

ATTACHMENT B-2: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-E, dated February 19, 2025, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is a request for a Coastal Development Permit submitted pursuant to Senate Bill 330 to allow for the demolition of an existing 1,620 square foot (SF) single-family dwelling and 455 SF garage, and the construction of three new, 3-story multi-family buildings totaling 15,093 net SF and 18,436 gross SF. The project includes 13 three-bedroom units and 3 two-bedroom units (totaling 45 bedrooms), a management office, and will have a maximum height of 36'-7". Two of the units will be very low income units pursuant to State Density Bonus Law and two will be moderate income units pursuant to Coastal Plan policy. The project includes 24 parking spaces, 48 bike lockers, and 52 bike racks to serve the development. Other site improvements include a new trash enclosure, an approximately 180 foot 8-foot tall masonry wall along the southern property line and a portion of the western property line, two 6-foot tall gates and fencing, cluster mailboxes and cluster parcel boxes, concrete flatwork and landscaping. Grading will include 415 cubic yards of cut and 75 cubic yards of fill. No trees are proposed for removal.

Public transit information, resources, and vouchers will be provided to all project tenants (unless the tenants already have a transit voucher through their school ID). The Applicant will evaluate the option to provide a car-share vehicle (such as zip-car) on-site. The Applicant will also voluntarily market the housing complex as a public-transit accessible site.

Existing onsite development, consisting of one residential structure, one garage and various shed and storage containers are proposed for demolition and removal. The project is requesting a 45% density bonus, resulting in an additional five units above the zoning density per acre, and three concessions. The concessions include an increase to the allowed bedroom density, a reduction in front, side and rear setbacks, and an increase to maximum height limit for the SR-M Zone District. The parcel and project will be served by the Goleta Water District, the Goleta Sanitary District, and the County Fire Department. Access will be provided via Sueno Road. The property is 0.58-acres net, 0.65-acres gross, zoned SR-M-18 and is shown as Assessor's Parcel Number 075-092-009, located

at 6737 Sueno Road in the Goleta Community Plan area, Second Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

- 2. Proj Des-02 Project Conformity:** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and 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 hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Conditions By Issue Area

- 3. Aest-10c Lighting:** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. No unobstructed beam of exterior light shall be directed toward any area zoned or developed residential. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m.

PLAN REQUIREMENTS: The Owner/Applicant shall develop a Lighting Plan for P&D approval incorporating these requirements and showing locations and height of all exterior lighting fixtures.

TIMING: P&D shall review a Lighting Plan for compliance with this measure prior to issuance of a Coastal Development Permit for structures.

MONITORING: Compliance Monitoring staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan prior to Final Building Inspection Clearance.

- 4. Air-01 Dust Control:** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
 - a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
 - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - c. During construction, use water trucks or sprinkler systems to keep all areas of

vehicle movement damp enough to prevent dust from leaving the site.

d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.

e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.

f. Order increased watering as necessary to prevent transport of dust off-site.

g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.

h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:

i. Seed and water to re-vegetate graded areas; and/or

ii. Spread soil binders; and/or

iii. Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

a. Assure all dust control requirements are complied with including those covering weekends and holidays.

b. Order increased watering as necessary to prevent transport of dust offsite.

c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to first grading permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued and landscaping successfully installed.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

5. **CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.

PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans.

MONITORING: P&D permit processing planner shall check plans prior to approval of Coastal Development Permit and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

6. Noise-02 Construction Hours: The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

7. NPDES-15 Storm Water Retention-Pervious Parking: To reduce runoff from impervious areas and allow for infiltration, the Owner/Applicant shall incorporate pervious materials or surfaces including pervious pavement into the project design.

PLAN REQUIREMENTS: The Owner/Applicant shall demonstrate use of pervious materials or surfaces on building, drainage and landscape plans as applicable.

MONITORING: P&D planners shall verify use as applicable during plan review; compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance.

8. NPDES-16 Storm Water Retention-Roof Runoff Collection: To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall install a roof runoff collection and disposal system to infiltrate storm water runoff. Runoff shall be directed to either a subsurface infiltration trench, french drains, planter boxes, landscaped areas or connected to the site's irrigation system. An overflow or high flow bypass system will be provided.

PLAN REQUIREMENTS: The Owner/Applicant shall include the roof runoff collection and disposal system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and any special roof design elements on building and roofing detail plans, depicted graphically.

MONITORING: P&D compliance monitoring staff shall site inspect for installation

prior to Final Building Inspection Clearance.

- 9. NPDES-18 Storm Water Retention-Driveway Design:** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall use one of the following driveway designs: paving only under wheels, flared driveway, or use of permeable surfaces for temporary or non-permanent parking areas.

PLAN REQUIREMENTS: The Owner/Applicant shall include the driveway design, including materials building plans and as needed on grading plans depicted graphically.

MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance.

- 10. SolidW-03 Solid Waste-Construction Site:** The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete.

PLAN REQUIREMENTS: All plans shall contain notes that the site is to remain trash-free throughout construction.

TIMING: Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

MONITORING: Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

- 11. WatCons-03 Water Conservation in Landscaping:** Water Conservation in Landscaping. The project is subject to the California Water Conservation in Landscaping requirements. Prior to issuance of the CDP, the Owner/Applicant shall fill out, obtain the stamp of the appropriate licensed professional, sign, and submit to P&D a Water Efficient Landscape Ordinance Supplement Application, including the Landscape Documentation Package or Appendix D, as appropriate to the size of the landscape area.

PLAN REQUIREMENTS: The Owner/Applicant shall depict the California Water Conservation in Landscaping supplemental application landscape plans on building plans.

TIMING: The Water Efficient Landscape Ordinance Supplemental Application shall be completed, stamped, signed, and submitted to P&D prior to issuance of the CDP. The landscape and irrigation shall be installed per plan prior to Final Building Inspection Clearance.

MONITORING: Permit Compliance and Building Inspection staff shall check in the

field prior to Final Building Inspection Clearance to ensure the landscape and irrigation is installed per plan and ensure the Certificate of Completion is completely filled out and submitted.

- 12. WatConv-04 Equipment Storage-Construction:** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permit and building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

- 13. WatConv-05 Equipment Washout-Construction:** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site as needed. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Coastal development Permit and building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

Project Specific Conditions

- 14. Hous-02 Agreement to Provide Affordable Housing Under IHO:** The Owner/Applicant shall provide two (2) Very Low-income dwelling units available for sale or rental prices affordable to households earning up to 50% of Area Median Income (AMI) adjusted for family size and revised annually consistent with the provisions of Government Code § 65915-65918 (Density Bonus).

PLAN REQUIREMENTS: The Owner/Applicant shall enter into and record with the County Clerk-Recorder an Agreement to Provide Affordable Housing, which shall include a Restrictive Covenant and Preemptive Right. This Agreement shall specify affordability terms described in the Housing and Community Development (HCD) Condition Letter referred to in Condition No. 30. The Agreement to Provide shall

be prepared by the Housing and Community Development Division of the County of Santa Barbara's Community Services Department. Recorded Agreements shall bind the property owners to maximum rental amount and sales price requirements for the time period required by law and/or County policy, and shall include the number of affordable housing units, their size, their affordability level, the income level at which they must be rented or sold, and marketing and lottery requirements.

TIMING AND MONITORING: The Owner/Applicant shall submit the Agreement to County Housing and Community Development, Planning & Development and County Counsel for review, approval and execution. Planning & Development processing staff shall obtain written HCD approval and confirmation of the executed and recorded Agreement, using the HCD Project Approval Form, prior to issuance of a Coastal Development permit. The rental units shall remain affordable for a period of fifty-five (55) years, or longer if required by the financing, insurance or rental subsidy program used. In addition, the running of the covenant shall be tolled during any period of violation of covenant terms.

Affordable units shall be constructed in proportionate timing with the construction of the market-rate units based on the ratio of price restricted affordable housing units to proposed market-rate units.

- 15. Hous-03 Agreement to Provide Affordable Housing Under CLUP:** The Owner/Applicant shall provide two (2) Moderate income dwelling units available for rent or sale at prices affordable to households earning up to 120% of Area Median Income (AMI) adjusted for family size consistent with the provisions of CLUP Policy 5-5(c)

PLAN REQUIREMENTS: The Owner/Applicant shall enter into and record with the County Clerk-Recorder an Agreement to Provide Affordable Housing, which shall include a Restrictive Covenant and Preemptive Right. This Agreement shall specify affordability terms described in the Housing and Community Development (HCD) Condition Letter referred to in Condition No. 30. The Agreement to Provide shall be prepared by the Housing and Community Development division of the County of Santa Barbara's Community Services Department. Recorded Agreements shall bind the property owners to maximum rental amount and sales price requirements for the time period required by law and/or County policy, and shall include the number of affordable housing units, their size, their affordability level, the income level at which they must be rented or sold, and marketing and lottery requirements.

TIMING AND MONITORING: The Owner/Applicant shall submit the Agreement to County Housing and Community Development, Planning & Development and

County Counsel for review, approval and execution. Planning & Development processing staff shall obtain written HCD approval and confirmation of the executed and recorded Agreement, using the HCD Project Approval Form, prior to issuance of the Coastal Development permit. The rental units shall remain affordable for a period of twenty-five (25) years or longer if required by the financing, insurance or rental subsidy program used. In addition, the running of the covenant shall be tolled during any period of violation of covenant terms.

Affordable units shall be constructed in proportionate timing with the construction of the market-rate units based on the ratio of price restricted affordable housing units to proposed market-rate units.

County Rules and Regulations

- 16. DIMF-24a DIMF Fees-Library:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for libraries. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total Library DIMF amount is currently estimated to be \$463.00 (February 26, 2025). This is based on a project type of residential multifamily units and a project size of 18,837 square feet.

TIMING: Library DIMFs shall be paid to Planning & Development Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st)

- 17. DIMF-24b DIMF Fees-Public Administration:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for public administration. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total Public Administration DIMF amount is currently estimated to be \$1,978.00 (February 26, 2025). This is based on a project type of residential multifamily units and a project size of 18,837 square feet.

TIMING: Public Administration DIMFs shall be paid to Planning & Development Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 18. DIMF-24c DIMF Fees-Sheriff:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the County Sheriff. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect

when paid.

The total County Sheriff DIMF amount is currently estimated to be \$541.00 (February 26, 2025). This is based on a project type of residential multifamily units and a project size of 18,837 square feet.

TIMING: County Sheriff DIMFs shall be paid to Planning & Development Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 19. DIMF-24d DIMF Fees-Fire:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total Fire DIMF amount is currently estimated to be \$14,127.75 (February 26, 2025). This is based on a project type of residential multifamily units and a project size of 18,837 square feet.

TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 20. DIMF-24e DIMF Fees-Parks:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total Parks DIMF amount is currently estimated to be \$11,039.00 (February 26, 2025). This is based on a project type of residential multifamily units and a project size of 18,837 square feet.

TIMING: Parks DIMFs shall be paid to the County Parks Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 21. DIMF-24g DIMF Fees-Transportation:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total DIMF amount for Transportation is currently estimated to be \$197,552.00 (February 26, 2025). This is based on a project type of residential multifamily units and a project size of 18,837 square feet.

TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 22. Rules-01 Effective Date-Not Appealable to CCC:** This Development Plan shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. ARTICLE II §35-169.4
- 23. Rules-05 Acceptance of Conditions:** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 24. Rules-07 DP Conformance:** 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 structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibit E, dated February 19, 2025.
- 25. Rules-09 Signs:** Signs. No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
- 26. Rules-20 Revisions to Related Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved Coastal Development Permit, Storm Water Protection Plan, landscaping plans. Substantial conformity shall be determined by the Director of P&D.
- 27. Rules-23 Processing Fees Required:** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 28. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
1. Air Pollution Control District dated June 26, 2024;
 2. Building and Safety Division dated March 7, 2024;
 3. Fire Department dated March 14, 2024;
 4. Flood Control Water Agency dated March 7, 2024;
 5. Housing and Community Development, dated December 19, 2024
- 29. Rules-30 Plans Requirements:** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

- 30. Rules-31 Mitigation Monitoring Required:** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
- a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 - b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to issuance of Coastal Development Permit as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
 - c. Note the following on each page of grading and building plans "This project is subject to Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval";
 - d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.
- 31. Rules-33 Indemnity and Separation:** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project.
- 32. Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified

project impacts.