

ATTACHMENT 2: CONDITIONS OF APPROVAL

PROJECT DESCRIPTION

1. This Tentative Tract Map and Development Plan are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibit #1, dated ~~February 1~~ June 26, 2012, and conditions of approval set forth below. 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.

The project description is as follows:

The project consists of a Comprehensive Plan Map Amendment (01GPA-00000-00009), Rezone (01RZN-00000-00015), Vesting Tentative Tract Map (09TRM-00000-00001), Development Plan (08DVP 00000-00012) to develop 135 dwelling units, and a Road Naming application (09RDN-00000-00001).

Comprehensive Plan Map Amendment and Rezone

The project involves an amendment to the Goleta Community Plan Land Use Element Map to change the land use designation on APNs 069-100-006, 069-100-051, 069-100-054, and 069-100-057 from Agriculture (A-I-5) to Residential 4.6 (RES-4.6). The request also includes a change to the zone district on APNs 069-100-006, 069-100-051, 069-100-054 and 069-100-057 from Agriculture (AG-I-5) to DR 4.6.

Vesting Tentative Tract Map

The project includes a Vesting Tentative Map that divides the project into 70 lots, including 39 individual lots for single family dwellings, 21 lots for multiple dwellings (including courtyard homes, triplexes, and six-plexes), and 10 lots for roads and common open space areas. The new public road (Tree Farm Lane) connects the Patterson Avenue access to the site to the northern terminus of Merida Drive ~~for emergency use~~. The existing public access roads, along with the new roads, serve the new housing development. The project includes two drainage outlets to San Jose Creek (one improves an existing outlet for storm flows originating off site) to carry storm water from offsite and onsite, including storm water released from a retention basin for onsite drainage located adjacent to San Jose Creek. The existing SCE 66 kV transmission lines that traverse the property (between 1955 and 2050 linear feet) are to be retained and/or shifted within their existing easement, retaining the existing east-west alignment. Existing 16kV lines on those power poles are to be placed underground.

Development Plan

The Development Plan includes 135 housing units, including one existing dwelling unit to be retained. The two other dwelling units that currently exist onsite are to be demolished. The residential component of the project include one existing single family dwelling, 80 new detached dwelling units and 54 new attached dwelling units, for a total of 135 housing units. Of the 135 housing units, 8 are to be designated affordable rental units. One hundred and

twenty of the units constitute the base zone density under the proposed DR 4.6 zone district and the project application includes a request for a 13% density bonus (15 additional dwelling units). The development is to be governed by Homeowner Covenants, Conditions and Restrictions (CC&Rs).

The project includes 54 attached units, 8 of which are proposed to be affordable rental units at the very low income level and 16 are proposed to be for-sale apartments targeting workforce housing. The project also includes 80 detached homes in four sub-areas of the site composed of 43 courtyard homes, 20 small lot homes and 17 medium-sized lot homes. The design of the single family dwelling units will be one of four unit types, with two- or three-car garages and private outdoor space. The market rate units will range in size from approximately 1,394 square feet to 3,800 square feet. The rental and for-sale apartments will range in size from approximately 695 to 910 square feet. In addition, the existing single family home on APN 069-100- 006 will be retained. The project will provide five housing types with a variety of architectural styles including American farmhouse, cottage, craftsman, Monterey, and California ranch, contemporary and/or traditional. The five housing types are summarized below.

Housing Types

Housing Type	Unit #	Building Details
Garden Apartments	24	<ul style="list-style-type: none"> • 8 rental units, 16 for-sale • 4 Buildings • 6-Plexes • 650 – 900 sf units
Townhomes	30	<ul style="list-style-type: none"> • 10 Townhome Buildings – 3 units per building • Plan A1 – 1,384 sf units (10 total) • Plan A2 – 1,880 sf units (10 total) • Plan A3 - 1,950 sf units (10 total)
Courtyard Homes	43	<ul style="list-style-type: none"> • Plan B1 – 1,485 sf units (19 total) • Plan B2 – 1,725 sf units (10 total) • Plan B3 – 1,975 sf units (14 total)
Estate Lots (Type C)	20	<ul style="list-style-type: none"> • 20 Single Family Dwellings • Plan C1 – 2,900 sf (4 total) • Plan C2 – 3,100 sf (7 total) • Plan C3 – 3,300 sf (9 total)
Estate Lots (Type D)	17	<ul style="list-style-type: none"> • 17 Single Family Dwellings • Plan D1 – 3,400 sf (5 total) • Plan D2 – 3,600 sf (4 total) • Plan D3 – 3,800 sf (7 total) • Carriage House – 1,500 sf (1 total)

New residential units will be two stories and include maximum building heights between 25 and 26 feet from finished grade (up to a maximum of approximately 33 feet from existing grade). The building coverage for the residential units will be approximately 19% of the

proposed net site area. While the detention basin will be located within 10 feet of San Jose Creek's riparian area for functional purposes, all new residential structures will be located over 100 feet from riparian areas. The common area facilities will be setback at least 50 feet from the top-of-bank of San Jose Creek, with the exception of the existing barn which will be reconstructed in place.

Common Open Space. The project will also include two common open space lots located generally along a setback from the Goleta Fault, which traverses the site in a generally east-west direction, and adjacent to San Jose Creek. These common areas, which will occupy roughly 38% of the site, will include the following amenities:

- A private creek-side park with a small amphitheatre; several community flex-space buildings built in the locations of the existing accessory buildings which are in various states of disrepair; patios and decks; a small swimming pool; and a community parking lot and basketball court at the southwest corner of the site adjacent to the existing County open space area to the south.
- A linear park and trail area within the fault setback, also accommodating a bioswale ("seasonal dry creek bed").

Common area amenities are depicted on the site plan and include reconstruction or replacement of existing accessory structures in their general existing locations for the recreational and support out-buildings. A detention basin will be constructed in the northern portion of the creekside open space area. Common lots will also be created for the internal private roadways.

Construction. The project will be constructed in five phases. Phase I will include a total of 29 units (two triplexes, eight courtyard homes, eleven Type C estate homes, three Type D estate homes, and the existing Cavaletto residence), all of the common area facilities, a portion of Tree Farm Lane¹, Noel Court, and a portion of Christmas Tree Lane, as indicated on project phasing plans dated 02/01/12. Phase II would include a total of 28 units (two triplexes, 12 courtyard homes, 6 Type C estate homes, and four Type D estate homes, including the carriage house) and the remainder of Christmas Tree Lane. Phase III would include a total of 24 units (six triplexes) and the remainder of Tree Farm Lane. Phase IV would include a total of 41 units (23 courtyard homes and six triplexes). Phase V would include a total of 13 Type D estate homes. Rough grading (balanced cut and fill) for the entire site is proposed as part of Phase I of the development. Total grading quantities include approximately 40,000 cubic yards of cut and 40,000 cubic yards of fill.

Parking. The project will incorporate 282 covered parking spaces for the housing units and 128 guest parking spaces for a total of 410 spaces.

Roads/Circulation. One new public road (Tree Farm Lane) with sidewalks on both sides will be constructed in an east/west direction between Patterson Avenue and Las Perlas Drive, continuing west to connect with Merida Drive. Its connection with Merida Drive would be for emergency use only and would be so designated by signs. The connection would include narrowed street widths, a median, alternative paving materials, and other available measures to deter use of the connection for non-emergency purposes provide traffic calming along this

¹ Note that Condition of Approval No. 46 requires that Tree Farm Lane be fully extended to Patterson Avenue as part of Phase I.

roadway. New private roads will be constructed for internal circulation, and Christmas Tree Lane would terminate ~~in a cul-de-sac at the existing road through the adjacent to Cathedral Oaks Village in the northeast part of the site. This connection would be made available for emergency access for the public and emergency responders with an electric gate acceptable to County Fire. This access will be available to pedestrians and bicyclists.~~ Patterson Avenue frontage improvements would be constructed, including sidewalks and left and right turn lanes at the new project intersection. No new structural development is proposed for the area designated for a future County Class I bike path and trail. However, the project includes an easement for a public bridge and path in the southwest corner of the site that would reestablish community access to the adjacent Kellogg Open Space from the eastern side of San Jose Creek and provide a critical connection for the future Class I bike path.

Landscaping. As shown in the Landscape Plan to be approved by the SBAR, Native California plants will be planted throughout the development as well as drought tolerant, Mediterranean and wildlife habitat plant species. In addition, non-native ornamental street trees are proposed along roads. Some of the existing native trees, including existing oak trees, will remain or be relocated on site. In addition, some of the site's existing Cypress Christmas trees will be retained to provide screening and wildlife habitats as well as provide character.

Drainage Improvements. An existing open trapezoidal drainage ditch crosses the east side of the property, receiving storm flows from an open channel north of the site and routing them to a 54-inch diameter storm drain inlet near the south property boundary. As part of the site development, these flows will be contained within a 54-inch storm drain to be located within a 15-foot wide Santa Barbara County Flood Control District easement. Site runoff will not be connected to this storm drain, rather runoff from the eastern lots will be directed to the streets and routed westward via a storm drain system along the proposed Tree Farm Lane. The storm drain will be sized per Santa Barbara County Flood Control District standards, eventually becoming a 60-inch diameter pipe that will discharge to San Jose Creek in the southwestern corner of the project site. The outlet will be designed to Flood Control District standards, with the outlet discharging onto an outlet apron of riprap to prevent discharge erosion problems.

Currently, offsite drainage from the north is directed via a north-south storm drain between proposed Phase I and Phase III to an east-west storm drain located along the south property boundary. This storm drain conveys storm flows westward and currently discharges to San Jose Creek in the same location where the proposed 60-inch storm drain would discharge. The runoff water currently conveyed by this storm drain would be collected and conveyed via the new 60-inch storm drain. The existing storm drain will be either abandoned in place or removed in conformance with Flood Control District requirements, and its associated 13-foot wide easement will be quit-claimed to the proposed development.

A bioswale will traverse from east to west across the northern portion of the site. Generally, storm water runoff south of the east-west portion of Christmas Tree Lane will drain to the new 60-inch storm drain, while the northeast portion of the site will drain to the bioswale, which is planned to discharge to the detention basin. Drainage from the northwest portion of the site and the lots north of Christmas Tree Lane will be conveyed by minor local storm drain systems that will also discharge into the detention basin. The detention basin will hold approximately 93,700 cubic feet (~2.15 acre-feet). Runoff volumes greater than this will discharge via a riprap spillway to San Jose Creek.

Utilities. The project will be served by the Goleta Water District and Goleta Sanitary District (upon annexation). The existing 66 kV transmission lines that traverse the property in an east-west alignment will remain in place; however, the poles may shift slightly within the existing easement alignment to accommodate the roadway infrastructure. 16kV Power lines serving the project will be undergrounded.

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.

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.

MITIGATION MEASURES FROM 11EIR-00000-00002

2. **AES-10 Lighting.** The Applicant shall ensure any exterior night lighting installed on the project site meets the lighting guidelines of the Eastern Goleta Valley Residential Design Guidelines. The Applicant shall install timers or otherwise ensure lights are dimmed after 10 PM. Illuminating Engineering Society (IES) standards shall apply for road lighting with dark sky approved fixtures.

PLAN REQUIREMENTS: The Applicant shall develop a Lighting Plan for SBAR approval incorporating these requirements and showing locations, heights, and provide cut sheets of all exterior lighting fixtures showing the direction of light being cast by each fixture.

TIMING: Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: Planning and Development compliance monitoring staff and SBAR shall review a Lighting Plan for compliance with this measure prior to Final Building Inspection Clearance to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan

3. **AQ-1 Construction Emissions Control Measures.** SBCAPCD requires that the following construction emissions control measures be implemented on all projects involving earthmoving activities regardless of size or duration:

- 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.
 - All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
 - Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
 - All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.
 - Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
 - Diesel powered equipment should be replaced by electric equipment whenever feasible.
 - If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
 - Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
 - All construction equipment shall be maintained in tune per the manufacturer's specifications.
 - 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 worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

PLAN REQUIREMENTS AND TIMING: In accordance with standard practices, such construction emissions control measures should be shown on grading and building plans and as a note on a separate information sheet to be recorded with the map.

MONITORING: The County of Santa Barbara Planning and Development Department (P&D) permit processing planner shall check plans prior to issuance of Land Use Permits, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

4. **BIO-1(a) Raptor, Special Status Species, and Nesting Bird Protection.** To avoid disturbance of nesting and special status birds including raptorial species protected by the

Federal Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code, proposed project activities, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 15). If these activities must begin within the breeding season, then pre-construction surveys shall be conducted. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 500-foot buffer as allowable without trespassing on private lands. The survey shall be conducted by a County-qualified biologist familiar with the identification of raptors and special status species known to occur in Santa Barbara County using typical methods. If nests are found, a buffer ranging in size from 25 to 500 feet (25 feet for urban-adapted species such as Anna's hummingbird and California towhee and up to 500 feet for certain raptors) depending upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site, shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the County-qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting birds surveys are not required for construction activities occurring between August 16 and February 1.

PLAN REQUIREMENTS AND TIMING. If construction must begin within the breeding season, then the pre-construction survey shall be conducted no more than two weeks prior to commencing vegetation removal, grading, or construction activities, including demolition. Active nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. Bird survey results shall be submitted to County Planning and Development for review and approval prior to commencing grading or construction activities, including demolition, and a copy of the report provided to the CDFG.

MONITORING. P&D shall be given the name and contact information for the biologist prior to initiation of the pre-construction survey. Permit Compliance and P&D staff shall verify compliance in the field and perform site inspections throughout the grading and construction phase(s). P&D staff shall review the survey report(s).

5. **BIO-1(b) Lighting Requirements.** The project shall incorporate lighting design features to the extent possible that will reduce the amount and intensity of night lighting in open space areas adjacent to the development. This would involve using lighting only to the extent necessary, using low intensity lights, placing lighting close to the ground when possible, using shields to reduce glare and direct lighting downward, and pointing lights away from open space areas. Security lighting from the site shall not exceed the existing lighting levels at the edge of the San Jose Creek riparian canopy. Any security lights used adjacent the San Jose Creek riparian canopy shall be activated solely by motion sensors after 9:00 pm.

PLAN REQUIREMENTS AND TIMING. A nighttime light survey shall be conducted to determine current light levels at the edge of the riparian habitat and any site security lighting shall be designed to not exceed that level. The report of the light survey results and the lighting plan shall be submitted to Planning and Development for review and approval prior to Zoning Clearance. The lighting plan shall be checked for conformance with the above requirements prior to the issuance of occupancy permits for those structures within 200 feet of San Jose Creek.

MONITORING. Planning and Development shall site inspect all exterior light fixtures after

installation to ensure compliance.

6. **BIO-1(c) Existing Buildings.** Prior to restoration or demolition of the barn and any other structures, these structures shall be checked by a qualified biologist for nesting by native birds and for use by roosting bats. If these are present, restoration and/or demolition shall be delayed until after the bird nesting season, and in the event of bat use, a sufficient number of bat boxes shall be placed within the riparian woodland area to accommodate the number of bats within the structure(s). The biologist shall also make recommendations regarding construction and demolition timing and methods to avoid bat mortality.

PLAN REQUIREMENTS AND TIMING. Survey reports shall be submitted to P&D for review and approval prior to commencing construction and/or demolition activities.

MONITORING. P&D shall be given the name and contact information for the biologist prior to initiation of the building survey. Permit Compliance and P&D staff shall verify compliance in the field and perform site inspections throughout the demolition and construction phase(s).

7. **BIO-2 Landscape Plan Revisions.** To avoid the introduction of potentially problematic plant species to the site, the landscape plan shall be revised to use a native California oak in place of the southern live oak. Butterfly bush should be removed from the palette with native plants used in its place, such as various California lilac species (*Ceanothus* sp.), sage (*Salvia* sp.), monkeyflower (*Mimulus* sp.), currants (*Ribes* sp.) and/or western elderberry (*Sambucus mexicana*).

PLAN REQUIREMENTS AND TIMING. A revised landscape plan shall be submitted to Planning and Development for review and approval prior to Zoning Clearance.

MONITORING. Review of the plan for consistency with the above measure shall be completed prior to issuance of occupancy permits.

8. **BIO-5(a) Habitat Restoration.** The applicant shall restore riparian habitat at a minimum ratio of 1:1 for temporary loss and 3:1 for permanent loss. For the current anticipated loss of riparian habitat, the restoration amount would be 900 square feet for temporary losses and 780 square feet for permanent losses, for a total of 1,680 square feet (0.0386 acres) of restoration. Restoration should occur within the temporarily disturbed area adjacent to the reconstructed storm drain outlet, with the additional restoration activity to occur within either the bioswale, detention basin, or other adjacent sections of the creek in need of restoration or enhancement. The Applicant shall submit for P&D approval a Restoration Plan for these areas prepared by a P&D-qualified biologist and including the following components:
 - a. Restoration plantings will replicate the habitat disturbed (or in the case of disturbed habitats dominated by non-native species, replaced with suitable native species). All plantings shall have a minimum 80% survival by species and shall attain 75% cover of baseline at the end of three years and 90% cover of baseline after 5 years of project life. No woody invasives shall be present and herbaceous invasive species shall not exceed 5 percent cover.
 - b. Native twining vines (such as California Wild Rose [*Rosa californica*], Wild Blackberry [*Rubus ursinus*], Creek clematis [*Clematis ligusticifolia*]) shall be planted at the edge of the riprap mat to aid in providing some cover for this area.
 - c. Species shall be from locally obtained plants and seed stock. "Local" shall be defined as from the southern coastal plain of Santa Barbara County with preferences from South Coast watersheds, particularly the San Jose Creek watershed. Any deviation from

- approved prescriptions for revegetation, including materials to be used and methods of application, shall be reviewed and approved by the County of Santa Barbara.
- d. The Restoration Plan shall include the locations, amounts, size, and types of plants to be used.
 - e. Planting and weed control methods, irrigation methods and timing shall be discussed in the Restoration Plan. All planting shall be done after the first rains of the winter season (generally October 1-February 1) to take advantage of the availability of water, dormancy of foliage, and rooting period to ensure optimum survival.
 - f. Irrigation shall be provided when natural moisture conditions are inadequate to ensure survival of plants. Irrigation shall be provided, if needed, for a period of at least 2 years from planting and shall be phased out during the fall/winter of the 2nd year unless conditions dictate otherwise.
 - g. Non-native, weedy species (to include vinca, Arundo, Cape Ivy, and Kikuyu) that are considered to be problematic shall be identified in the Restoration Plan and shall be removed from the restoration area and areas immediately adjacent to it during installation and periodically removed from the restoration area during the maintenance period to aid in meeting the success criteria.
 - h. To protect the restoration site from damage during establishment, the restoration area shall be fenced and staked a minimum of every six feet or as necessary to keep the fencing from collapsing.

PLAN REQUIREMENTS AND TIMING. A Restoration Plan shall be submitted to P&D prior to Zoning Clearance. The Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for a minimum of three years. An annual monitoring plan shall be submitted 12, 24, and 36 months after installation describing the condition of the restoration area relative to the success criteria. The restoration areas shall attain at least 80% ground canopy coverage with native plants at the end of the restoration monitoring period, which shall be no less than three years. In the event that 80% canopy coverage is not achieved by the end of three years, the monitoring plan shall discuss what actions are necessary to achieve success, including replanting of the restoration site, and the applicant will continue to monitor the restoration for an additional two years.

MONITORING. The Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

9. **BIO-5(b) Agency Coordination.** The applicant shall obtain permits, agreements, and/or water quality certifications or correspondence indicating that none are necessary from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws governing work within jurisdictional waters.

PLAN REQUIREMENTS AND TIMING. The applicant shall submit copies of correspondence indicating that no permits are needed, or shall provide copies of the Streambed Alteration Agreement (CDFG), Section 404 permit (ACOE) and the Section 401 Certification (RWQCB) to Planning and Development prior to issuance of grading permits.

MONITORING. Planning and Development shall review agency correspondence and shall ensure that the appropriate permits have been obtained prior to issuing a grading permit that affects jurisdictional areas.

10. **BIO-6(a) Oak Tree Replacement.** Where oak trees cannot be avoided and are planned for removal or significant encroachment (>25% of dripline), the applicant shall replace oaks per the following schedule:

- Removed Specimen Trees (3 total): 5 15-gallon or 3 24-inch box [5:1 or 3:1 ratio] per impacted tree;
- Encroached Specimen Trees (7 total): 5 1-gallon (oak liners) or 2 15-gallon or a 24-inch box per impacted tree;
- Trees of Biological Value (6 total): 3 1-gallon (oak liners) per impacted tree;
- The 1 gallon oak liners shall be planted in the riparian corridor area.

PLAN REQUIREMENTS AND TIMING. A revised landscape plan shall be submitted to Planning and Development for review and approval prior to Zoning Clearance that incorporates native oak trees within the site as indicated.

MONITORING. After completion of landscaping, Planning and Development shall check the site for consistency with the plans prior to final occupancy clearance.

11. **BIO-6(b) Oak Tree Construction Avoidance.** During construction, the following measures shall be implemented.

- No grading or development shall occur within five feet from the driplines of preserved oak trees that occur in the construction area except those specifically detailed on the site plans and approved by the County.
- All oak trees to be preserved within 25 feet of proposed ground disturbances shall be temporarily fenced with chain-link or other material satisfactory to the County throughout all grading and construction activities. The fencing shall be at least three feet high, installed six feet outside the dripline of each oak tree, shall be staked to prevent collapse, and shall contain signs identifying the protection area placed in 15-foot intervals.
- Fencing/staking/signage shall be maintained throughout all grading and construction activities.
- No construction equipment shall be parked, stored or operated within six feet of any specimen oak tree dripline except as otherwise specifically detailed on the site plans and approved by the County.
- No fill soil, rocks, or construction materials shall be stored or placed within six feet of the dripline of an oak tree (pervious paving and other materials are allowed, as approved by the County).
- No artificial surface, pervious or impervious, shall be placed within six feet of the dripline of any oak tree, except for project access roads.
- Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a County approved arborist/oak tree consultant.
- Any trenching required within the dripline or sensitive root zone of any specimen tree shall be done by hand. In addition, trenching in the protected zone needs to preserve roots over 1 inch by tunneling.
- All work within the dripline of a preserved oak shall be done under the direction of a County approved arborist/biologist.
- No permanent irrigation shall occur within the dripline of any existing oak tree.
- Any construction activity required within three feet of a specimen oak tree's dripline shall be done with hand tools.

- Limbing shall be done prior to grading and under the direction of a County approved arborist/oak tree consultant.
- Where encroachment into the dripline is specifically permitted, all curbs, walls, and other structures shall be set back no less than 3 feet from the trunk.
- Site drainage shall be checked to ensure that no ponding at the base of any oak tree occurs.
- All trees to be protected located within 25 feet of buildings shall be protected from stucco and/or paint during construction.

PLAN REQUIREMENTS AND TIMING. The above measures shall appear on all grading and landscape plans, which shall be submitted to Planning and Development for review and approval prior to land use clearance for grading and subdivision improvements.

MONITORING. Planning and Development shall oversee implementation of the measures during construction.

12. **CR-1 Stop Work at Encounter.** The 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 Applicant shall retain and fund an archaeologist and a Native American representative approved by the County of Santa Barbara Planning and Development Department to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines.

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

MONITORING: The County of Santa Barbara Planning and Development Department permit processing planner shall check plans prior to issuance of land use permit, and Planning and Development compliance monitoring staff shall spot check in the field throughout grading and construction.

13. **CR-2 Human Remains.** If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.

PLAN REQUIREMENTS AND TIMING: This condition shall be printed on all building and grading plans. The County Coroner shall be notified immediately following discovery of any human remains.

MONITORING: The County of Santa Barbara Planning and Development Department permit processing planner shall check plans prior to issuance of land use permit for grading and building permits, and Planning and Development compliance monitoring staff shall spot check in the field throughout grading and construction.

14. **CR-3 Archaeological Reporting.** The results of all archaeological investigations shall be reported to the County of Santa Barbara Planning and Development Department as an addendum to the Phase 1 Archaeological Survey prepared by Heather Macfarlane and the

Extended Phase 1 Archaeological Testing Program prepared by H.E.A.R.T or as a formal technical report.

PLAN REQUIREMENTS AND TIMING: This report shall be submitted to the County within 180-days of completion of the archaeological monitoring.

MONITORING: County of Santa Barbara Planning and Development Department compliance monitoring staff shall confirm that the Archaeological Report is submitted within 180 days of completion of the monitoring.

15. **FIRE-1 Fuel-Load Vegetation Management.** The applicant shall prepare a vegetation management plan pursuant to the requirements of SBCFD. The vegetation management plan shall at minimum include the following:

- Vegetation clearance requirements around all existing and new structures within the 100 foot buffer as determined by SBCFD; and
- A regularly scheduled brush clearance of vegetation on and adjacent to all applicable access roads, power lines, and structures.

PLAN REQUIREMENTS: The vegetation management plan shall be provided to the SBCFD and the County for review and approval.

TIMING: The plan shall be approved prior to zoning clearance.

MONITORING: Permit Compliance staff shall confirm compliance with the vegetation management plan prior to Final Building Inspection Clearance for each phase of development and respond to complaints.

16. **GEO-1 Geotechnical Measures.** The applicant shall prepare a Geotechnical Investigation that provides site-specific recommendations to address collapsible-compressible soils and seismic settlement. A certified geologist approved by the County shall review and field-verify preliminary geologic and geotechnical recommendations and revise as necessary prior to approval of grading permits. All applicable recommendations of final geotechnical investigations, including any revisions made by the certified geologist approved by the County shall be implemented. These recommendations are expected to include, but are not limited to, standard practices for these soil conditions such as:

- A program of over-excavation, scarification, moisture conditioning, and compaction of the soils in the building and surface improvement areas to provide more uniform soil moisture and density, and to provide appropriate pavement and foundation support.
- Cut slopes and fill over cut slopes should be over excavated and rebuilt as compacted fill slope.
- Compacted fill slopes should not exceed a 2:1 (horizontal to vertical) slope.
- Slopes should be vegetated with groundcover, shrubs, and trees which possess deep, dense root structure and require a minimum of irrigation.

PLAN REQUIREMENTS AND TIMING. Preliminary geologic and geotechnical reports shall be submitted for review and approval by Planning and Development prior to approval of grading permits. Prior to approval of grading permits, a certified geologist approved by the County shall review and field-verify preliminary geologic and geotechnical report findings and recommendations. The certified geologist approved by the County shall revise geologic and geotechnical recommendations as necessary. These revisions shall be incorporated into the final geologic and geotechnical reports. Final geologic and

geotechnical reports shall be submitted for review and approval by Planning and Development prior to zoning clearance issuance . Grading and building plans shall be submitted for review and approval by Planning and Development prior to issuance of grading and building permits.

MONITORING. Building inspectors shall site inspect during grading and prior to occupancy clearance to ensure compliance with approved plans.

17. **GEO-2(a) Storm Water Pollution Prevention Plan (SWPPP).** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board and shall submit a copy of the required Storm Water Pollution Prevention Plan (SWPPP).

TIMING: Prior to Issuance of Land Use Permit, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to issuance of Land Use Permit. P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

18. **GEO-2(b) Erosion and Sediment Control Revegetation.** The Owner/Applicant shall re-vegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeded of surfaces graded for the placement of structures if construction does not commence within 30 days of grading.

PLAN REQUIREMENTS: Include this measure as a note on all grading and building plans.

TIMING: The Owner/Applicant shall re-vegetate graded areas upon completion of grading activities.

MONITORING: The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

19. **GEO-2(c) Retention/Detention Basin.** The Owner/Applicant shall provide a retention basin designed to retain, infiltrate and/or recharge all runoff water onsite and maintain contaminants onsite.

PLAN REQUIREMENTS: The Owner/Applicant shall include the retention basin in an Erosion and Sediment Control Plan (ESCP). The location and design parameters of the retention basin shall be submitted to P&D and Flood Control for review and approval. Installation and maintenance for five years shall be ensured through a performance security provided by the Owner/Applicant. Long term maintenance requirements shall be specified in Homeowner Association CC&Rs.

TIMING: Retention and/or recharge basins shall be installed (landscaped and irrigated subject to P&D and Flood Control District approval) prior to Final Building Inspection Clearance.

MONITORING: County Flood Control and grading inspectors shall oversee installation. The Owner/Applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all required components of the approved ESCP are in place as required. Compliance monitoring staff will review required maintenance records.

20. **HAZ-1 Remediation.** Prior to the issuance of a grading permit, the applicant shall test the soils of those areas historically used for orchards or Christmas trees for pesticides and herbicides used for agricultural production. The testing shall be compared to the California Environmental Protection Agency (CalEPA) Human Health Screening Levels (CHHSLs) for residential sites. If the results of this test indicate concentrations that exceed their respective screening levels, the locations exceeding CHHSLs shall be remediated to the satisfaction of the County of Santa Barbara. Details of the remediation are specified below:

- The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency. The remediation program shall also be approved by a regulatory oversight agency, such as the County of Santa Barbara Fire Department. All proper waste handling and disposal procedures shall be followed. Upon completion of remediation, the entity responsible for the remediation shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal and treatment manifests. The report shall be submitted to the lead oversight agency for their approval of the remedial methodology and concurrence that no further action is necessary.

PLAN REQUIREMENTS AND TIMING. P&D shall review grading plans to ensure that any remediation requirements are reflected.

MONITORING. Building & Safety shall verify that abatement is carried out per Fire Department requirements.

21. **HAZ-2 Soil Sampling and Remediation Plans.** Soil samples shall be collected by the applicant in the vicinity of the dump site and the backfilled area and shall be tested for volatile organic compounds (VOCs), semi-VOCs, total petroleum hydrocarbons, polychlorinated biphenyls, metals, pesticides, herbicides, and asbestos prior to the commencement of construction activities. A work plan detailing the sampling protocols to be followed, as well as the number of samples to be taken and the chemical analysis required, shall be completed and submitted to the County of Santa Barbara Fire Department and P&D. Upon approval of the work plan by the Fire Department, the work plan shall be implemented and the results of the soil sampling shall be forwarded to the Fire Department with a copy to P&D. The Fire Department shall review the data to determine if any additional investigation or remedial activities are deemed necessary. No work shall resume in that area until the Fire Department has provided written authorization that the area does not warrant any additional action. If the results of the soil samples indicate concentrations that exceed their respective threshold levels, contaminants shall be remediated to the satisfaction of the Fire Department within these parameters:

- If concentrations of contaminants warrant remediation, contaminated materials shall be remediated prior to initiation of grading or construction. The contaminated materials

shall be remediated under the supervision of an environmental professional licensed to oversee such remediation and under the direction of the Fire Department. The remediation program shall also be approved by the appropriate regulatory oversight agency, as determined by the County of Santa Barbara Fire Department. All proper waste handling and disposal procedures shall be followed. Upon completion of remediation, the entity responsible for the remediation shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal and treatment manifests. The report shall be submitted to the lead oversight agency (with a copy to P&D) for their approval of the remedial methodology and concurrence that no further action is necessary.

PLAN REQUIREMENTS AND TIMING. P&D shall review grading plans to ensure that any remediation requirements are reflected.

MONITORING. P&D shall verify that abatement is carried out per Fire Department requirements.

22. **HAZ-3(a) Asbestos and Lead Based Paint Surveys.** Prior to issuance of a demolition permit for any structure, a lead-based paint and asbestos survey shall be performed by a qualified and appropriately licensed professional. All testing procedures shall follow recognized local standards as well as established California and Federal assessment protocols. The lead-based paint and asbestos survey report shall quantify the areas of lead – based paint and asbestos containing materials.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit a lead-based paint and asbestos survey report to P&D and Building & Safety for review and approval prior to approval of a demolition permit.

MONITORING: Building & Safety shall review the report and assess additional requirements prior to issuance of a demolition permit.

23. **HAZ-3(b) Asbestos Abatement.** Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant and as required by the SBAPCD. All abatement activities shall be in compliance with California and Federal OSHA, and with the SBAPCD requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos containing material removed from onsite structures shall be transported by a company licensed to handle and transport asbestos-containing materials and disposed of at a licensed receiving facility and under proper manifest. Following completion of the asbestos abatement, the asbestos consultant shall provide a report documenting the abatement procedures used, the volume of asbestos containing material removed, and where the material was disposed. This report shall include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the SBAPCD and the County of Santa Barbara Planning & Development Department.

PLAN REQUIREMENTS AND TIMING: Demolition plans shall reflect abatement requirements as warranted.

MONITORING: Building & Safety shall verify that abatement is carried out per SBAPCD and California and Federal OSHA requirements.

24. **HAZ-3(c) Lead Based Paint Removal.** Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint professional shall remove any lead-based paint discovered during the survey outlined above according to proper abatement procedures recommended by the consultant and in accordance with SBAQMD, State of California and Federal requirements. Only lead-based paint trained and certified abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the SBAPCD and the County of Santa Barbara Planning & Development Department.

PLAN REQUIREMENTS AND TIMING. Demolition plans shall reflect abatement requirements as warranted.

MONITORING. Building & Safety shall verify that abatement is carried out per APCD requirements.

25. **HR-1(a) Documentation Report.** An historic preservation professional qualified in accordance with the *Secretary of the Interior's Standards* shall be selected to complete a documentation report on the eligible buildings to be demolished. The buildings to be demolished shall be documented with archival quality photographs and sketch location plans. This documentation, along with historical background prepared for this property, shall be submitted to an appropriate public repository approved by the County of Santa Barbara.

PLAN REQUIREMENTS AND TIMING: The documentation reports shall be completed and approved by the County of Santa Barbara prior to the issuance of demolition permits.

MONITORING: County of Santa Barbara Planning and Development Department compliance monitoring staff shall confirm that the Documentation Report is submitted prior to the issuance of demolition permits.

26. **HR-1(b) Retain and Restore Barn.** The barn building shall be retained within the proposed project and restored. The restoration plan for the building shall be prepared by a historic preservation professional qualified in accordance with the Secretary of the Interior's Standards, and the plans prepared in conformance with the Secretary of the Interior's Standards.

PLAN REQUIREMENTS AND TIMING: The restoration plan shall be completed and approved by the County of Santa Barbara prior to the issuance of building permits for the proposed project, and the restoration work completed prior to issuance of a certificate of occupancy for Phase I of the proposed project.

MONITORING: County of Santa Barbara Planning and Development Department compliance monitoring staff shall confirm that the restoration plan is submitted prior to the issuance of building permits and that the plan is installed prior to final occupancy of Phase I.

27. **HR-1(c) Interpretive Plan.** A historic preservation professional qualified in accordance with the *Secretary of the Interior's Standards* shall be selected to prepare an onsite interpretive plan, focusing on the significant historic themes associated with the properties to be demolished, particularly the history of agriculture in the Goleta Valley and contributions made by the Cavaletto family. The plan shall consist of an interpretive display or other suitable interpretive approaches, as approved by the lead agency, and be installed within the restored barn building.

PLAN REQUIREMENTS AND TIMING: The interpretive plan shall be completed and approved prior to the issuance of building permits for the proposed project, and shall be installed within one year of occupancy. The interpretive display shall remain in public view for a minimum of five years, and if removed, appropriately archived.

MONITORING: County of Santa Barbara Planning and Development Department compliance monitoring staff shall confirm that the Interpretive Plan is submitted prior to the issuance of building permits and that the plan is installed within one year of occupancy.

28. **LU-1 Compatibility of Land Use in Design.** The proposed housing development shall be designed in a manner that avoids potential privacy impacts through the use of one or more of the following measures, as appropriate:

- Use of building setbacks from existing development and/or landscaping to increase privacy and reduce potential nuisance noise impacts;
- Adherence to single story elements for components of the development closest to existing neighborhoods;
- Ensuring that any proposed balconies and proposed second story windows do not present privacy issues such as having line of sight views into rear yards and other private areas of adjacent existing development.

PLAN REQUIREMENTS AND TIMING. Project plans shall be submitted to Planning and Development (P&D) for BAR review and approval prior to approval of zoning clearance. **MONITORING.** P&D shall review and approve the plans prior to approval of zoning clearance. Permit Compliance shall conduct site inspections.

29. **N-1(a) Construction Timing.** Construction activity and equipment maintenance shall be limited to the hours between 7:30 and 4:30 P.M., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Non-noise generating construction activities such as interior painting are not subject to these restrictions.

PLAN REQUIREMENTS AND TIMING: Four signs stating these restrictions shall be posted on the site. Signs shall be in place prior to the beginning of and throughout grading and construction activities. Violations may result in suspension of permits.

MONITORING: Building Inspectors and Permit Compliance shall spot check and respond to complaints.

30. **N-1(b) Equipment Shielding.** Stationary construction equipment that generates noise exceeding 65 dBA at the project site boundaries shall be shielded to P&D's satisfaction and shall be located as far as possible from occupied residences.

PLAN REQUIREMENTS AND TIMING: Construction plans shall specify the use of appropriate temporary shielding between noise-generating construction equipment and

sensitive receptors. Equipment and shielding shall remain in the designated location throughout construction activities.

MONITORING: Permit Compliance shall perform site inspections to ensure compliance.

31. **N-1(c) Electrical Power.** Electrical power shall be used to run air compressors and similar power tools.

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: Permit Compliance shall perform site inspections to ensure compliance.

32. **N-1(d) Notice to Property Owners.** Immediately prior to approval of Zoning Clearance for any proposed construction with the potential to generate noise at nearby residences, the applicant shall mail written notice of the project's approval to all property owners and occupants of parcels within 1,600 feet of the site of the noise generating construction.

PLAN REQUIREMENTS AND TIMING: Mailed notice shall include the conditions of approval, the proposed construction schedule, and a telephone number for noise complaints. Proof of mailing the notices shall be provided to P&D prior to issuance of Zoning Clearance.

MONITORING: Staff shall confirm receipt of the proof of mailing.

33. **N-1(e) Construction Noise Complaint Line.** The applicant shall provide a manned telephone number for local residents to call to submit complaints associated with construction noise.

PLAN REQUIREMENTS AND TIMING : The number shall be included in the notice indicated in Measure N-1(e) and posted on the project site and shall be easily viewed from adjacent public areas. Proof of mailing the notices shall be provided to P&D prior to issuance of Zoning Clearance. Four signs with the phone number shall be posted onsite (this information may be provided on the same signs indicated in Measure N-1[a]). The applicant shall inform P&D of any complaints within one week of receipt of the complaint. Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits.

MONITORING: Building Inspectors and Permit Compliance shall spot check and respond to complaints.

34. **N-4 Noise Attenuation.** For new residential units located within 120 feet of Patterson Avenue that would be subject to exterior noise levels exceeding 65 dBA CNEL, the project applicant shall retain an acoustical engineer during project design to incorporate construction/design specifications that would result in an ambient noise environment where all residents would be exposed to noise of less than 65 dBA CNEL in exterior usable spaces. For new residential units located within 400 feet of Patterson Avenue that would be subject to interior noise levels exceeding 45 dBA CNEL, the project applicant shall retain an acoustical engineer during project design to incorporate construction/design specifications that would result in an ambient noise environment where all residents would be exposed to

noise of less than 45 dBA CNEL in all interior spaces. Typical design features that would be incorporated may include the following.

- Orientation of non-sensitive uses such as parking/garages and roadways closest to the noise source.
- Orientation of buildings such that the first row of buildings has 90% linear coverage parallel to the noise source.
- Windows and sliding glass doors facing the noise source with a minimum Standard Transmission Class (STC) of 39 that are properly installed, weather stripped, and insulated.
- Exterior doors facing the noise source with a minimum STC of 39 and insulated in conformance with Title 24 requirements.
- Exterior wall facing material designed for a minimum STC of 39 (this can typically be achieved by adding absorptive insulation [i.e., fiberglass batts] in the wall cavity).
- Roof or attic vents either facing away from the noise source or baffled.
- Air conditioning or a mechanical ventilation system so that windows and doors may remain closed.

PLAN REQUIREMENTS AND TIMING: Acoustical reports that detail construction and design specifications incorporated into all project components and shown on the plans, which would result in attenuation of noises such that future residents within 120 feet of Patterson Avenue are not exposed to noise in excess of the 65 dBA CNEL exterior standard and residents within 400 feet of Patterson Avenue are not exposed to noise in excess of the 45 dBA CNEL interior standard shall be submitted to P&D. Prior to occupancy, noise levels in the most affected residences and exterior usable spaces shall be verified to be below the 45 dBA CNEL interior and 65 dBA CNEL exterior standards by sound measurements. A report documenting the results shall be submitted to Planning and Development. The acoustical report and plans shall be submitted to the Planning and Development for review and approval prior to issuance of building permits. A report documenting the post construction noise levels in the most affected residences and exterior usable spaces shall be submitted prior to issuance of occupancy permits.

MONITORING: Planning and Development shall review acoustical reports prior to issuance of building permits and site inspect and review post-construction acoustical report prior to issuance of occupancy clearance.

35. **PF-3 Construction Solid Waste Management Plan.** The applicant shall develop and implement a solid waste management plan to be reviewed and approved by Public Works Department Resource Recovery and Waste Management Division and the Planning and Development Department and shall include:

- a. Estimated weight of total materials expected to be utilized for project during construction.
- b. Estimated weight, by material type, to be discarded during construction.
- c. Estimated weight, by material type, to be recycled or reused during construction.
- d. Names and locations of markets for Construction and Demolition (C&D) waste recycling and disposal, i.e., where permittee plans on sending all component materials taken offsite during construction.
- e. Estimated number of separate bins required for recycling construction materials and cleared brush during grading and construction activities. (All demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal)

[e.g., separate bins for concrete and asphalt, wood, metal, drywall and brush] and to take advantage of decreased prices for recycling these materials.)

- f. Development of a Source Reduction Element (SRE) describing the recommended program(s) and the estimated reduction of the solid waste before it is created. For example, the SRE may include a description of value-engineering building techniques employed to keep excess cutoffs to a minimum (including increased spacing of joists and studs, in-line framing, reduced header sizes, and modular roof design).
- g. Ensure that at least a 75% diversion rate is achieved throughout the construction period.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit a Construction Solid Waste Management Plan to P&D and Public Works Department for review and approval prior to approval of a Demolition Permit. Requirement no. 4 shall be printed on the grading and construction plan.

MONITORING: P&D and Public Works shall review the Plan prior to land use clearance. P&D and/or Public Works shall periodically monitor demolition and construction activities to ensure all required construction solid waste management components are established and implemented and that a 75% diversion rate is achieved.

36. **PF-4 Operational Solid Waste Reduction.** The Owner/Applicant shall develop and implement a Solid Waste Management Plan (SWMP) describing proposals to reduce the amount of waste generated throughout the life of the project. The SWMP shall incorporate the following features at a minimum:

- Recycling bins shall be provided at appropriate common locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the onsite development's regular solid waste disposal program.
- Implement a curbside recycling program (may require establishment of private pick-up depending on availability of County sponsored programs) to serve the new development. If P&D determines that a curbside recycling program cannot be implemented, and an alternative program such as the anticipated wet/dry collection is not on line, then it will be the responsibility of the HOA to contract with the Community Environmental Council or some other recycling service acceptable to P&D to implement a project-wide recycling program.

PLAN REQUIREMENTS AND TIMING: The Owner/Applicant shall submit a Solid Waste Management Plan to P&D permit processing staff for review and approval prior to issuance of Zoning Clearance, and include the recycling areas/bins on building plans. Program components shall be implemented prior to Final Building Clearance and maintained throughout the life of the project.

MONITORING: During operation, the Owner/Applicant shall demonstrate to P&D compliance staff as required that solid waste management components are established and implemented. The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved SWMP are in place as required prior to Final Building Clearance. P&D and/or Public Works shall periodically monitor operational activities to ensure all required recycle bins are provided and utilized accordingly and that at least a 50% diversion rate is achieved.

37. **T-1(a) Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of adjacent road right of ways.

The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Zoning Clearance for each phase of development.

TIMING: A copy of the written notice shall be submitted to P&D permit processing staff prior to issuance of Zoning Clearance. This restriction shall be maintained throughout construction.

MONITORING: P&D permit compliance and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

38. **T-1(b) Traffic Control Monitor.** The applicant shall ensure that a traffic control monitor (flag person) is on public roadways as needed during construction. [Revised to reflect requirement for construction traffic to access site directly to/from Patterson Avenue]

PLAN REQUIREMENTS AND TIMING: The monitor shall direct traffic whenever heavy construction equipment is traversing and/or operating on or near location(s) as warranted to ensure public safety. The traffic monitor shall be posted throughout the demolition and construction periods, as necessary. The applicant shall coordinate with the Santa Barbara County Fire Department (SBCFD) in order to ensure that traffic control routes and procedures would allow for adequate emergency access.

MONITORING: Permit Compliance shall spot check during demolition and construction to verify traffic monitor(s) are present as needed. The applicant's designee and Public Works, Roads Division shall respond to complaints.

39. **T-2(a) Restriping.** The freeway overcrossing shall be restriped to provide dual southbound left-turn lanes. The existing pavement width would be restriped to accommodate a cross section of two five-foot wide bike lanes, two 11½ -foot wide travel lanes adjacent the bike lanes, plus five 11-foot wide lanes.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit a restriping plan to the City of Goleta, if necessary, and Caltrans for review concurrent with or prior to submittal of the first Zoning Clearance application. Approval shall be obtained prior to Zoning Clearance approval for Phase II. Restriping shall take place prior to Final Building Inspection Clearance for the first residence in Phase II.

MONITORING: P&D shall verify that necessary approvals from the City of Goleta, if necessary, and Caltrans have been obtained as applicable. P&D shall verify that restriping has occurred prior to Final Building Inspection Clearance for the first residence in Phase II.

40. **T-2(b) Ramp Metering.** Ramp meters shall be installed on the U.S. 101 Southbound Ramps intersection. Figure 4.14-9 of the EIR illustrates the concept layout of the ramp meter improvements. The installation of ramp meter equipment, including signals, detector loops, controller assembly and advance warning devices, and signing and pavement markings shall be according to Caltrans specifications.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit a ramp meter installation plan to Caltrans for review concurrent with or prior to submittal of the project's first Zoning Clearance application. Approval shall be obtained prior to Zoning Clearance approval for Phase II. Ramp meters shall be installed prior to Final Building Inspection Clearance for the first residence in Phase II.

MONITORING: P&D shall verify that necessary approvals from Caltrans have been obtained as applicable. P&D shall verify that installation of ramp meters has occurred prior to Final Building Inspection Clearance for the first residence in Phase II.

41. **T-2(c) City of Goleta GTIP Fee Payment.** The project applicant shall provide GTIP fee payment to offset the project's cumulative impact. The fee would be utilized for the modification of the Patterson Avenue/U.S. 101 Southbound Ramps intersection that would widen the overcrossing to facilitate two southbound left-turn lanes, and widen the on-ramp to channelize the northbound right turn movement. In addition, installation of a separate right-turn lane at the U.S. 101 Southbound Off-Ramp would be required by the City of Goleta to provide acceptable operations under cumulative conditions.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit GTIP Fee payment to the City of Goleta for review and approval prior to the project's first Zoning Clearance issuance.

MONITORING: P&D shall verify that payment was received by the City of Goleta prior to Zoning Clearance issuance.

42. **T-3(a) Corner Sight Distance.** Low growth landscaping shall be maintained within the line of sight triangle required to provide adequate corner sight distance from Tree Farm Lane to northbound Patterson Avenue. Frontage improvements shall include removal of the existing raised median on Patterson Avenue north of Tree Farm Lane to satisfy corner sight distance requirements to southbound Patterson Avenue, or vegetation in the median that would obstruct corner sight distance shall be removed.

PLAN REQUIREMENTS AND TIMING: The applicant shall include low growth landscaping on all landscaping plans and the plans shall be submitted for review and approval by P&D and BAR prior to approval of the applicable zoning clearance. In addition, all site plans shall demonstrate frontage improvements that either remove the existing raised median on Patterson Avenue or remove vegetation in the median. Site plans shall be submitted for review and approval of P&D and Public Works prior to zoning clearance.

MONITORING: P&D shall verify that low growth vegetation is implemented on all landscape plans prior to zoning clearance. Permit compliance staff shall conduct site inspections to verify landscaping is properly maintained. P&D and Public Works shall review and approve frontage improvement prior to zoning clearance.

43. **DELETED**

44. The developer shall provide up to \$30,000 to fund traffic calming improvements that are found acceptable to the affected neighborhood prior to Zoning Clearance for Phase II through the County's adopted procedure for consideration and approval of traffic calming measures. In the event that the affected neighborhood is unable to reach agreement on the traffic calming improvements to be made as required in the County's adopted procedures, then any

unused funds shall be returned to the applicant and compliance with this condition shall be considered met.

45. **T-3(d) Monitoring.** Traffic conditions shall be monitored on Agana and Merida drives after completion of Phase I and Phase II. A traffic engineering study shall be conducted by the County's Public Works Department if the potential need for traffic calming measures is determined through monitoring. The engineering study will identify the applicable traffic calming measure. Traffic calming measures range from non-physical measures (i.e. signage and speed legends) to physical measures (i.e. speed humps and raised crosswalks).

PLAN REQUIREMENTS AND TIMING: The applicant shall provide traffic monitoring following the completion of Phase I and Phase II. The monitoring results shall be provided to P&D and Public Works for review prior to grading permits for Phase III and Phase IV. P&D and Public Works shall review the monitoring results and determine whether a traffic engineering study is necessary. If necessary, a traffic engineering study shall be conducted prior to initiation of construction for Phase III.

MONITORING: P&D and Public Works shall review the monitoring results and determine whether additional traffic engineering study is appropriate.

46. **T-3(e) Phase I Tree Farm Lane Extension.** The extension of Tree Farm Lane and its connection to Patterson Avenue shall be completed as part of Phase I of project construction.

PLAN REQUIREMENTS AND TIMING: Plans for Phase I of project development shall show Tree Farm Lane extending to Patterson Avenue and include all necessary work to construct the road and connection to Patterson Avenue. The road shall be operational and open to carry traffic prior to Final Building Inspection Clearance for Phase I.

MONITORING: P&D and Public Works shall review the Phase I plans for consistency with this measure, and inspect in the field to ensure Tree Farm Lane is complete prior to Final Building Inspection Clearance for Phase I.

47. ~~**DELETED T-5 Bike Path and Bridge Construction.** The applicant shall construct a new bike bridge and path consistent with the alignment and goals of the Class I Bikeway designated on the Goleta Community Plan Bikeways Element Map.~~

~~**PLAN REQUIREMENTS AND TIMING:** The County shall be responsible for the design and permitting of the bike bridge and path. The applicant shall construct the bike bridge and path prior to Final Building Inspection Clearance for Phase III, or later once the necessary permits for the bridge have been obtained.~~

~~**MONITORING.** Permit Compliance staff and Public Works and Parks Department staff shall site inspect to verify bike bridge and path installation prior to Final Building Inspection Clearance.~~

48. **WR-1(a) Sediment and Contamination Containment.** The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

- a. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or

other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.

- b. Apply concrete, asphalt, and seal coat only during dry weather.
- c. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
- d. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans.

TIMING: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.

MONITORING: The Owner/Applicant shall demonstrate compliance with these measures to P&D compliance monitoring staff as requested during construction.

49. **WR-1(b) 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 daily. 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 applicable 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.

50. **WR-1(c) Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) within the designated development envelope 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 land use, grading, 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.

51. **WR-2(a) SWQMP-Operation.** The Owner/Applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the storm drain system after development. The SWQMP shall identify:
1. A combination of structural and non-structural Best Management Practices (BMPs) from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods;
 2. Potential pollutant sources that may affect the quality of the storm water discharges;
 3. Design and placement of structural and non-structural BMPs to address identified pollutants;
 4. Inspection and maintenance program;
 5. Method for ensuring maintenance of all BMPs over the life of the project.

PLAN REQUIREMENTS: The Owner/Applicant shall (1) submit the SWQMP to P&D for review and approval prior to issuance of Zoning Clearance; (2) include design and field components on land use, grading and building plans as applicable; (3) post performance securities prior to Zoning Clearance issuance to ensure installation and maintenance.

TIMING: SWQMP measures shall be constructed and operational prior to Final Building Inspection Clearance. The Homeowner's Association shall maintain the SWQMP components for the life of the project and keep a record of maintenance and submit the maintenance record to P&D compliance monitoring staff annually between Oct 1 - 31. The Owner/Applicant shall record a buyer notification prior to Zoning Clearance issuance that states: "IMPORTANT: BUYER NOTIFICATION" and contains the maintenance requirement language above.

MONITORING: The Owner/Applicant shall demonstrate to Public Works, Water Resources Division that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.

52. **WR-2(b) Storm Drain Labels.** The Owner/Applicant shall label all on-site storm drain inlets, new or existing, to advise the public that the storm drain discharges to the ocean and that dumping waste is prohibited (e.g., "Don't Dump – Drains to Ocean"). Label shall be in both English and Spanish.

PLAN REQUIREMENTS: Show location of storm drain inlets and proposed storm water labels on site, building and grading plans prior to issuance of land use and grading permits. Label design shall be equivalent or similar to that used by Public Works Department - Project Clean Water. Alternate label designs shall be shown on the plans and submitted to P&D for approval prior to issuance of land use and grading permits.

TIMING: Labels shall be affixed to storm drain inlets prior to Final Building Inspection Clearance.

MONITORING: P&D building staff shall site inspect prior to Final Building Inspection Clearance.

53. **WR-2(c) Storm Water Retention-Biofiltration System.** 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

construct a permanent biofiltration system to treat storm water runoff from the site. Biofiltration includes vegetated swales, channels, buffer strips, retention, rain gardens, and shall be designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method. The biofiltration system shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the filtration properties and the plants selected are adequate to reduce concentrations of the target pollutants. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofiltration system. Invasive plants shall not be used. Biofilters shall not replace existing riparian vegetation or native vegetation unless otherwise approved by P&D.

PLAN REQUIREMENTS: The Owner/Applicant shall include the biofiltration system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and depict it graphically.

TIMING: The Owner/Applicant shall submit a maintenance plan for the biofiltration system to P&D permit processing planner for review and approval prior to issuance of land use and grading permits. The Owner/Applicant shall submit a performance security to ensure installation and long term maintenance (inspections at least once/year) of the biofiltration system. Performance security must be submitted to P&D permit processing planner prior to issuance of land use permit.

MONITORING: P&D compliance monitoring staff shall site inspect for installation and periodically inspect for maintenance throughout a five-year performance period. Performance security release requires P&D compliance monitoring staff approval. The HOA is responsible for annual maintenance inspections of the biofiltration system. The HOA shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

54. **WR-2(d) Storm Water Retention-Pervious Parking.** To reduce runoff from impervious areas and allow for infiltration, the Owner/Applicant shall incorporate pervious materials or surfaces into the project design.

PLAN REQUIREMENTS AND TIMING: 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.

55. **WR-2(e) Storm Water Retention-Parking Area BMPs.** The parking area and associated driveways shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas), designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be

maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once per year. Long term maintenance shall be the responsibility of the HOA. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of land use permit. BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year and retain proof of inspections.

PLAN REQUIREMENTS: The location and type of BMP shall be shown on the site, building and grading plans.

TIMING: The plans and maintenance program shall be submitted to P&D for approval prior to land use permit.

MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance. The landowner shall make annual maintenance records available for review by P&D upon request.

56. ~~**GHG-1(a) Exceed Title 24.** Onsite structures should exceed Title 24 Building Envelope Energy Efficiency Standards by 20%. Potential energy consumption reduction measures include, but are not limited to, the use of photovoltaic roof tiles, installation of energy efficient windows, and the use of R-45 insulation in the roof/attic space of all onsite structures.~~

~~**PLAN REQUIREMENTS AND TIMING:** The project building and improvement plans should incorporate energy conservation design elements as applicable.~~

~~**MONITORING:** P&D compliance monitoring staff and Building & Safety staff should review plans prior to issuance of land use permit to ensure that the development is in compliance with approved energy saving design components.~~

57. **GHG-1(c) Design Elements.** The Owner/Applicant shall incorporate the following energy-conserving techniques into project design to the extent feasible.
- a. Use of light colored water-based paint and roofing materials;
 - b. Use of passive solar cooling/heating;
 - c. Use of natural lighting;
 - d. Energy efficient appliances and lighting;
 - e. Use of on-demand water heaters;
 - f. Use of concrete or other non-pollutant materials for parking lots instead of asphalt;
 - g. Installation of sidewalks and bikepaths;
 - h. Installation of covered bus stops to encourage use of mass transportation;
 - i. Use of solar heating for the community pool;
 - j. Use of landscaping to shade structures and parking lots.

PLAN REQUIREMENTS: The Owner/Applicant shall incorporate these energy conservation design elements into building and HVAC plans where feasible or shall demonstrate to P&D that they are not applicable to this project. The landscape plan shall be submitted to the South County Board of Architectural Review for review and approval.

TIMING: The Owner/Applicant shall incorporate this measure prior to issuance of Zoning Clearance.

MONITORING: The Owner/Applicant shall demonstrate to Building & Safety staff that the development is in compliance with approved energy saving design components prior to Final Building Inspection Clearance. P&D compliance monitoring staff shall verify landscape installation in compliance with approved landscape plans.

TENTATIVE MAP CONDITIONS

58. **Map-01 Maps-Info.** Prior to recordation of the vesting tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Final Map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
59. **Map-01a Maps-Future Lots.** Any lot created by the recordation of this Vesting Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.
60. **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the Final Map, the Owner/Applicant shall submit a Final Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
61. **Map-06 Title to Common Space.** Title to the common areas (common open space, common area facilities, and private streets shall be held by a non-profit association of all homeowners within the project areas or other non-profit entity on such reasonable terms and conditions as the Board of Supervisors may prescribe. The reasonable terms and conditions may include restricting the rights to develop the property to the uses described in the approved project. If the common open space is conveyed to a group other than the homeowners association, the rights to develop such property with uses other than those described in the approved project shall be conveyed to the County of Santa Barbara.
62. **Map-07 CCR Maintenance.** The Applicant shall record Codes Covenants and Restrictions (CC&Rs) which provide for shared maintenance responsibilities by all owners for the:
- Retention basin and appurtenant landscaping and access;
 - Common area landscaping / irrigation;
 - Plantings / irrigation required for creek restoration and tree replacement;
 - Storm Water Quality Management Plan components.
- The CC&Rs shall also include responsibilities for all owners to maintain the property in compliance with all conditions of approval of the project, including:
- Approved landscaping; and
 - Restrictions on tree removal.
- The CC&R language is subject to approvals from Flood Control, Project Clean Water, P&D, and County Counsel. In addition, the Owner/Applicant shall record a buyer notification that

reads as follows: "IMPORTANT: BUYER NOTIFICATION: The Home Owners Association shall obtain County approval for amendments to any CC&R provision related to the retention basin, common area landscaping, plantings and irrigation required for creek restoration and tree replacement, and the Storm Water Quality Management Plan requirements. All owners shall maintain property in compliance with all conditions of approval for the project."

63. Hous-01 Agreement to Provide Affordable Housing. The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing and a Restrictive Covenant and Preemptive Right with the County of Santa Barbara based on the County's model documents. These shall specify affordability terms described in condition 64. In addition, the Agreement and Covenant shall include the following provisions:

1. Affordable units shall be constructed consistent with Condition #64, with one of the units within each of the first four triplexes designated as affordable until the six-plexes are constructed. The developer shall be responsible for moving costs associated with the relocation within the development of any tenants of the originally designated affordable units who continue to meet income eligibility requirements.
2. The County will not issue Final Building Inspection Clearance for more than 50% of market rate units in any phase of development until Final Building Inspection Clearance is issued for all affordable rate units in that phase.
3. Marketing requirements for the initial rental of units.
4. Income eligibility requirements of prospective renters to be determined by the County or its designee.
5. Requirement that prospective renters of the affordable units execute an agreement to occupy the unit as the primary residence.
6. Requirement that a Request for Notice be recorded with the original and all subsequent deeds, which stipulates a copy of any Notice of Default and a copy of any Notice of Sale be mailed to the address contained in the recorded request.
7. Statement that the maximum rental rate for the affordable units shall not exceed the maximum levels established by the Board of Supervisors, consistent with the provisions of the Housing Element and state law.

Plan Requirements: The Owner/Applicant note on applicable construction plan pages that affordable units shall be constructed concurrent with the construction of the market rate units in each phase of development.

Timing: The Owner/Applicant shall submit the Agreement and Covenant for P&D, County Counsel and County Community Services Department review prior to Final Map Clearance.

Monitoring: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all affordable units for a given phase of development are completed (Final Building Inspection Clearance issued), before P&D will issue Final Building Inspection Clearance for more than 50% of the market rate units in the same phase of development.

64. Hous-03 Rental Density Bonus Projects. The Owner/Applicant shall provide 8 very low income dwelling units available for rent at prices consistent with the provisions of Government Code § 65915-65918 (Density Bonus).

Plan Requirements: The applicant shall enter into and record an Agreement to Provide and Rental Restrictive Covenant and Preemptive Right based upon the County's model document which shall be subject to review and approval by Planning & Development, County Community Services Department (CSD), and County Counsel. This document shall specify affordability consistent with the terms described above and shall include provisions describing marketing of rental of units and requiring County approval of proposed leases. Income eligibility of prospective renters shall be determined by the County or its designee,

however, CSD may choose to authorize applicant to conduct income certifications at the discretion of CSD subject to review and monitoring by CSD. The maximum rental rate for the affordable units shall not exceed the maximum levels established by the Board of Supervisors, consistent with the provisions of the Housing Element.

Timing: The Agreement shall be entered into and recorded prior to Final Map Clearance. The units shall remain affordable for a period of thirty years or longer if required by the financing, insurance or rental subsidy program used. In addition, the running of the covenant shall toll during any period of violation.

65. **Map-08 Water and Sewer Connections.** If, prior to the Board action to approve the recording of the Final Map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the County or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the County Surveyor an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted, or letters from the County Health Department and P&D Building & Safety stating that the lots in the subdivision will be served by an approved potable source of water and an approved private sewage disposal system.
66. **Map-10 Public Utility Easements.** Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the Final Map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.
67. **Map-14 Annexation.** Prior to recordation, the property shall be annexed to the Goleta Sanitary District.
68. **Rules-19 Maps/LLA Revisions.** If the unrecorded Tentative Map is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Tentative Map.
69. **Rules-06 Recorded Map Required.** Tentative Map 14,760 shall be recorded prior to approval of any permits for development, including grading.
70. **Rules-36 Map/LLA Expiration.** This Tentative Map shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.

DEVELOPMENT PLAN CONDITIONS

71. **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 #1, dated October 19, 2011.
72. **Rules-14 Final DVP Expiration.** Final Development Plans shall expire five years after the effective date unless substantial physical construction has been completed on the

development or unless a time extension is approved in compliance with County rules and regulations.

PROJECT SPECIFIC CONDITIONS

73. **Water Efficient Landscaping.** Landscaping throughout the project site shall be designed in compliance with State Assembly Bill 1881.

PLAN REQUIREMENTS AND TIMING: Landscaping plans shall be designed in accordance with AB 1881 and certified by the landscape architect and submitted to P&D and BAR for review and approval prior to Zoning Clearance for each phase of development.

MONITORING: Landscaping shall be installed in conformance with approved plans. P&D compliance monitoring staff shall confirm compliance with approved plans prior to release of performance securities for installation and maintenance.

74. **Rules-23 Processing Fees Required.** Prior to issuance of Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

75. **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. [LUDC §35.84.030].

The total Library DIMF amount is assessed at \$54,336. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet.

TIMING: Library DIMFs shall be paid to Planning & Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.

76. **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. [LUDC §35.84.030].

The total Public Administration DIMF amount is assessed at \$232,068. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet.

TIMING: Public Administration DIMFs shall be paid to Planning & Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.

77. **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. [LUDC §35.84.030].

The total County Sheriff DIMF amount is assessed at \$62,112. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet. **TIMING:** County Sheriff DIMFs shall be paid to Planning &

Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.

78. **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.
The total Fire DIMF amount assessed is \$163,652. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet.
TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.
79. **DIMF-24e DIMF/Quimby Fees-Parks.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay Quimby and development impact mitigation fees to finance the development of facilities for the Parks Department. Required Quimby and mitigation fees shall be as determined by adopted fee resolutions and ordinances and applicable law.
The total Parks fee amount is assessed at \$1,339,464. This is based on a project type of 108 net new single family dwellings and 24 apartments and a project size of 316,841 square feet.
TIMING: Parks Quimby fees shall be paid to the County Parks Department prior to Land Use Clearance for the single family dwellings. Parks DIMFs fees shall be paid to the County Parks Department prior to Final Building Inspection Clearance for the 24 apartments.
80. **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.
The total DIMF amount for Transportation is assessed at \$1,451,669. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet.
TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Land Use Permit Issuance.
81. **Rules-26 Performance Security Required.** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation, stormwater BMPs, and riparian habitat and oak tree restoration. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for five years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, stormwater BMPs, and riparian habitat and oak tree restoration per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved elements have been satisfactorily maintained. If they have not been maintained, P&D may retain the applicable maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, stormwater BMPs, and riparian habitat and oak tree restoration P&D may use the security to complete the work.

PLAN REQUIREMENTS AND TIMING: The applicable performance securities shall be posted to P&D prior to Zoning Clearance issuance for each phase of development.

82. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
- a. Air Pollution Control District dated July 29, 2011;
 - b. County Surveyor dated July 22, 2009;
 - c. Environmental Health Services Division dated August 5, 2011;
 - d. Fire Department dated January 31, 2012;
 - e. County Flood Control dated June 18, 2009;
 - f. Parks Department dated November 10, 2011;
 - g. Project Clean Water dated April 25, 2008;
 - h. Transportation Division dated September 30, 2011.
83. **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.
84. **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. Pay fees prior to approval of Zoning Clearance for Phase I development as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including 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;
 - c. Note the following on each page of grading and building plans "This project is subject to Mitigation and Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from EIR #11EIR-00000-00002";
 - 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.
85. **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. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

86. ~~**Rules-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.~~

87. **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.

88. **Workforce Housing.** The applicant shall provide 16 workforce dwelling units available for sale with the following parameters:

- At least one owner of each unit must work on the South Coast at the time of purchase;
- The owner must occupy the unit during the entire period that it is subject to these restrictions;
- The annual appreciation in sales price of each unit shall not exceed 2.5% per year for a minimum of 35 years from the initial sales date;
- The starting sales prices shall be equivalent to that which would apply if the unit were governed by the County's Inclusionary Housing Program;
- Initial prospective buyers of each unit shall meet County income eligibility requirements for the workforce housing income category (120-200% AMI);

Plan Requirements and Timing: The Owner/Applicant shall enter into a restrictive covenant with the County of Santa Barbara for the 16 units. The covenant shall be subject to review and approval by Planning & Development, Community Services Department (CSD), and County Counsel prior to Final Map Clearance. The Owner/Applicant shall submit annual reports to P&D to demonstrate compliance with this condition for the 35-year period. The report shall include sales price information and owner eligibility information for any units sold in the prior year. CSD shall oversee the income certification for the initial sales. All subsequent sales shall be overseen by the Owner/Applicant or successors in interest and reported to P&D as described above.

MONITORING: The applicant shall submit annual reports to P&D to demonstrate compliance with this condition for the 35-year period. Permit Compliance staff shall review the annual reports to confirm compliance with this condition.

89. **Construction Traffic.** All construction traffic shall utilize the existing driveway connection with Patterson Avenue for entering and exiting the site during Phase I. The driveway shall be improved as necessary to accommodate right-turn in and right-turn out traffic for routine construction traffic, and left-turn in for larger equipment and deliveries. The southern property line along this temporary access shall be fenced with an 8 foot tall wooden fence in between Patterson Avenue and the existing drainage pipe. The access point shall be gated to preclude non-construction vehicles from utilizing the access point. Flag crews shall be on hand and present for the arrival and departure of all larger equipment and deliveries. In

addition, flag crew shall be stationed at Las Perlas Drive to control construction traffic crossing Las Perlas Drive to the west side of the project site. Once Tree Farm Lane is completed and made serviceable, all construction traffic shall use Tree Farm Lane and the existing driveway shall be abandoned.

