *The City shall require new or substantially renovated development to incorporate appropriate measures to facilitate transit use, such as integrating bus stop design with the design of the development. Bus turnouts, comfortable and attractive all-weather shelters, lighting, benches, secure bicycle parking, and other appropriate amenities shall be incorporated into development, when appropriate, along Hollister Avenue and along other bus routes within the city. Existing facilities that are inadequate or deteriorated shall be improved or upgraded where appropriate and feasible.*

Consistent (Policies TE 7.8 and 7.12). Project improvements include a new bus pocket along Hollister Avenue that would enhance transit efficiency and availability in the area. The project is also dedicating additional right of way to create a bike lane and providing sidewalks along Hollister Avenue and Cortona Drive. These improvements would make the project consistent with this policy.

***TE 9.2 Adequacy of Parking Supply in Proposed Development. [GP/CP]***

*The City shall require all proposed new development and changes/intensifications in use of existing nonresidential structures to provide a sufficient number of off-street parking spaces to accommodate the parking demand generated by the proposed use(s), and to avoid spillover of parking onto neighboring properties and streets.*

Consistent. The proposed project would provide sufficient parking for both the hotel and restaurant uses. Parking regulations would require the provision of 152 parking spaces. A total of 177 spaces would be made available. An offsite parking agreement would be required. As conditioned, the proposed project would be consistent with this policy.

***TE 9.5 Parking Lot Design. [GP]*** *Design standards applicable to retail, commercial, business parks, and parking lots are set forth in the Visual and Historic Resources Element Subpolicies VH 4.5, 4.7, and 4.11. In addition, the following standards and criteria shall apply to parking lots of three or more spaces:*

- a. Parking lot design shall provide that all individual spaces are clearly delineated and have easy ingress and egress by vehicles.*
- b. Proposals that include compact parking spaces shall be subject to discretionary approval by the City, and the number of compact parking spaces shall not exceed 20 percent of the total; parking spaces for oversized vehicles shall be included when appropriate.*
- c. Access driveways and aisles shall have adequate geometrics, and the layout shall be clear, functional, and well organized.*
- d. Pedestrian walkways between the parking area and the street, main entrance, and transit stops should be protected by landscaped or other buffers to the extent feasible.*
- e. The visual impact of large expanses of parking lots shall be reduced by appropriate response to the design standards set forth in the Visual and Historic Resources Element's Policy VH 4.*

Consistent. The project has been revised to address certain comments from the DRB, as well as staff review of the site plan during the project analysis and environmental review. As designed the Rincon Palms project would provide appropriate parking circulation, driveway access, pedestrian amenities along the project frontages, and extensive landscaping compliant with Visual Resource policies. However, the project includes 23% compact parking stalls, and does not comply with the required number of landscape planters per Policy VH 4, but compliance with these standards is feasible through final site design and the project's ability to share parking with the adjacent parcel. Therefore, as conditioned, and with these revisions, the proposed project would be consistent with this policy.

***TE 10.4 Pedestrian Facilities in New Development. [GP]*** *Proposals for new development or substantial alterations of existing development shall be required to include pedestrian linkages and standard frontage improvements. These*

*improvements may include construction of sidewalks and other pedestrian paths, provision of benches, public art, informational signage, appropriate landscaping, and lighting. In planning new subdivisions or large-scale development, pedestrian connections should be provided through subdivisions and cul-de-sacs to interconnect with adjacent areas. Dedications of public access easements shall be required where appropriate.*

Consistent. The project would include a sidewalk on both Hollister Avenue and Cortona Drive, along with extensive landscaping and appropriate signage to provide a strong pedestrian component in the project. With these improvements, the proposed project would be consistent with this policy.

**TE 13.3 Maintenance of LOS Standards. [GP]** *New development shall only be allowed when and where such development can be adequately (as defined by the LOS standards in Policy TE 4) served by existing and/or planned transportation facilities. Transportation facilities are considered adequate if, at the time of development:*

- a. Existing transportation facilities serving the development, including those to be constructed by the developer as part of the project, will result in meeting the adopted LOS standards set in Policy TE 4; or*
- b. A binding financial commitment and agreement is in place to complete the necessary transportation system improvements (except for the planned new grade-separated freeway crossings), or to implement other strategies which will mitigate the project-specific impacts to an acceptable level, within 6 or fewer years; and*
- c. Any additional offsite traffic mitigation measures are incorporated into the impact fee system for addressing cumulative transportation impacts of future development.*

Consistent. The project would be responsible for an additional lane on Storke Road north of Hollister Avenue as well as the installation of a traffic signal at the Hollister Avenue/Coromar Drive intersection. This would occur through actual construction of improvements (and re-imbursement of costs above the project's fair share), posting of a bond, and/or contribution of a fair share payment toward these improvements, depending on timing. Payment of Goleta Transportation Impact Fees to help fund improvements at Hollister Avenue/Storke Road would also be made by the project. The applicant would also improve the Cortona Drive/Hollister Avenue intersection to provide separate southbound left-turn and right-turn lanes as well as provide frontage improvements along Hollister Avenue and Cortona Drive. Therefore, the proposed project would be consistent with this policy.

## ***Public Facilities Element***

**PF 3.9 Safety Considerations in New Development. [GP]** *All proposals for new or substantially remodeled development shall be reviewed for potential demand for and impacts on safety and demand for police services. The design of*

*streets and buildings should reinforce secure, safe, and crime-free environments. Safety and crime reduction or prevention, as well as ease of policing, shall be a consideration in the siting and design of all new development within the city.*

**PF 9.1 Integration of Land Use and Public Facilities Planning [GP/CP]** *The Land Use Plan and actions on individual development applications shall be consistent with the existing or planned capacities of necessary supporting public facilities and the fiscal capacity of the City to finance new facilities.*

- a. The City shall integrate its land use and public works planning activities with an ongoing program of long-range financial planning to ensure that the City's Land Use Plan is supported by quality public facilities.*
- b. Individual land use decisions, including but not limited to General Plan amendments, shall be based on a finding that any proposed development can be supported by adequate public facilities.*

**PF 9.2 Phasing of New Development [GP/CP]** *Development shall be allowed only when and where it is demonstrated that all public facilities are adequate and only when and where such development can be adequately served by essential public services without reducing levels of service elsewhere.*

**PF 9.3 Responsibilities of Developers [GP/CP]** *Construction permits shall not be granted until the developer provides for the installation and/or financing of needed public facilities. If adequate facilities are currently unavailable and public funds are not committed to provide such facilities, the burden shall be on the developer to arrange appropriate financing or provide such facilities in order to develop. Developers shall provide or pay for the costs of generating technical information as to impacts the proposed development will have on public facilities and services. The City shall require new development to finance the facilities needed to support the development wherever a direct connection or nexus of benefit or impact can be demonstrated.*

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

- a. Domestic water service, sanitary sewer service, stormwater management facilities, streets, fire services, schools, and parks shall be considered essential for supporting new development.*
- b. A development shall not be approved if it causes the level of service of an essential utility service to decline below the standards referenced above unless improvements to mitigate the impacts are made concurrent with the development for the purposes of this policy. "Concurrent with the development" shall mean that improvements are in place at the time of the*



*development or that a financial commitment is in place to complete the improvements.*

- c. If adequate essential utility services are currently unavailable and public funds are not committed to provide such facilities, developers must provide such facilities at their own expense in order to develop.*

Consistent (Policies PF 3.9, 9.1 – 9.3, 9.7). These policies are intended to ensure that new development is coordinated with the availability and/or provision of adequate public facilities and infrastructure to adequately serve it. Adequate water, sewer, and utility services are already available from the Goleta Water and Goleta West Sanitary Districts, local utility service providers, fire and police protection services, based on letters received from these agencies during project review. As conditioned, the proposed project would be consistent with these policies.

## **Noise Element**

**NE 1.1 Land Use Compatibility Standards [GP]** *The City shall use the standards and criteria of Table 9-2 to establish compatibility of land use and noise exposure. The City shall require appropriate mitigation, if feasible, or prohibit development that would subject proposed or existing land uses to noise levels that exceed acceptable levels as indicated in this table. Proposals for new development that would cause standards to be exceeded shall only be approved if the project would provide a substantial benefit to the City (including but not limited to provision of affordable housing units or as part of a redevelopment project), and if adequate mitigation measures are employed to reduce interior noise levels to acceptable levels.*

Consistent. This policy is intended to ensure that new development is not exposed to unacceptable noise levels for the type and nature of the use involved. The project is outside of any airport noise contour of 65 dB or greater. Construction hours would be limited according to conditions of approval for the project. Therefore, as conditioned, the proposed project would be consistent with these policies.

**NE 3.3 Consultation with ALUC Staff and City of Santa Barbara Staff. [GP]** *The City of Goleta shall continue to monitor and comment on airport-related projects and development proposed for the area surrounding the airport that is under the jurisdiction of the City of Santa Barbara. The City of Goleta shall consult with staff of the Airport Land Use Commission (ALUC) and the Santa Barbara Airport Department for development projects within the clear or approach zones as defined in the Santa Barbara County Airport Land Use Plan (ALUP), as well as any development proposed within the 60 dBA CNEL noise exposure contour as depicted on the Noise contour map in the most recent ALUC-adopted Santa Barbara County Airport Land Use Plan.*

Consistent. The project is adjacent to, but outside the Airport Approach zone. Therefore, the proposed project is consistent with this policy.

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

Consistent. Project construction hours would be limited in accordance with this requirement, making the proposed project consistent with this policy.

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

- a. All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system.
- b. Contractors shall implement appropriate additional noise mitigation measures including but not limited to changing the location of stationary construction equipment, shutting off idling equipment, and installing acoustic barriers around significant sources of stationary construction noise.
- c. To the extent practicable, adequate buffers shall be maintained between noise-generating machinery or equipment and any sensitive receivers. The buffer should ensure that noise at the receiver site does not exceed 65 dBA CNEL. For equipment that produces a noise level of 95 dBA at 50 feet, a buffer of 1600 feet is required for attenuation of sound levels to 65 dBA.

Consistent. These policies are intended to protect sensitive noise receptors such as residential units from excessive levels of construction noise. The project site is not located near sensitive receptors, and would therefore be consistent with this policy.

## **Housing Element**

**HE 3.2 Mitigation of Employee Housing Impacts from Nonresidential Uses. [GP]** Housing needs of local workers are an important factor for the City when reviewing nonresidential development proposals. The City shall require

*proposed new nonresidential development and proposed expansion or intensification of existing nonresidential development to contribute to the provision of affordable employee housing. The proposed amount of floor area and type of nonresidential use shall be factors in establishing the requirement for individual projects. Alternatives to satisfy this requirement may, at the discretion of the City, include payment of “in-lieu” housing impact fees, provision of housing on-site, housing assistance as part of employee benefit packages, or other alternatives of similar value.*

**HE 12.3 Local Housing Impact Fees. [GP]** *The City shall prepare an appropriate nexus study and consider the adoption of an ordinance that would impose affordable housing impact fees on new nonresidential development based upon the estimated number of jobs generated by the development and the estimated wage levels of those jobs.*

Consistent. The fulfillment of affordable housing requirements is presently established by policy/administrative practice as an ordinance has not yet been adopted. To date, the City has only applied affordable housing requirements to residential projects. Where affordable units have not been provided onsite, in-lieu fees have been charged (Comstock, Old Town Village [Willow Creek]). An inclusionary rate of 30% was applied and a fee of \$80,645/unit was charged. Using a similar formula for employment generated (10 hotel employees, 12 restaurant employees; 22 total), would result in the following: 22 employees x 30% inclusionary rate x \$80,645 = \$532,257. This would be one option for the Council to consider.

Additional options that may be considered include rates currently used by other California jurisdictions. Some jurisdictions have adopted rates for hotels and restaurants using a per square foot fee amount. The rates are as follows:

	<u>Hotel Rate</u>	<u>Restaurant Rate</u>
San Diego	\$ 0.64	n/a
Pleasanton	2.57	\$ 2.57
Santa Monica	4.91	4.91
Walnut Creek	5.00	n/a
San Francisco	11.21	13.95
Oakland	12.91	n/a

As an example, using the Pleasanton or Santa Monica rate, applicable fees would be \$168,592 or \$322,096, respectively.

Staff can discuss this issue further at the hearing and can assist the Council in making a consistency determination using one of these options or some other appropriate means of determining consistency.



ATTACHMENT 8

ZONING ORDINANCE CONSISTENCY ANALYSIS



**RINCON PALMS HOTEL AND RESTAURANT; 07-020-DP  
ZONING ORDINANCE CONSISTENCY ANALYSIS**

The following table identifies applicable requirements of the PI – Professional Office zone district (proposed for the site) and the project’s compliance with each of these requirements:

	<b>Required</b>	<b>Proposed</b>	<b>Consistent Y/N</b>
<b>Front Yard Setback</b>	45 Feet from centerline and 15 feet from ROW line of any street (on all project frontages)	<u>Hollister Avenue</u> : 80' from centerline; from ROW, 10' to landscape wall and approx. 11' to restaurant eave overhang  <u>Cortona Drive</u> : 50' to patio retaining walls, 23' from ROW'  <u>Storke Road</u> : 65' from centerline and 15' from ROW to nearest structural element	<b>Yes, subject to modification</b>  Yes  Yes
<b>Rear Yard Setback</b>	15 feet	> 15 feet	Yes
<b>Building Coverage</b>	≤ 40% net lot area	19.9% (26,400 SF)	Yes
<b>Building Height</b>	35 feet average	35 feet average	Yes
<b>Parking spaces:</b>	Hotel: 122 spaces Restaurant: <u>30 spaces</u>  TOTAL: 152 spaces	onsite 105 spaces onsite (garage) 55 spaces offsite (conj. use) 12 spaces offsite (excl. use) 17 spaces  TOTAL: 189 spaces	Yes
<b>Landscaping/ Open Space</b>	10% minimum	22.1%	Yes





ATTACHMENT 9

GROWTH MANAGEMENT ORDINANCE, SECTION 8.2  
(AWARD OF POINTS)



**GOLETA GROWTH MANAGEMENT ORDINANCE (03-04)  
SECTION 8.2, AWARD OF POINTS  
RINCON PALMS HOTEL and RESTAURANT  
07-020-DP**

Project Description

The proposed project site is located at the northeast corner of Hollister Avenue and Storke Road. The property includes 3.05 acres and is addressed as 6868 and 6878 Hollister Avenue.

The proposed Rincon Palms hotel would be an approximately 59,600-square foot (SF) structure of 112 rooms designed in a rectangular configuration along the northern portion of the property. The front entrance of the hotel would face Hollister Avenue. Hotel amenities would include a port-cochere entry, private patios or balconies for each room, guest swimming pool, outdoor lounge patio and roof deck for community meetings, social gatherings and conference functions ancillary to the hotel. The hotel would be three stories with an average height of 35 feet. It would include two tower elements that would be 50 feet in height.

The proposed restaurant would be approximately 6,000 SF located at the southwest corner of the property. The restaurant would include a 1,000 SF outdoor dining area, decorative trellis along the Hollister Avenue frontage, and patterned pavement and landscaping to tie the site together visually with the hotel. The restaurant would be single story with an average height of approximately 20 feet and includes a tower element with a metal décor sphere which would be 32 feet high.

The proposed architecture is characterized as Streamline Moderne with emphasis on exterior metal panels and trellis, smooth/seasoned concrete finish, storefront metal frames, and concrete tile roof. Internal circulation is marked by areas of patterned/textured paving. Landscaping is primarily drought tolerant and Mediterranean and consists of trees, shrubs, and groundcover planted along all three project frontages (Storke Road, Hollister Avenue, Cortona Drive), along building elevations, within planter islands, and within parking areas. The existing signature Washingtonian palms would be preserved and included/relocated within the proposed landscape plan.

Access would be from an onsite centrally located driveway on Cortona Drive as well as another driveway off Cortona Drive that is shared with the property to the north. (There would be no access from either Hollister Avenue or Storke Road). All utilities would be undergrounded. The project would be served by the Goleta Water District and the Goleta West Sanitary District.

The following points under the Goleta Growth Management Point Criteria are assigned:

<u>CRITERIA</u>	<u>MAXIMUM POSSIBLE POINTS</u>
A. The applicant proposes improvements to Transportation facilities identified in the Goleta Transportation Improvement Plan (GTIP) capital improvements list, over and above the payment of traffic mitigation fees or completion of required improvements in lieu of fees, and such improvements:	
1) Improve the V/C ratio by at least 0.05 at intersections presently operating at LOS D or worse	4 points per intersection <b>(no points assigned)</b>
2) Improve the V/C ratio by at least 0.02 at intersections presently operating at LOS D or worse	2 points per intersection <b>(no points assigned)</b>
3) Provide alternative transportation or pedestrian improvements (e.g. bus turn outs, bicycle facilities) identified in the GTIP	1 – 4 points <b>(3 points assigned)</b>
B. The development will provide neighborhood serving uses (e.g. dry cleaners, small markets, drug stores) on lots zoned C-1, Limited Commercial, and CN, Neighborhood Commercial, in areas underserved by neighborhood commercial uses.	1 – 3 points <b>(no points assigned)</b>
C. The project is located in the MR-P or PI zoning district and includes commercial service uses that are subordinate to the principally-permitted uses that meet the day-to-day needs of employees in the immediate vicinity (e.g. banks, restaurants, cleaners, day care, etc).	1 – 3 points <b>(3 points assigned)</b>
D. In addition to required dedications and payment of development impact fees, the project contributes substantially to the development of onsite or offsite public services or improvements to public facilities that benefit Goleta, including recreational facilities, day care centers, creek protection or flood management improvements, or substantial contributions to a Goleta open space acquisition fund.	1 – 4 points <b>(no points assigned)</b>

- E. The project provides environmental and/or design benefits on the project site over and above the minimum requirements of the Zoning Code, including but not limited to, clustering with open space preservation, onsite habitat restoration or enhancement, parking to the rear of structures, enhanced architectural detailing and articulation of structures, variation in building height and wall planes, enhanced finish materials, enhanced landscaping to break up building mass or expanses of parking, enhanced energy efficiency and/or use of alternative energy sources, and use of "green" building standards. 1 – 5 points  
**(3 points assigned)**
- F. The project is located within the Goleta Old Town Revitalization Plan (Redevelopment) area and contributes to the redevelopment objectives set forth in the plan. 5 points  
**(no points assigned)**
- G. The project includes residential uses that are secondary to the commercial use: **(no points assigned)**
- 1) Housing comprises 40% - 50% of total floor area 6 points
  - 2) Housing comprises between 25% and 40% of total floor area 4 points
  - 3) Housing comprises between 10% and 24% of total floor area 2 points

In order to receive points for Criterion G, mixed-use projects shall comply with the following requirements:

- 1) The project shall be a single parcel or a group of contiguous parcels.
- 2) If more than one parcel, the contiguous parcels shall either be under a common ownership or all owners shall file a joint application for planning permits.
- 3) The project shall be subject to at least one planning permit that applies to the entirety of the project and is inclusive of all parcels and all proposed development.
- 4) The residential floor area shall not exceed 50% of the total floor area proposed.
- 5) The residential development shall proceed in advance of or concurrent with the non-residential portion of the project. Building and Occupancy Permits for the non-residential portion of the development shall not be issued prior to the equivalent permits for the residential dwellings.

**TOTAL POINTS ASSIGNED** **9 points**

ATTACHMENT 10  
PROJECT PLANS

**RECEIVED**

JUL 14 2008

City of Goleta  
Planning & Environmental Svcs

**Sheet Index**

- A1 Site Development Plan, Project Information, Vicinity Map
- A2 Hotel Basements / Ground Floor Plans
- A3 2nd / 3rd Floor Plans
- A4 Hotel Roof Plan, Restaurant Plans
- A5 Hotel Elevations
- A6 Restaurant Elevations
- C1 Site Grading and Drains Details
- C2 Grading and Drains Plan
- L1 Landscape Plan

**Project Description**

Development of a currently vacant lot at northeast corner of Hollister Avenue and Storke Road. Development to include three-story hotel with a restaurant parking level with 80 spaces, and a one-story restaurant. Site improvements will include surface parking for 10 automobiles, porous concrete for hotel entry and pool deck, outdoor dining terrace for restaurant and hotel, service and trash area for all structures. Improvements will also include bus stop and shelter on Hollister.

**LENVIG & MINOR**  
ARCHITECTS

315 West Haley Street  
Santa Barbara, CA 93101  
(805) 963-3377 Fax (805) 963-2785  
A California Corporation

Contract

ACM	07-140-004	
Zoning Designation	RT	
Building Proposed	RT	
General Plan Designation	C1	
Site Area		
Overall Site Area:	12,890 SF	100%
Building Coverage:	25,400 SF	235%
Landscape:	25,372 SF	231%
Hardscapes:	11,800 SF	110%
Permeable:	48,304 SF	445%
Existing Development Information		
Building Areas		
Hotel		
Ground Floor	25,400 SF	
Second Floor	25,400 SF	
Third Floor	25,400 SF	
Sub Total	76,200 SF	
Parking Level	11,800 SF	
Restaurant	6,000 SF	
Outside Dining	1,000 SF	
Total (includes parking level)	85,000 SF	
Floor Area Ratio	3	

Required	
Hotel	
1 Space/Room	100 Spaces
1 Space/Employee (10 employees)	10 Spaces
Total	110 Spaces
Restaurant	
1 Space/300 SF Dining (6,000 SF + 1,000 SF)	30 Spaces
1 Space/Employee (10 employees)	10 Spaces
Total Required	140 Spaces
Available	
Surface on site	100 Spaces
Surface on adjacent site	10 Spaces
Parking Garage	30 Spaces
Total	140 Spaces
Accessible Spaces Required	
Accessible Spaces Required	140 Spaces
Accessible Spaces Available	140 Spaces

Date	1/15/08
By	JRM
Checked	JRM
Scale	1" = 200'-0"

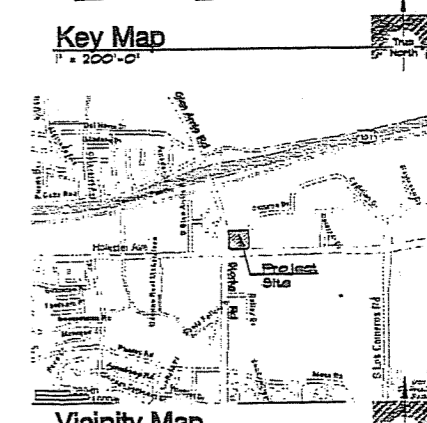
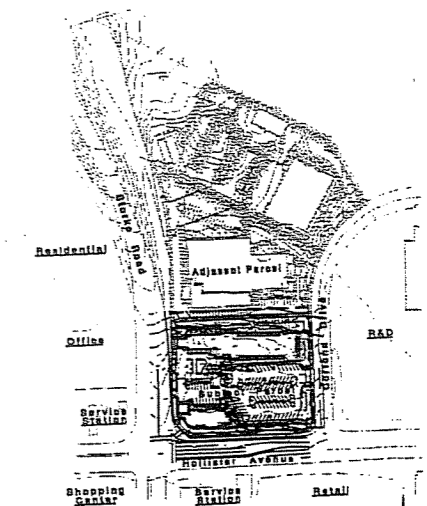
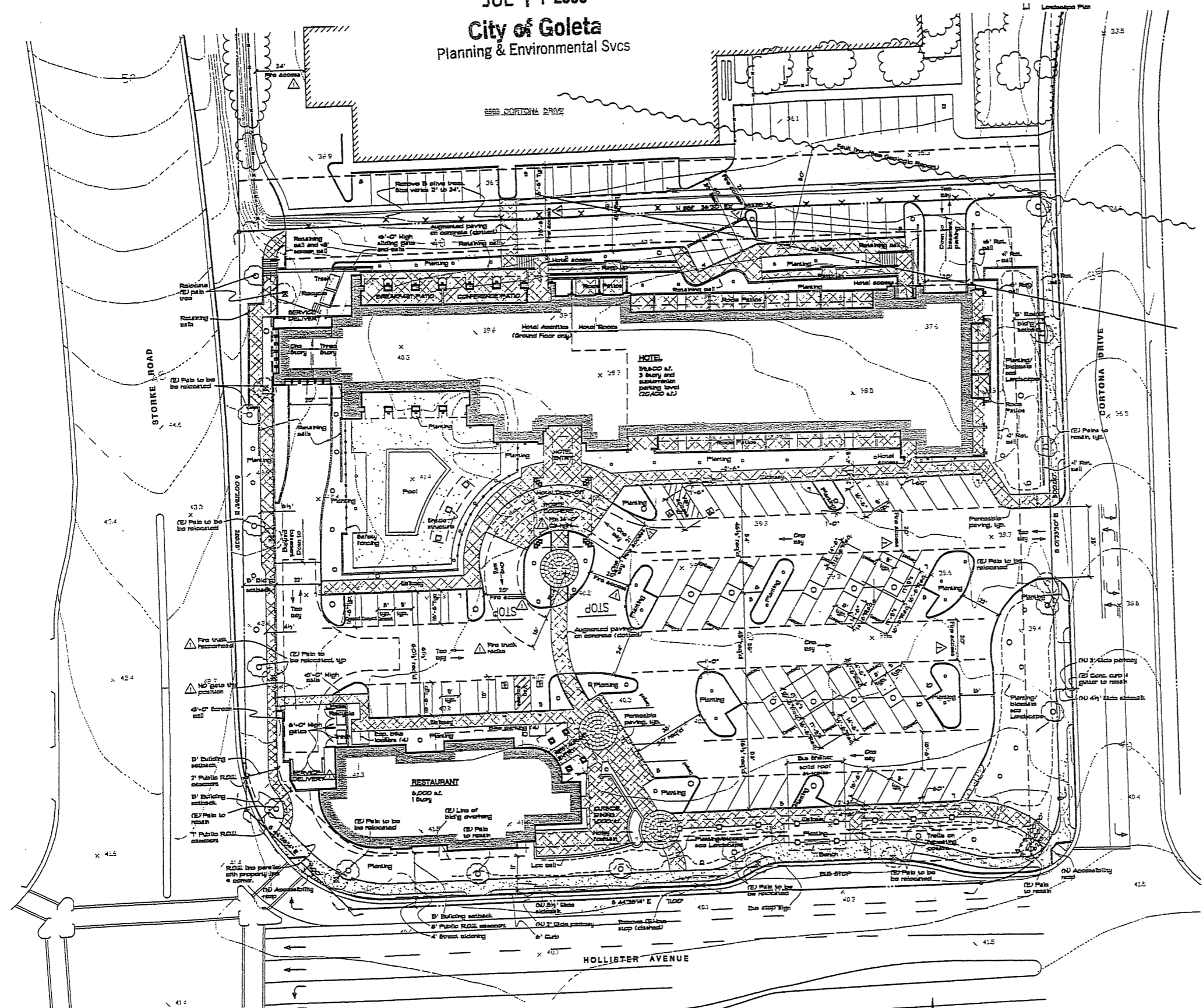
Client	Corona Opportunity, LTD
Address	676 Hollister Avenue #2
City	Santa Barbara, CA 93103

Development Plan  
Submission for:  
**Rincon Palms  
Hotel & Restaurant**  
6868 Cortona Drive  
Goleta, California

Site Development  
Plan  
Project Information  
Vicinity Map

Date	1/14/08
Drawn by	JRM
Checked	JRM
Scale	1" = 200'-0"

**A1**



**Site Development Plan**  
1" = 200'-0"  
North







LENVIK & MINOR  
ARCHITECTS

315 West Haley Street  
Santa Barbara, CA 93101  
(805) 963-3337 Fax (805) 963-2735  
A California Corporation

Consultant

Revisions	
Date	Remarks

Client

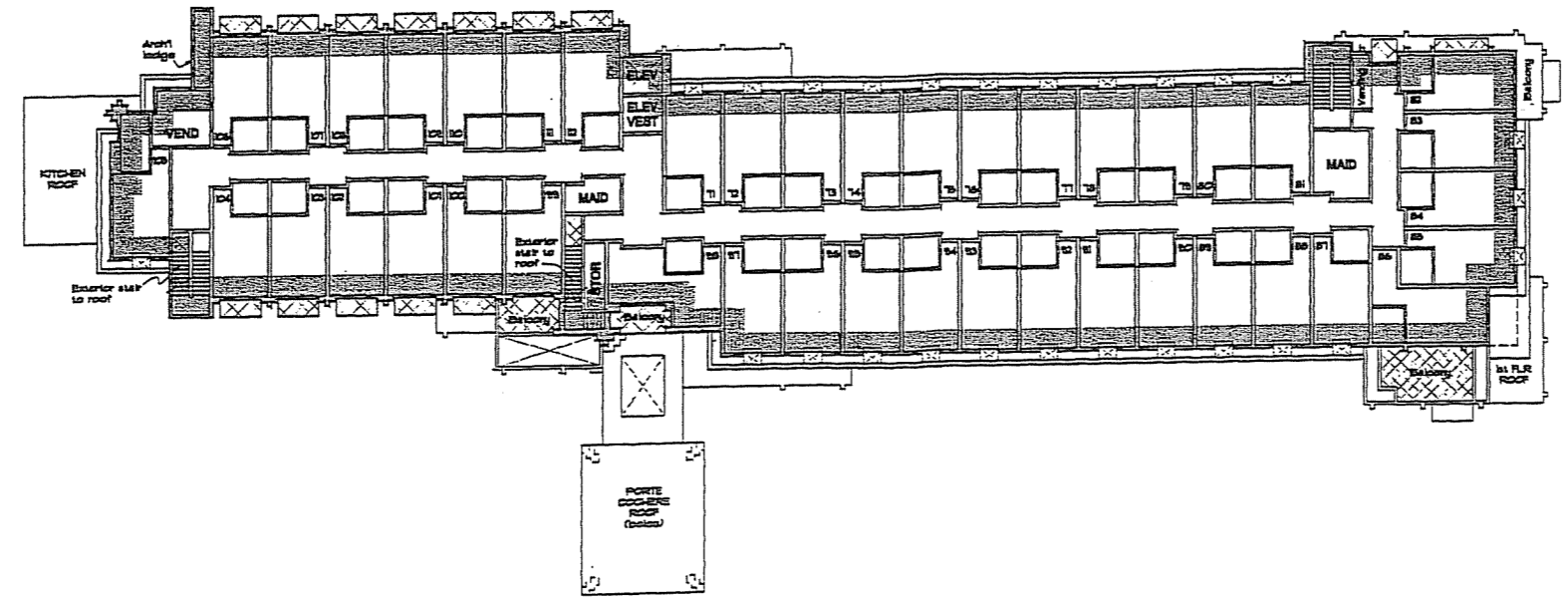
Cortona Opportunity, LTD  
c/o Del Norte Pacific  
8775 McEwen Avenue #2  
Santa Barbara, CA 93101

Development Plan  
Submittal for:  
**Rincon Palms  
Hotel & Restaurant**  
6888 Cortona Drive  
Goleta, California

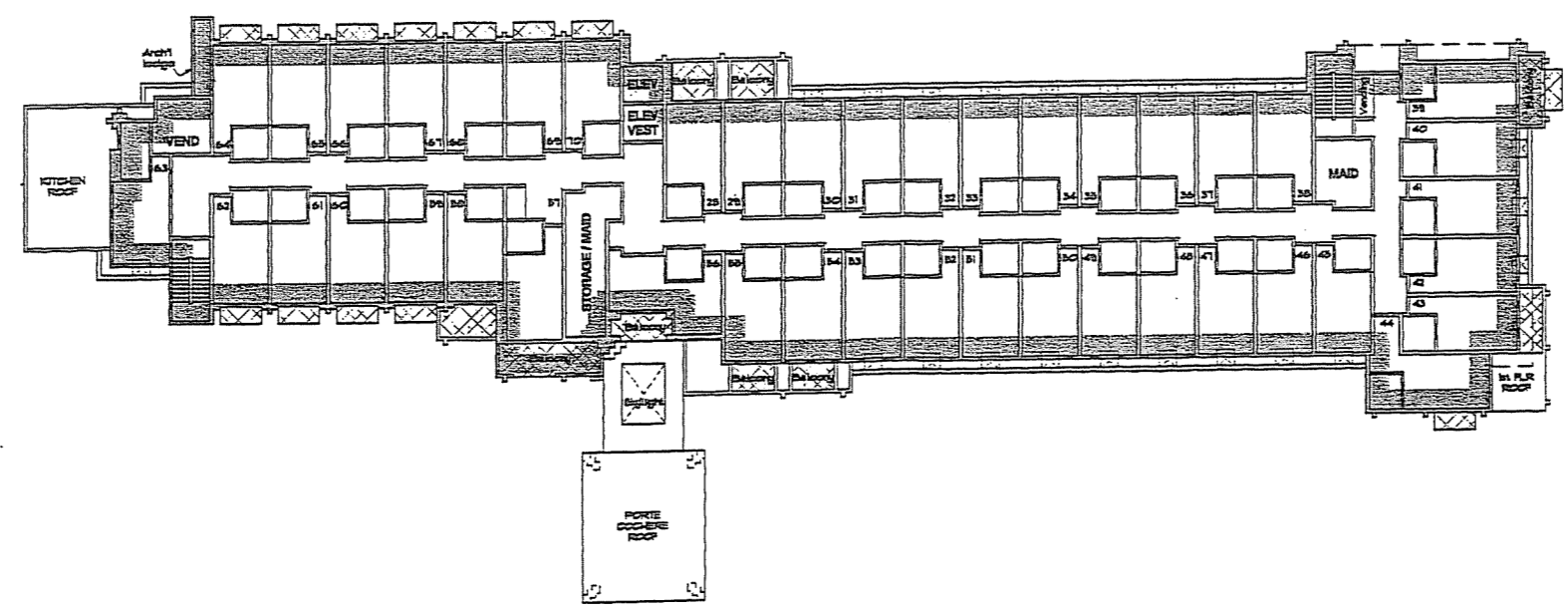
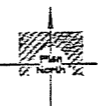
Second & Third  
Floor Plans

Date	1/4/00	Job Number	0696
Drawn by	RSD	Checked by	RSD
Sheet	of	Draws	

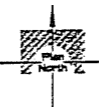
A3



Third Floor Plan  
1/8" = 1'-0"



Second Floor Plan  
1/8" = 1'-0"







Consultant

Revision

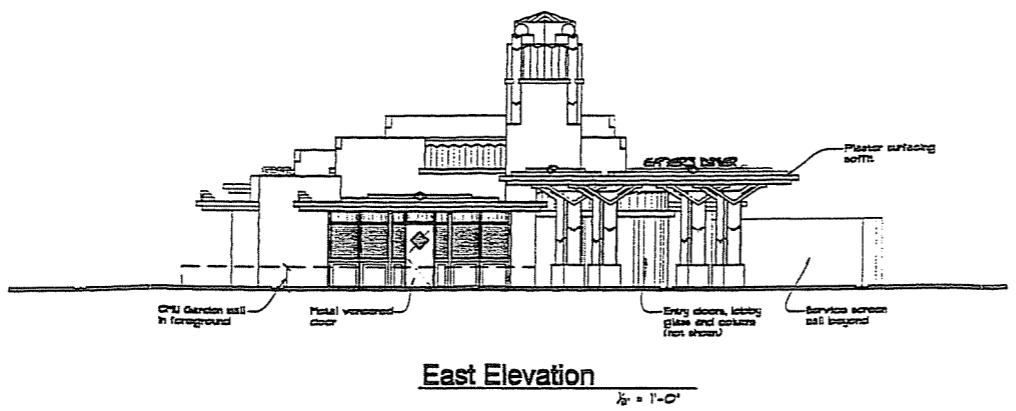
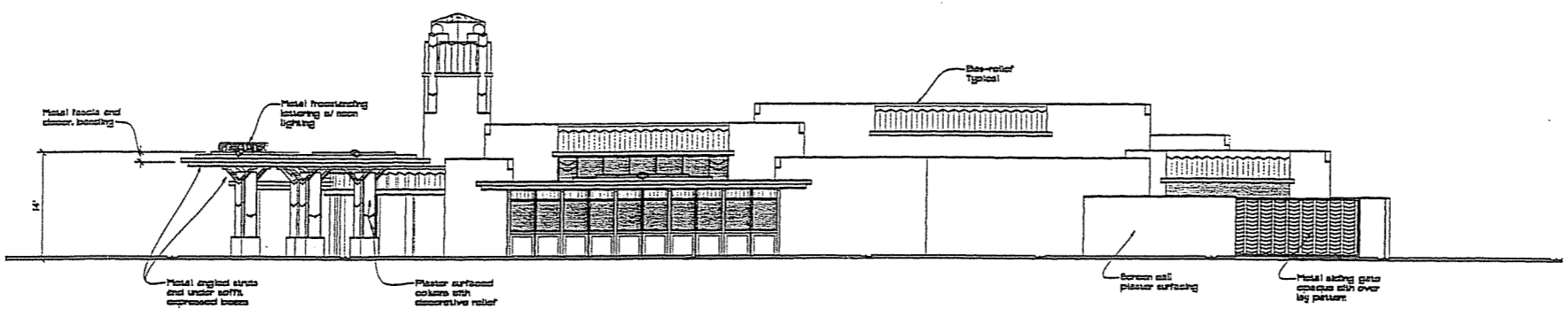
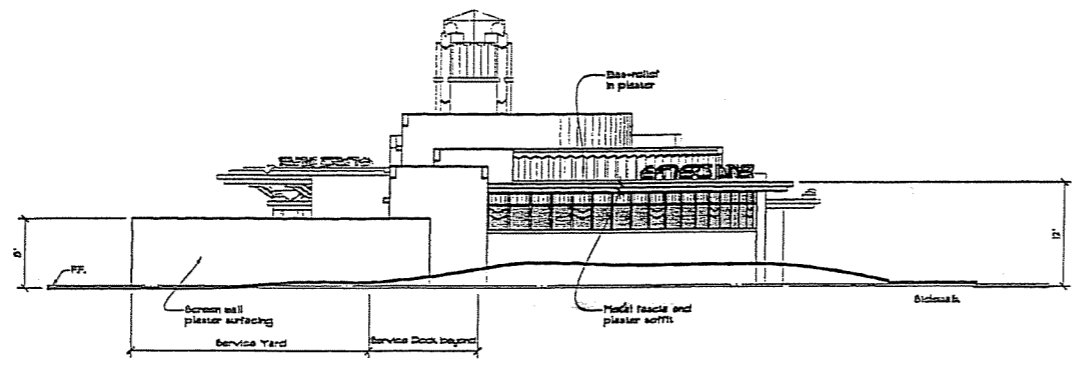
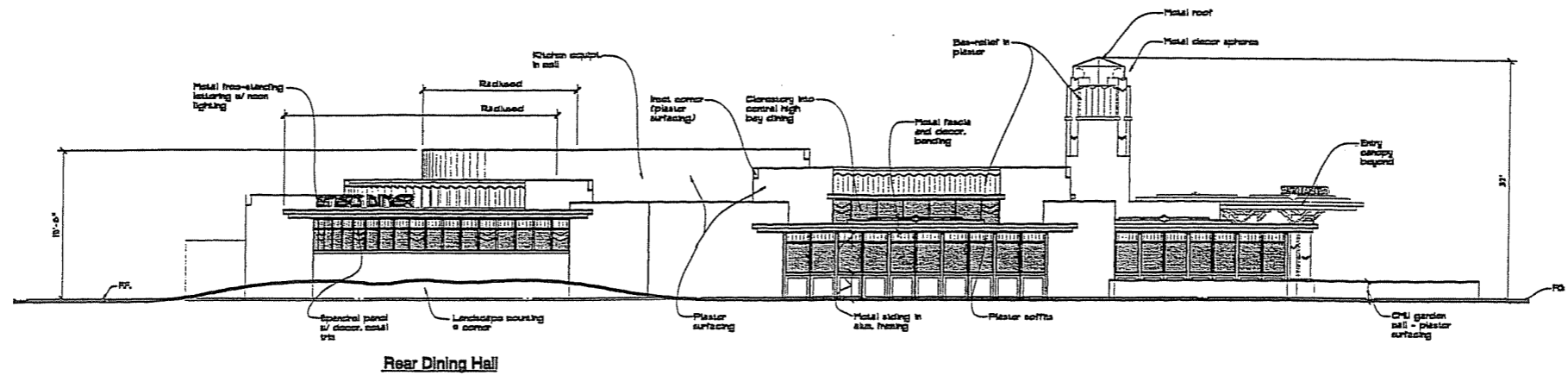
Date	#	Remarks

Client  
**Cortona Opportunity, LTD**  
610 Dakota Plaza  
8710 Hollister Avenue #2  
Santa Barbara, CA 93101

Development Plan  
Submittal for:  
**Rincon Palms  
Hotel & Restaurant**  
6868 Cortona Drive  
Goleta, California

Restaurant  
Elevations

Date	1/14/03	Job Number	0636
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Sheet		of	





**GRADING NOTES**

- ALL GRADING SHALL CONFORM TO CITY OF GOLETA GRADING ORDINANCE NO. 4477 AND STANDARDS PERTAINING THERETO, THESE CONSTRUCTION PLANS, AND THE FOUNDATION EXPLORATION FOR THE PROJECT.
- PRIOR TO EARTH MOVING, A GRADING PERMIT SHALL BE OBTAINED FROM THE CITY OF GOLETA PUBLIC WORKS DEPARTMENT AND A ROAD EXCAVATION AND ENCHANCEMENT PERMIT SHALL BE OBTAINED FROM THE CITY OF GOLETA PUBLIC WORKS DEPARTMENT.
- ALL FILL AREAS SHALL BE CLEARED OF ALL VEGETATION, INCLUDING ROOTS AND ROOT STRUCTURES, AND OTHER UNSUITABLE MATERIAL FOR A STRUCTURAL FILL. ALL SUCH UNSUITABLE MATERIAL SHALL BE REMOVED FROM THE PROJECT AND TRANSPORTED TO A SUITABLE DISPOSAL AREA.
- PRIOR TO PLACING OF ANY FILL MATERIAL, THE AREA SHALL BE INSPECTED BY THE COUNTY GRADING INSPECTOR AND SOILS ENGINEER. (ALLOW 24 HOURS MINIMUM NOTICE).
- FILL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 6 INCHES IN COMPACTED THICKNESS AND COMPACTED AT OPTIMUM MOISTURE CONTENT.
- ALL FILL SHALL BE COMPACTED TO A MINIMUM OF 80 PERCENT MAXIMUM DENSITY, AS DETERMINED BY ASTM D1557 (3 LAYERS) AND CERTIFIED BY TESTS AND REPORTS OF A SOILS ENGINEER.
- ALL GRADING SHALL BE DONE UNDER THE DIRECTION OF A SOILS ENGINEER.
- KEYWAYS SHALL BE PLACED AT THE TOE OF ALL FILL SLOPES. THE KEYWAYS SHALL EXTEND A MINIMUM OF 30 INCHES BELOW PRESENT GROUND SURFACE, SHALL BE A MINIMUM OF 8 FEET IN WIDTH AND SHALL BE INCLINED SLIGHTLY INTO THE HILL.
- NUMBER OF SOIL TESTS REQUIRED: 1 TEST PER EACH 18 INCHES OF FILL, BUT NOT LESS THAN 1 TEST PER 500 CUBIC YARDS OF FILL AND AT LEAST 1 TEST EACH AREA RECEIVING FILL.

**GENERAL CITY GRADING NOTES**

- THE SUPERVISION REQUIREMENTS OF CITY OF GOLETA ORDINANCE NO. 4477 SHALL BE COMPLIED WITH AS FOLLOWS:
- THE ENGINEER SHALL BE A REPRESENTATIVE OF MAC DESIGN ASSOCIATES.
  - LINE AND GRADE STAKES SHALL BE SET BY SURVEYORS UNDER THE GENERAL SUPERVISION OF THE ENGINEER.
  - THE ENGINEER SHALL PROVIDE GENERAL CONSTRUCTION REVIEW.
  - THE SOILS ENGINEER SHALL PROVIDE GENERAL REVIEW OF THE GRADING AND SUBGRADE PREPARATION, PERFORM COMPACTION TESTING, PERFORM "T" VALUE TESTING, RECOMMEND THE STRUCTURAL SECTION FOR PRIVATE STREET CONSTRUCTION, MEASURE THE THICKNESS OF PAVEMENT AND BASE DURING CONSTRUCTION, TEST AND REVIEW THE QUALITY OF PAVEMENT AND BASE, ETC.
  - UPON COMPLETION OF CONSTRUCTION, THE ENGINEER SHALL PREPARE "AS BUILT" PLANS AND SUBMIT A REPORT ATTESTING THAT THE IMPROVEMENTS HAVE BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.

**EARTHWORK**

ESTIMATED EARTHWORK QUANTITIES:  
 DUE TO THE PRELIMINARY NATURE OF THESE PLANS, QUANTITIES MAY VARY AND PROPOSED ELEVATIONS MAY REQUIRE ADJUSTMENTS TO COMPENSATE FOR SUBSIDENCE, LOSSES DUE TO CLEARING AND GRUBBING OPERATIONS, SITE SPECIFICS, ETC. DURING FINAL GRADING PLAN PREPARATION, ROAD GRADES WILL BE HELD AT OR NEAR THE PROPOSED ELEVATIONS SHOWN HEREON AND PAD ELEVATIONS WILL BE VARIED TO BALANCE EARTHWORK ONSITE.

	EXCAVATION	EMBANKMENT
SITE GRADING	7500 C.Y.	5000 C.Y.
LOSS DUE TO CLEARING & GRUBBING:	-350 C.Y.	+350 C.Y.
SUBTOTAL	7150 C.Y.	5350 C.Y.
SHRINKAGE @ 25%:	-1750 C.Y.	
SUBTOTAL	5400 C.Y.	5350 C.Y.

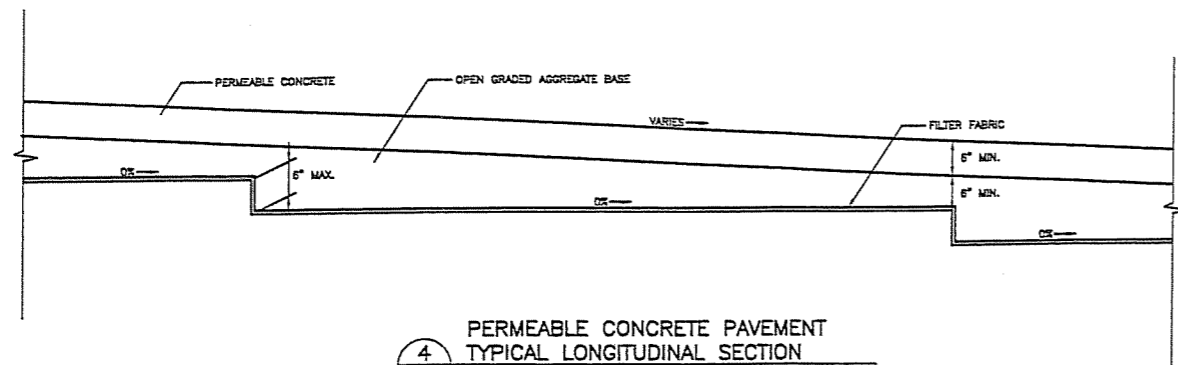
- ESTIMATED QUANTITIES SHOWN ABOVE ARE GRID SURFACE VOLUMES COMPUTED FROM EXISTING GROUND ELEVATIONS TO THE PROPOSED ELEVATIONS SHOWN ON THIS PLAN.
- CLEARING AND GRUBBING OPERATIONS ARE ASSUMED TO RESULT IN A LOSS OF 0.15' OVER THE GRADED AREA.
- SHRINKAGE FACTOR OF 25% APPLIED TO THE EXCAVATION QUANTITY IS ASSUMED.
- FOR THE PURPOSE OF THESE EARTHWORK CALCULATIONS, THE PAVEMENT STRUCTURAL SECTION IS ASSUMED TO BE 0.5'.

**MAP LEGEND**

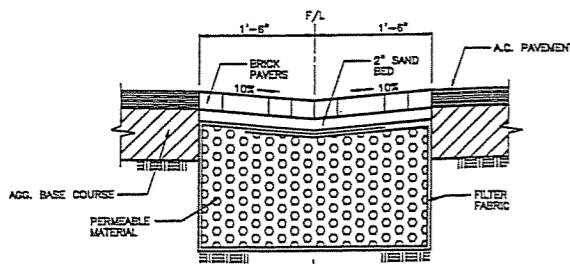
- AC = ASPHALT CEMENT
- APH = ASSESSOR PARCEL NUMBER
- AVD = AVOCADO
- CONC = CONCRETE
- CP = CONTROL POINT
- DEC = DECIDUOUS (TREE)
- DI = DRAIN INLET
- EUC = EUCALYPTUS (TREE)
- — — — — EXISTING GAS LINE
- FD = FOUND MONUMENT AS NOTED
- FF = FINISH FLOOR ELEVATION
- FH = FIRE HYDRANT
- FL = FLOWLINE ELEVATION
- FS = FINISH SURFACE ELEVATION
- GM = GAS METER
- HB = HOSE BIB
- LP = IRON PIPE
- — — — — OVERHEAD WIRES
- — — — — PROPERTY LINE
- PP = POWER POLE
- RPC = REINFORCED CONCRETE PIPE
- RET. = RETAINING
- RFP = REFLECTOR PANEL
- ROH = ROOF OVERHANG
- ROW = RIGHT OF WAY
- — — — — EXISTING SEWER LINE
- SCO = SEWER CLEANOUT
- SDMH = STORM DRAIN MANHOLE
- S.F. = SQUARE FEET
- SMH = SEWER MANHOLE
- TY. = TYPICAL
- UD = UTILITY DROP
- UG = UNDER GROUND
- YCP = VITREOUS CLAY PIPE
- VERT. = VERTICAL
- — — — — EXISTING WATER LINE

**LEGEND**

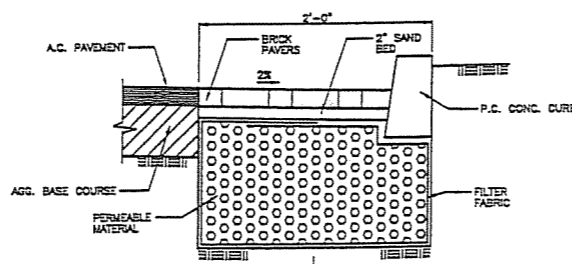
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- — — — — EXIST. GAS LINE
- — — — — EXIST. SEWER LINE
- — — — — PROPOSED WATER LINE
- — — — — PROPOSED WATER SERVICE
- — — — — PROPOSED SEWER LINE
- — — — — PROPOSED SEWER LATERAL
- — — — — PROPOSED STORM DRAIN LINE
- — — — — EXIST. AC PAVEMENT
- — — — — ROAD C/L
- — — — — PROPERTY LINE
- — — — — PROPOSED LOT LINE
- — — — — PROPOSED BLDG. ENVELOPE LINE
- — — — — EXISTING MANHOLE
- — — — — EXISTING FIRE HYDRANT
- — — — — EXISTING SIGN
- — — — — EXISTING LIGHT STANDARD
- — — — — WATER VALVE



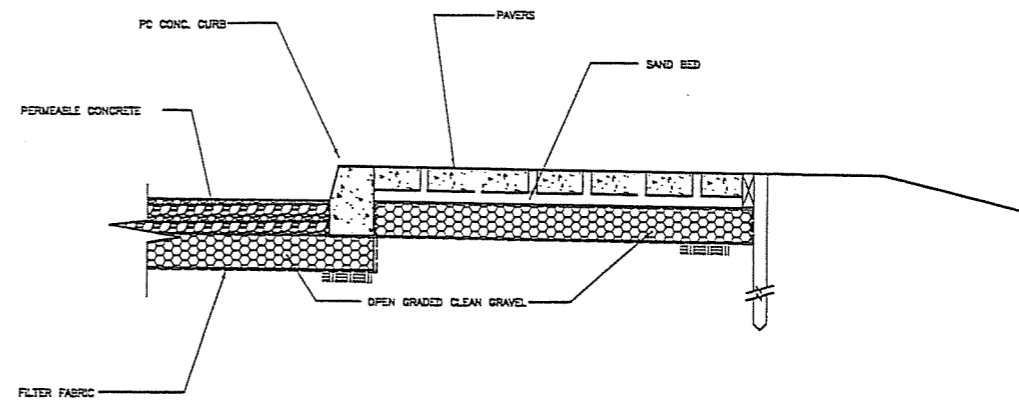
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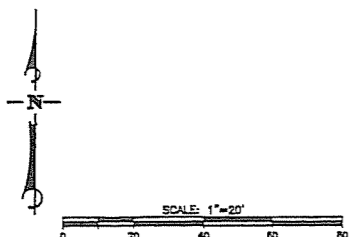
1 RIBBON GUTTER INFILTRATION TRENCH NO SCALE



2 CURB INFILTRATION TRENCH NO SCALE



3 SECTION NO SCALE



DATE SIGNED \_\_\_\_\_

**LENVIK & MINOR ARCHITECTS**  
 315 West Haley Street  
 Santa Barbara, CA 93101  
 (805) 963-3357 Fax (805) 963-2725  
 A California Corporation

**MAC Design Associates**  
 2450 S. Highway 101, Suite 1000, Santa Barbara, CA 93108

Date	Revisions

**Client**  
 Corona Opportunity LTD  
 610 DeSoto Placita  
 6878 Hollister Avenue #20  
 Goleta, California, CA 93120

**Development Plan Submittal**  
**Rincon Palms Hotel & Restaurant**  
 6266 & 6878 Hollister Ave.  
 Goleta, California

**Preliminary Site Grading and Drainage Plan**

Date: 07/14/08	Job Number: C376
Drawn by: MAC	Checked by: MAC
Sheet C1	of 2 Sheets

**C1**



Revision	Date	By	Remarks

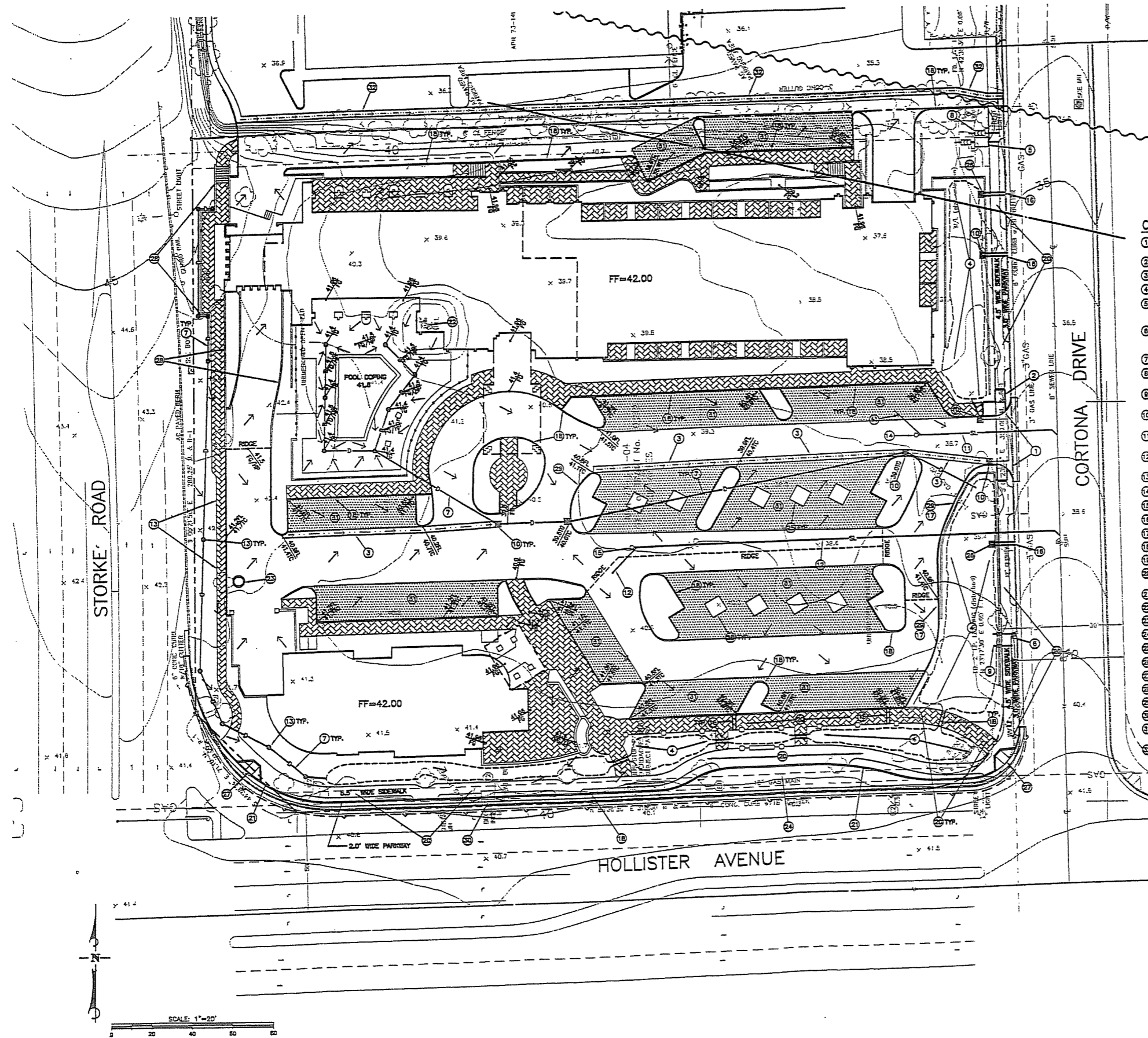
**Client**  
Cortona Opportunity, LTD  
c/o Debra Pezalla  
8715 Hollister Avenue 172  
Santa Barbara, CA 93103

**Development Plan**  
Submittal  
**Rincon Palms**  
Hotel & Restaurant  
6555 & 6575 Hollister Ave.  
Goleta, California

**Preliminary Site**  
Grading and  
Drainage Plan

Date	Job Number
07/14/08	C275
Drawn by	Checked by
MAC	MAC
Sheet C2	of 3 Sheets

**C2**



**CONSTRUCTION NOTES**

1. CONSTRUCT RADIUS CURVE DRIVEWAY TYPE 1 PER S.B. COUNTY PUBLIC WORKS STD. DTL. 3-050.
2. CONSTRUCT CASE CM CURB RAMP PER CALTRANS STD. PLAN AB55.
3. CONSTRUCT RIBBON GUTTER/INFILTRATION TRENCH PER DTL. 1 ON SHT. C1.
4. LOCATION OF ON-SITE BIOFILTER.
5. CONSTRUCT 6" TURBO METER INSTALLATION FOR HOTEL POTABLE WATER PER GOLETA WATER DISTRICT STD. DTL. 2-10. CONSTRUCT 6" REDUCED PRESSURE DETECTOR ASSEMBLY PER G.W.D. STD. DTL. 4-01.
6. CONSTRUCT 2" WATER SERVICE FOR RESTAURANT POTABLE WATER PER GOLETA WATER DISTRICT STD. DTL. 2-03. CONSTRUCT 2" REDUCED PRESSURE DETECTOR ASSEMBLY PER G.W.D. STD. DTL. 4-01.
7. CONSTRUCT 8" HDPE STORM DRAIN.
8. CONSTRUCT 6" DOUBLE CHECK DETECTOR ASSEMBLY WITH FIRE CONNECTION FOR HOTEL FIRE WATER PER GOLETA WATER DISTRICT STD. DTL. 4-02.
9. CONSTRUCT 2" DOUBLE CHECK DETECTOR ASSEMBLY FOR RESTAURANT FIRE WATER PER GOLETA WATER DISTRICT STD. DTL. 4-02.
10. CONSTRUCT 12" x 12" PRECAST CONC. CATCH BASIN. CATCH BASINS IN PAVED AREAS TO HAVE TRAFFIC GRATES. ALL GRATES TO BE ADA COMPLIANT.
11. CONSTRUCT 6" PVC SEWER LATERAL FOR HOTEL PER GOLETA WEST SANITARY DISTRICT STD. DTL. 4.2.
12. CONSTRUCT 4" PVC SEWER LATERAL FOR RESTAURANT PER GOLETA WEST SANITARY DISTRICT STD. DTL. 4.2.
13. CONSTRUCT 12" x 12" NDS ATRIUM GRATE WITH 12" x 12" ADAPTER WITH 6" OUTLET.
14. CONSTRUCT 6" SEWER CLEANOUT PER GOLETA WEST SANITARY DISTRICT STD. DTL. 4.5.
15. CONSTRUCT 4" SEWER CLEANOUT PER GOLETA WEST SANITARY DISTRICT STD. DTL. 4.5.
16. CONSTRUCT 18" WIDE SIDEWALK DRAIN PER S.B. CO. PUBLIC WORKS STD. DTL. 2-070.
17. PROVIDE 12" WIDE SLOT IN CURB FACE @ 8" D.C. FOR STORM WATER RUNOFF.
18. CONSTRUCT SS-18 CURB PER S.B. CO. PUBLIC WORKS STD. DTL. 3-100.
19. CONSTRUCT A1-6 CURB PER S.B. CO. PUBLIC WORKS STD. DTL. 3-100.
20. CONSTRUCT P.C. CONC. SIDEWALK PER S.B. CO. PUBLIC WORKS STD. DTL. 4-010 & 4-040 (MIN. WIDTH OF SIDEWALK: HOLLISTER AVE=5.5', CORTONA DR.=4.5').
21. CONSTRUCT SS-24 CURB PER S.B. CO. PUBLIC WORKS STD. DTL. 3-100.
22. REMOVE EXISTING MONITORING WELL IN ACCORDANCE WITH CITY OF GOLETA REQUIREMENTS.
23. CONSTRUCT MONITORING WELL IN ACCORDANCE WITH CITY OF GOLETA STANDARDS.
24. CONSTRUCT CONC. BUS POCKET PER S.B. CO. PUBLIC WORKS STD. DTL. 5-120 & 5-130.
25. CONSTRUCT EDGE OF PAVEMENT (NO CURB).
26. CONSTRUCT 24" x 24" PRECAST CONC. CATCH BASIN WITH PARKWAY GRATE.
27. CONSTRUCT CASE A CURB RAMP PER CALTRANS STD. PLAN AB5A.
28. CONSTRUCT C.M.L.L. RETAINING WALL.
29. CONSTRUCT CURB INFILTRATION TRENCH PER DTL. 2 ON SHT. C1.
30. CONSTRUCT TYPE A DROP INLET PER S.B. CO. PUBLIC WORKS STD. DTL. 2-020 & 2-025.
31. CONSTRUCT PERVIOUS CONCRETE PER DTL. 3 ON SHT. C1 (PAVERS MAY BE SUBSTITUTED UPON APPROVAL OF ENGINEER)
32. DEMO EXIST. RIBBON GUTTER & CONSTRUCT RIBBON GUTTER/INFILTRATION TRENCH PER DTL. 1 ON SHT. C1.

