



**County of Santa Barbara  
Planning and Development**

**Glenn S. Russell, Ph.D., Director  
Dianne Black, Assistant Director**

June 24, 2014

Lisa Plowman  
Peikert RMM Design Group  
10 E. Figueroa Street  
Santa Barbara, CA 93101

BOARD OF SUPERVISORS  
HEARING OF JUNE 17, 2014

**RE: *The Golden Inn and Village; 12GPA-00000-00002, 12RZN-00000-00002, 12TPM-00000-00009 / TPM 14, 794, 12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006***

Hearing to consider the County Planning Commission's recommendation of approval for the Golden Inn and Village Project (Case Nos. 12GPA-00000-00002, 12RZN-00000-00002, 12TPM-00000-00009/TPM 14, 794, 12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006); Assessor Parcel No. 141-380-014, located at the southeast corner of Highway 246 and Refugio Road, Santa Ynez Valley Community Planning area, Third Supervisorial District.

Dear Ms. Plowman:

At the Board of Supervisors' hearing of June 17, 2014, Supervisor Farr moved, seconded by Supervisor Wolf and carried by a vote of 4 to 0 (Supervisor Carbajal absent) to:

1. Make the required findings for approval of the project specified in Attachment 1 of the Board Agenda Letter, including CEQA findings.
2. Adopt the Mitigated Negative Declaration (14NGD-00000-00007) included as Attachment C to the Planning Commission staff report dated April 24, 2014 (Attachment 7 of the Board Agenda Letter) and adopt the mitigation monitoring program contained in the conditions of approval (Attachment 2 of the Board Agenda Letter);
3. Adopt a resolution and approve a Comprehensive Plan Amendment (12GPA-00000-00002), changing the Land Use Designation on specified portions of the subject parcel from Residential (Res-1.0) to Office and Professional (P) on approximately 2.2 acres, Residential (Res-20) on approximately 2.1 acres, and Residential (Res-30) on approximately 3 acres (Resolution included as Attachment 3 of the Board Agenda Letter);
4. Adopt an ordinance and approve a rezone (12RZN-00000-00002), changing the zone district on specified portions of the subject parcel from Residential (1-E-1) to Professional/Institutional (PI) on approximately 2.2 acres, Design Residential (DR-14) on approximately 2.1 acres, and Design Residential (DR-25) on approximately 3 acres (Ordinance included as Attachment 4 of the Board Agenda Letter);
5. Approve a Vesting Tentative Parcel Map (12TPM-00000-00009) included as Attachment H of the Planning Commission staff report dated April 24, 2014 (Attachment 7 of the Board Agenda Letter), subject to the conditions of approval (Attachment 2 of the Board Agenda Letter);

123 E. Anapamu Street, Santa Barbara, CA 93101 • Phone: (805) 568-2000 • FAX: (805) 568-2030  
624 West Foster Road, Santa Maria, CA 93455 • Phone: (805) 934-6250 • FAX: (805) 934-6258  
[www.sbcountyplanning.org](http://www.sbcountyplanning.org)

Board of Supervisors' Hearing of June 17, 2014

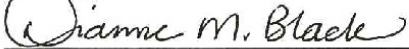
The Golden Inn and Village; 12GPA-00000-00002, 12RZN-00000-00002, 12TPM-00000-00009/TPM 14,794, 12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006

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6. Approve a Final Development Plan (12DVP-00000-00014) including a modification to the setback requirement, to develop an Assisted Living/Memory Care Facility of approximately 36,991 sq. ft. with a maximum building height of 27 ft., subject to the conditions of approval (Attachment 2 of the Board Agenda Letter);
7. Approve a Final Development Plan (13DVP-00000-00005) to develop a Low Income Independent Senior Living Apartment complex, and a Senior Community Center of approximately 46,067 sq. ft. with a maximum building height of 29 ft., subject to the conditions of approval (Attachment 2 of the Board Agenda Letter);
8. Approve a Final Development Plan (13DVP-00000-00006) to develop 27 Low-Income Employee/Family Apartments in three separate buildings totaling approximately 24,442 sq. ft., each with a maximum building height of 23 ft. 6 in. subject to the conditions of approval (Attachment 2 of the Board Agenda Letter).
9. Pursuant to County Code Section 21-122.5 (3), the Board finds that \$28,580 in substitute funds are available within the Community Services Department's existing budget to assure that parks and recreational facilities can be constructed.

A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Sincerely,



DIANNE M. BLACK  
ASSISTANT DIRECTOR

cc: Case File: 12GPA-00000-00002, 12RZN-00000-00002, 12TPM-00000-00009/TPM 14,794, 12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006  
Owner: The Rona Barrett Foundation, P.O. Box 1559, Santa Ynez, CA 93460  
Engineer: Jeffrey P. Wagner, PE, 1998 Santa Barbara St., San Luis Obispo, CA 93401  
Clerk of the Board of Supervisors  
County Chief Appraiser  
County Surveyor  
Fire Department  
Flood Control  
Park Department  
Public Works  
Environmental Health Services  
APCD  
Rachel Van Mullem, Senior Deputy County Counsel  
Dana Eady, Planner

**Attachments:** Attachment 1 – Findings  
Attachment 2 – Conditions of Approval  
Attachment 3 – Board of Supervisors' Minute Order dated June 17, 2014

DB:dmv

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## **ATTACHMENT 1: FINDINGS**

**The Golden Inn and Village**  
Case Nos. 12GPA-00000-00002, 12RZN-00000-00002, 12TPM-00000-00009,  
12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006

### **1.0 CEQA FINDINGS**

#### **1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE**

The Board of Supervisors has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors and has been completed in compliance with CEQA, and is adequate for this proposal.

#### **1.2 FINDING OF NO SIGNIFICANT EFFECT**

On the basis of the whole record, including the Negative Declaration and any comments received, the Board of Supervisors finds that that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record (including the initial study and any comments received), there is no substantial evidence that the project will have a significant effect on the environment.

#### **1.3 LOCATION OF DOCUMENTS**

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101.

#### **1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM**

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

### **2.0 ADMINISTRATIVE FINDINGS**

#### **2.1 COMPREHENSIVE PLAN AMENDMENT FINDINGS**

Government Code Section 65358 requires a comprehensive plan amendment to be in the public interest. The comprehensive plan amendment is in the public interest for the following reasons:

1. The Golden Inn and Village provides a mixture of housing types and senior services that include an Assisted Living/Memory Care Facility, Low Income Senior Apartments, Senior Community Center, and 27 Low Income Employee/Family Apartments.
2. The comprehensive plan amendment changes the land use designation to allow for increased residential development onsite consisting of a mixture of different housing types that are 100% affordable. The increased density provides additional housing without expanding the urban limit line (i.e. urban sprawl), while allowing for a compact, well designed project which is compatible with the existing Santa Ynez Township area.

3. The project conforms with the broader goals and purposes of the County's Comprehensive Plan and Santa Ynez Valley Community Plan and offers benefits to the community that cannot be realized under the existing RES-1.0 land use designation.

## 2.2 REZONE FINDINGS

In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map, the review authority shall first make all of the following findings:

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

Rezoning the subject 7.3 acre parcel from Residential (1-E-1) to Design Residential (DR), and Professional and Institutional (PI) will allow the subject parcel to be developed with a mixture of housing types and senior services that will include an assisted living/memory care facility, low income senior apartments, a senior community center, and 27 low income employee/family apartments.

The rezone allows increased residential development onsite consisting of a mixture of different housing types that are 100% affordable. The increased density onsite provides additional housing without expanding the urban limit line (i.e. urban sprawl), while allowing for a compact, well designed and affordable project which is compatible with the existing Santa Ynez Township area.

The project conforms with the broader goals and purposes of the County's Comprehensive Plan and Santa Ynez Valley Community Plan, and offers benefits to the community that cannot be realized under the existing 1-E-1 zoning. Therefore, the rezone is in the interests of the general community welfare and the project is consistent with this finding.

### 2.2.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and this Development Code.

As discussed in Sections 5.3, 6.2, and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, upon approval of the Comprehensive Plan Amendment to change the land use designation on specified portions of the subject parcel from Residential (Res-1.0) to Office and Professional (P) on approximately 2.2 acres, Residential (Res-20) on approximately 2.1 acres, and Residential (Res-30) on approximately 3 acres, the rezone will be consistent with this finding.

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

Rezoning the subject parcel from 1-E-1 to DR and PI will allow the project site to be developed with a mixture of housing types and senior services that are 100% affordable and include an assisted living/memory care facility, low income senior apartments, a senior day community center, and 27 low income employee/family apartments. The rezone allows increased residential development onsite consisting of a mixture of different housing types that are 100% affordable. The increased density onsite provides additional housing without expanding the urban limit line (i.e. urban sprawl), while allowing for a compact, well designed affordable project which is compatible with the existing Santa Ynez Township area. The project conforms with the broader goals and

purposes of the County's Comprehensive Plan and Santa Ynez Valley Community Plan and offers benefits to the community that cannot be realized under the existing 1-E-1 zoning. Therefore, the rezone is consistent with good zoning and planning practices and is consistent with this finding.

## 2.3 DEVELOPMENT PLAN FINDINGS

**A. Findings required for all Preliminary or Final Development Plans.** In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the review authority shall first make all of the following findings:

**2.3.1 The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.**

The subject parcel is located within the urban Santa Ynez township of the Santa Ynez Valley Community Plan. The project consists of five free-standing structures totaling approximately 109,741 gross sq. ft. located on the 7.3 acre parcel in the urban township area of Santa Ynez. The density and intensity of development is similar to and compatible with the density and intensity of development occurring on adjacent parcels, which includes the Channel Islands YMCA, Santa Ynez High School, Santa Ynez Valley Christian Academy and Valley Gardens Mobile Home Park. The 7.3 acre parcel is adequately shaped and sized to support the project's uses by providing adequate area for development, and allowing 40% of the area on Parcels 2, and 3 to be dedicated as common open space area in conformance with the DR zone district standards. Therefore, this finding can be made.

**2.3.2 Adverse impacts will be mitigated to the maximum extent feasible.**

The Final Mitigated Negative Declaration (14NGD-00000-00007) prepared for the project (Attachment C of the Planning Commission staff report dated April 24, 2014) identified potentially significant, but mitigable impacts to Aesthetics/Visual Resources, Biological Resources, Geologic Processes, Noise, Public Facilities, and Water Resources/Flooding. Adherence to required mitigation measures will ensure that adverse impacts are reduced to less than significant levels, and mitigated to the maximum extent feasible. Therefore, the project is consistent with this finding.

**2.3.3 Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.**

The existing road network is adequate to serve the project and the quantity of traffic that the project will generate. The additional traffic generated by the project, and the potential for impacts to area streets and highways was analyzed in a Traffic, Circulation, and Parking Study prepared for the Golden Inn Senior Housing Project, (Associated Transportation Engineers (ATE), dated October 15, 2013). Additional information regarding the roadway network surrounding the project site is contained in the SYVCP (adopted 2009) and associated Environmental Impact Report (certified 2009). These documents are based on an ATE Traffic and Circulation Study, dated April 28, 2008, included as Appendix D of the SYCP EIR.

As discussed in the Mitigated Negative Declaration (MND), 14NGD-00000-00007 (Attachment C of the Planning Commission staff report dated April 24, 2014,

incorporated herein by reference), the project is expected to generate approximately 658 average daily vehicle trips, 39 morning peak hour trips and 49 afternoon peak hour trips. This additional traffic will not cause a significant impact to the nearby road network or intersections, nor will it considerably contribute to any cumulative impacts. The MND analyzes the traffic impacts of the project considering County thresholds of significance and concludes that project-generated traffic will not cause a significant impact.

In addition, project generated traffic was analyzed for consistency with County traffic policies and found to be consistent (Section 6.2 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference). Thus, the streets and highways in the project area are adequate and can carry the type and quantity of traffic generated by the project. No improvements to streets and highways in the area will be required at this time. Therefore, this finding can be made.

**2.3.4 There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.**

Water for the project will be supplied from the Santa Ynez River Water Conservation District – Improvement District #1, which receives its water from the Santa Ynez Uplands Groundwater Basin. According to the Santa Barbara County Public Works Water Resources Division Groundwater Report dated May 1, 2012, the Santa Ynez Uplands Groundwater Basin is currently in a slight state of overdraft. The project will result in a total water demand of 31.18 AFY. Since the volume of water extracted annually from the groundwater basin will not exceed the Santa Ynez Uplands Groundwater Basin threshold of significance of 61 AFY, the project will not substantially reduce the amount of water otherwise available for public water supplies, and adequate water is available to serve the project.

Access to the site will be provided by two driveways accessed from Refugio Road. The driveways are designed to conform to Fire Department access standards. Fire protection services will be provided by S.B. County Fire Dept. Station #32 located at 906 Airport Road in Santa Ynez. Police protection will be provided by the County Sheriff.

The Santa Ynez Community Services District has provided a preliminary Can and Will Serve letter indicating that adequate wastewater treatment and disposal capacity exist to serve the project. The project is conditioned (Condition No. 40) to require the property to be annexed into the district prior to map recordation. All necessary services are adequate or available to serve the proposed project. Therefore, this finding can be made.

**2.3.5 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.**

The project site is located in the Santa Ynez Community Plan urban township area. Surrounding development adjacent to the site consists of the Channel Islands YMCA, Santa Ynez High School, Santa Ynez Valley Christian Academy, Valley Gardens Mobile Home Park, and residences. Structural designs, project siting, and appropriate conditions have been incorporated into the project in order to avoid any detrimental effect to the neighborhood, and incompatibility with the surrounding areas. Therefore, the project is consistent with this finding.

**2.3.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.**

As discussed in Section 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, with the approval of the request for a 5 ft. reduction in the side yard setback on parcel 1, the project complies with the requirements of the Land Use and Development Code (LUDC), including height limits and setbacks. As discussed in Section 6.2 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, the project, as conditioned, is consistent with the applicable policies and development standards of the Comprehensive Plan, including the Santa Ynez Valley Community Plan. Therefore this finding can be made.

**2.3.7 Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.**

The project site is located in the Santa Ynez Valley Community Plan urban township area. Therefore, this finding does not apply to the project.

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

There are no existing public easements on the subject parcel. Therefore, the project is consistent with this finding.

**B. Additional finding required for Final Development Plans. In compliance with Subsection 35.82.080.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Final Development Plan the review authority shall first find that the plan is in substantial conformity with any previously approved Preliminary Development Plan except when the review authority considers a Final Development Plan for which there is no previously approved Preliminary Development Plan. In this case, the review authority may consider the Final Development Plan as both a Preliminary and Final Development Plan.**

The project consists of a Final Development Plan, and does not involve a previously approved Preliminary Development Plan; therefore, the Board of Supervisors may consider the Final Development Plan as both a Preliminary and Final Development Plan.

**C. Additional finding required for a 5 foot reduction in the required 15 foot rear yard setback requirement on proposed parcel 1. At the time the Preliminary or Final Development Plan is approved, or subsequent amendments or revisions are approved, the review authority may modify the distance between structures, landscaping, parking except as provided within Subsection H.1.a below, screening requirements, setbacks, structure coverage, structure height limit, or yard areas specified in the applicable zone and Chapter 35.36 (Parking and Loading Standards) when the review authority finds that the modification is justified.**

Allowing a reduction in the side yard setback from 15 ft. to 10 ft. is justified as it will allow the proposed Memory Care/Assisted Living Facility, and Senior Community Center buildings to be located in close proximity to provide senior citizens with safe and convenient access between the two uses.

## 2.4 TENTATIVE MAP FINDINGS

- A. **Findings for all Tentative Maps.** In compliance with the Subdivision Map Act, the review authority shall make the following findings for The Golden Inn and Village Tentative Parcel Map, Case No. 12TPM-00000-00009 / TPM 14,794.

1. **State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

Future residential development on the site will be able to take advantage of solar exposure for natural heat and light and prevailing winds for natural cooling effects. There is sufficient northern, southern, eastern, and western exposure to allow for passive heating or cooling systems to be provided on the site. Therefore, the project is consistent with this finding.

2. **State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.**

As discussed in Section 6.2 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, following approval of the proposed General Plan Amendment and rezone applications and adherence to Conditions of Approval, the project will be consistent with all applicable policies of the County's Comprehensive Plan, including the Santa Ynez Valley Community Plan. Adequate ingress/egress, infrastructure and public services are available to serve the proposed lots. With compliance with the project description and conditions identified in Attachment B of the Planning Commission staff report dated April 24, 2014, the project will not create any significant environmental impacts. Therefore, the project is consistent with this finding.

3. **State Government Code §66474. A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required if it makes any of the following findings:**

- a. **The proposed map is not consistent with applicable general and specific plans as specified in §66451.**

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, following approval of the General Plan Amendment and rezone and with compliance with the project description and conditions of approval identified in Attachment B of the Planning Commission staff report dated April 24, 2014, the project will be consistent with all applicable policies of the County's Comprehensive Plan, the Santa Ynez Valley Community Plan, the Santa Barbara County Land Use and Development Code, and Chapter 21, the County Subdivision Ordinance.

- b. **The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**



As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, following approval of the General Plan Amendment and rezone and with compliance with the project description and conditions of approval identified in Attachment B of the Planning Commission staff report dated April 24, 2014, future improvements on the three lots will be consistent with the County's Comprehensive Plan, and the Santa Ynez Valley Community Plan.

**c. The site is not physically suitable for the type of development proposed.**

The approximately 7.3 acre parcel is sufficient in size to accommodate the future development of the Golden Inn and Village project. To ensure neighborhood compatibility, all phases of the project's design will be reviewed and approved by the Central Board of Architectural Review prior to Zoning Clearance and Building Permit issuance. Adequate public services are available to serve the project. As such, the site is physically suitable for the subdivision.

**d. The site is not physically suited for the proposed density of development.**

The project consists of five free-standing structures totaling approximately 109,741 gross sq. ft. located on 7.3 gross acres in the urban township area of Santa Ynez. The density and intensity of development is similar to and compatible with the density and intensity of development occurring on adjacent parcels, which includes the Channel Islands YMCA, Santa Ynez High School, Santa Ynez Valley Christian Academy, Valley Gardens Mobile Home Park. The 7.3 acre parcel is adequately shaped and sized to support the project's uses by providing adequate area for development, and allowing 40% of the area on parcels 2, and 3 to be dedicated as common open space area, in conformance with the DR zone district standards.

**e. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The Final Mitigated Negative Declaration (14NGD-00000-00007) prepared for the project identified potentially significant, but mitigable impacts to Aesthetics/Visual Resources, Biological Resources, Geologic Processes, Noise, Public Facilities, and Water Resources/Flooding. Adherence to required mitigation measures will ensure that adverse environmental impacts are reduced to less than significant levels, and mitigated to the maximum extent feasible.

**f. The design of the subdivision or type of improvements is likely to cause serious public health problems.**

The project has been designed to minimize the potential to cause serious public health problems. Adequate water, utilities, and access are available to serve the parcels. The subject parcels are not located within an area of historic flood hazards and has been reviewed by the County Fire Department, Flood Control District, Environmental Health Services, and Air Pollution Control District. There are no identified or likely public health problems or hazards associated with the project.

- g. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

There are no existing public easements on the subject parcels. Therefore, the tentative parcel map will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

- 4. State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:**

- (a) A contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5), including an easement entered into pursuant to Section 51256.**

The subject parcel is not subject to a contract entered into pursuant to the California Land Conservation Act of 1995, or any easements entered into pursuant to Section 51256.

- (b) An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5).**

The subject parcel is not subject to an existing open space easement entered into pursuant to the Open Space Easement Act of 1974.

- (c) An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.**

The subject parcel is not subject to an agricultural conservation easement entered into pursuant to Chapter 4.

- (d) A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.**

The subject parcel is not subject to a conservation easement entered into pursuant to Chapter 4 of part 2 of Division 2 of the Civil Code.

- 5. State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.**

The project site will be served by the Santa Ynez Community Services District. The Santa Ynez Community Services District has indicated that they "Can and Will Serve" the 2 new parcels once the project has been annexed into the district. Therefore, the project will not result in a violation of RWQCB requirements.

**B. Chapter 21, County Subdivision Regulations**

- A.** The following findings shall be cause for disapproval of a Tentative Parcel Map or lot split map, but the Tentative Parcel Map or lot split map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant.

- 1. Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening; however the Director of Public Works may approve such easements or rights-of-way without such subordinations.**

The project does not include any easements or rights-of-way across proposed County streets. Therefore, this finding does not apply.

- 2. Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street.**

The project has been designed so that lots resulting from the parcel map will not become landlocked. Roads will be adequately designed for ingress and egress, and have been reviewed by the County Fire Department and Public Works Transportation Division. Therefore, the Board of Supervisors finds that the project has adequate access roads and will not result in a landlocked lot.

- 3. Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view.**

Future development including access roads will occur on areas of the parcel which contain slopes of less than 10 percent. Utilities will be installed underground. Therefore, the Board of Supervisors finds that the project will not create unsafe or unattractive grading cuts or fills.

- 4. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors.**

Grading for the project is estimated at approximately 15,000 cu. yd. cut, and approximately 15,000 cu. yd. fill. No grading has occurred and the project is conditioned so that grading or construction work shall not commence prior to map recordation.

- 5. Potential creation of hazard to life or property from floods, fire, or other catastrophe.**

The project site is not located within a flood plain or flood way, and any future development will be located within areas of the parcel that contains slopes of less than 10%. Additionally, the County Flood Control and Fire Departments have reviewed the project and have submitted conditions included in Attachment B of the Planning Commission staff report, dated April 24, 2014, incorporated herein by reference. Therefore, the Board of Supervisors finds there is no potential creation of hazard to life or property from floods, fire, or other catastrophe.

**6. Nonconformance with any adopted general plan of the County or with any alignment of a state highway officially approved or adopted by the Department of Transportation.**

As discussed in Sections 6.2, and 6.3 of the Planning Commission staff report, dated April 24, 2014, incorporated herein by reference, compliance with the project description and required conditions of approval will ensure that the project's design and improvements are consistent with the County's Comprehensive Plan, Santa Ynez Valley Community Plan, and the Land Use Development Code. The project site is located adjacent to State Route 246; however, the parcel map conforms with the alignment of the highway, and the newly created lots will not take access from the highway. Therefore, the Board of Supervisors finds that the project is in conformance with the adopted general plan of the County and does not conflict with any State highway.

**7. Creation of a lot or lots which have a ratio depth to width in excess of 3 to 1.**

The project will not result in lots that have a ratio depth to width in excess of 3 to 1.

**8. Subdivision designs with lots backing up to watercourses.**

A USGS-designated blue line creek (seasonal drainage) bisects the eastern end of parcels 1 and 2 from north to south. No parcels back up to this watercourse.

**B. Pursuant to Chapter 21-8 of the Santa Barbara County Code, a tentative map including tentative parcel map shall not be approved if the decision-maker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq., the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.**

In accordance with Findings 2.4.A, 2.4.B, and Sections 6.2, and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, upon completion of the general plan amendment changing the land use designation on the subject parcel from Res-1.0 to Res-20, Res-30, P, and the corresponding rezone from 1-E-1 to PI, and DR, the project conforms to the provisions of the applicable zoning ordinance, the Land Use Development Code, including General Plan Amendment, Rezone, Tract Map, and Development Plan procedures and requirements. The project conforms with all requirements of the Chapter 21 Subdivision Regulations for a Vesting Tentative Parcel Map.

**ATTACHMENT 2: CONDITIONS OF APPROVAL**

**The Golden Inn & Village**  
**Case Nos. 12TPM-00000-00009 / TPM 14,794, 12DVP-00000-00014,**  
**13DVP-00000-00005, 13DVP-00000-00006**  
**Associated Case Nos. 12GPA-00000-00002, 12RZN-00000-00002**

**June 17, 2014**

- 1. Proj Des-01 Project Description.** This Tentative Parcel Map and Final Development Plans are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibit 1, dated June 17, 2014, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations.

**The project description is as follows:**

The Golden Inn project would create a campus-like development intended to provide a mix of housing types and senior services that would include an Assisted Living/Memory Care Facility, Independent Living Senior Apartment Complex, a Senior Community Center, and Low Income Employee/Family Apartments.

**Parcel Map, General Plan Amendment, and Rezone**

The proposed project includes a Parcel Map, Case No. 12TPM-00000-00009 (TPM 14,794) to divide the existing 7.3-gross acre lot into three lots of 2.2 acres (Proposed Parcel 1), 3.0 acres (Proposed Parcel 2) and 2.1 acres (Proposed Parcel 3). Proposed Parcel 1 would host the proposed Assisted Living/Memory Care building, Proposed Parcel 2 would host the proposed Independent Living Senior Apartments and Senior Community Center, and Proposed Parcel 3 would host the proposed Low Income Employee/Family Housing units.

The request also includes a General Plan Amendment, Case No. 12GPA-00000-00002 to change the property's land use designation from RES-1.0 (Residential, one dwelling unit per acre) and a Rezone, Case No. 12RZN-00000-00002 to change the property's zoning designation as follows:

- Parcel 1: Office and Professional land use designation and Professional/Institutional zoning. 2.2 net acres in size.
- Parcel 2: Residential 30.0 (RES-30) land use designation and Design Residential 25.0 (DR-25) zoning. 3.0 net acres in size.
- Parcel 3: Residential 20.0 (RES-20) land use designation and Design Residential 14.0 (DR-14) zoning. 2.1 net acres in size.

**Assisted Living/Memory Care (Proposed Parcel 1)**

The assisted living/memory care facility portion of the project would include 60 beds intended to serve those in need of assisted living services (40 beds) and those that have more advanced memory care needs (20 beds). The facility would be approximately 36,991 gross square feet in size and two stories with a building height of 27 feet. The memory care units and common facilities would be on the ground floor and the assisted living units and an exercise room would be on the second level. This facility would include a commercial kitchen which could provide meals for those living in the facility. The facility would also provide space for dining for residents/guests, reception/lounge area, a nursing station, and offices for staff.

This facility would be owned and operated by an organization that specializes specifically in elder memory care. This facility is anticipated to require up to 50 employees that would work in three shifts. Approximately 15 staff would be in the facility during any one particular shift.

In order to provide convenient access to the common facilities in the Community Center for those living in the assisted living/memory care facility, these two buildings are proposed to be located in close proximity to each other. As a result, the assisted living/memory care facility would not meet the required 15-foot side yard setback identified in the Professional Institutional zone district. The project includes a request to reduce the rear yard setback of Proposed Parcel 1 to 10 feet from the required 15 foot side-yard setback under Land Use Development Code Section 35.82.080.H.

#### **Low Income Senior Independent Living Apartments (Proposed Parcel 2)**

The Low Income Senior Independent Living Apartment portion of the project would include 60 units to be owned and operated by the Housing Authority of the County of Santa Barbara. The unit mix would include 20 studio apartments and 40 one-bedroom apartments. Each unit would include independent kitchen facilities, but the residents would have the choice of having meals provided in the dining facility in the community center. As noted above, the building is proposed to face the assisted living/ memory care building which creates a common courtyard between them. The building housing the low income senior apartments and the senior community center facilities would be 46,067 gross square feet. The portion of the structure dedicated for the apartments totals approximately 37,283 square feet. This building would be two stories with a building height of 25 feet.

#### **Common Senior Facilities (Proposed Parcel 2)**

The proposed Senior Community Center would house the common senior facilities, senior support services (e.g., hair salon, nail salon), and offices for the Housing Authority and Community Center staff. This portion of the building is approximately 10,784 gross square feet and is two stories with a building height ranging between 25 to 29 feet. It is anticipated that there would be approximately 12 staff associated with uses in the Community Center, including a manager for the senior apartments that would live on-site.

The building would also include a dining room and kitchen where meals would be prepared on-site. As noted above, residents of the low income apartments may participate in the voluntary meal plan and meals would be served to those utilizing the Senior Community Center.

It is anticipated to that the Senior Community Center would accommodate a maximum of 50 daily visitors. Approximately 75%, of the visitors would come from off-site and approximately 25% would come from on-site. The Community Center would operate from 7:30 AM-7:30 PM.

The Housing Authority of the County of Santa Barbara would own and manage the Senior Apartments and would own and participate in the management of the Community Center along with a local non-profit such as Friendship Center of Santa Barbara.

As depicted on the site plan, the senior campus has been laid out to create a central courtyard that is surrounded by the Assisted Living/Memory Care Facility to the north, the Community Center to the west and the Low Income Independent Living Senior Apartments to the south. The courtyard would provide a place for seniors and those visiting the community center to enjoy the surroundings in an outdoor setting.

### **Low Income Employee/Family Apartments (Proposed Parcel 3)**

Proposed Parcel 3 would include 27 Low Income Employee/Family Apartments located in three separate buildings. Qualifying on-site employees would be given first preference to these units to limit traffic trips for commuting and reduce the need for onsite parking. It is anticipated that approximately 12 of the units would be occupied by onsite employees. Units that are not occupied by employees would be made available to qualifying members of the general public. The Housing Authority of the County of Santa Barbara would own and manage the low-income apartments. Seven (7) one-bedroom apartments, ten (10) two-bedroom apartments, and ten (10) three-bedroom apartments be organized in three separate buildings as follows:

- Building 3 would total 7,556 gross square feet in size including four (4) two-bedroom units, each 765 net square feet in size and four (4) three-bedroom units, each 991 net square feet in size.
- Building 4 would total 9,330 gross square feet in size including seven (7) one-bedroom units, each 646 net square feet; two (2) two-bedroom units, each 765 net square feet in size; and two (2) three-bedroom units, each 991 net square feet in size. This building also includes a 646 net sq. ft. community room for use by the residents of the units.
- Building 5 would total 7,556 gross square feet in size including four (4) two-bedroom units, each 765 net square feet in size and four (4) three-bedroom units, each 991 net square feet in size.

Each of the buildings would be two stories with a building height of 23 feet 6 inches. This portion of the project would include common amenities made available for use to the residents including barbeque areas near the units, a communal barbeque area and tot lot to the south of the apartments, and a community room.

### **Phasing**

The proposed project would be constructed in three separate phases. The timing of the phasing will be determined after the project has been reviewed by the decision-makers and prior to application for building permits.

### **Access and Internal Circulation**

Site access would consist of two entrances/exits to be located on Refugio Road. Primary site access would be provided approximately 150 feet south of Highway 246 by formal entrance driveway. Near this entrance, a small turning circle would allow people to drop seniors off at the community center or the low income senior apartments and then exit the site without using the internal circulation. A second drop off location in the form of a *porte cochere* would be located directly north of the turning circle for the residents of the assisted living/memory care facility. The site's internal circulation system would extend along the outer boundaries of the site in order to provide access to the low-income employee/family units, on-site parking areas and the common recreational areas. A secondary entrance/exit is provided on Refugio Road approximately 150 feet south of the primary entrance.

An internal network of walking paths would provide pedestrian access throughout the site. A pedestrian walkway/emergency fire access path, which runs north south, would be located between the senior facilities and the low-income employee/family housing. This path would provide access into the courtyard area situated between the two senior facility buildings on Proposed Parcels 1 and 2. Additional footpaths and a foot bridge would be placed over the

proposed vegetated-swale to create direct access to the employee family housing from the senior facilities.

The project also includes a 5 to 8-foot multi-use path adjacent to Refugio Road. This pathway would mirror the existing pathway which fronts the YMCA property on the north side of Highway 246 and would provide for pedestrian travel along the roadway similar to a sidewalk.

#### **Grading, Drainage, Hydrology, Bio-Treatment**

The project site would be graded to even out its existing gentle slopes, ensure proper drainage and provide a walk-able site suitable for the intended senior residents. Grading would include approximately 15,000 cubic yards of cut and 15,000 cubic yards of fill with all material to be balanced onsite.

The site is at a lower elevation than State Highway 246. The Highway ranges between 610 to 616 feet and the finished grade of the project site will range between 597 feet at the southern end (excluding the proposed detention basins) and 604 at the northern portion of the site adjacent to the highway. As such the proposed senior facilities would be approximately 10-12 feet below the highway and the affordable employee/family housing will be about 10 feet below the highway.

Storm water run-off generated on-site would be directed through an on-site storm drain system into two detention basins to be located in the southern portion of the site. The basins have been designed in a manner that will allow them to remain as accessible open space during dry periods. Off-site drainage would be conveyed through the project site via a combination of storm drain pipes under parking areas as well as through the existing vegetated swale located along the western property line of Proposed Parcel 3. The vegetated swale would continue to collect storm water from areas north of the site including the YMCA property across Highway 246 and direct it to the existing natural drainage feature which extends south of the proposed basins. In an effort to address concerns expressed by property owners to the south regarding the increase in storm water run-off since the development of the YMCA to the north, the applicant has agreed to detain a portion of the off-site storm water in the proposed detention basins.

The un-vegetated swale which bisects the parcel is identified as a blue line intermittent seasonal ephemeral drainage. The swale, with a central channel approximately 1 foot wide in the north-central portion of the property, discharges into a constructed drainage in the south-central portion of the property. To improve and enhance the existing swale and constructed drainage, a bio-treatment area would be designed in accordance with the Jurisdictional Delineation Report (Brett D. Hartman, PhD, July 22, 2013) prepared for the project. The proposed grading plan would maintain the swale and constructed drainage in its current location.

#### **Open Space, Landscaping & Recreation**

A significant portion of each parcel is dedicated to common open space, landscaping and recreational areas. A breakdown per parcel is provided below:

- Parcel 1 - Approximately 37% of the parcel dedicated to common open space and landscaping.
- Parcel 2 – Approximately 43% of the parcel is dedicated to common open space, landscaping and recreational areas.



- Parcel 3 – Approximately 44% of the parcel is dedicated to common open space, landscaping and recreational areas.

A series of internal courtyards would be developed at the center of the senior facilities to create areas for respite and recreation for residents. The courtyard includes planter boxes for the residents to grow flowers and/or vegetables. The proposed Landscape Plan for the Golden Inn includes new trees, plants and groundcover, all of which are consistent with known water conservation standards. On-site trees and plantings include but are not limited to: valley oak, coast live oak, sycamore, western redbud, fruitless olive, Raywood ash, lilac, fuchsia, lavender lemonade berry, rock rose, flax lily, jasmine, blue eyed grass, and sage. Please refer to the Landscape Plan for a complete plant list and for more detailed information. A tot lot and barbeque area are proposed to be developed at the southeastern corner of the site intended to serve onsite employees and residents. Two smaller barbeque areas would be placed directly adjacent to the low-income employee/family units on Proposed Parcel 3.

**Parking**

Parking for each of the uses and buildings included with the project would be provided along the exterior boundaries of the site. The table below outlines the parking provided by the project.

USE & STANDARDS	REQUIRED PARKING	PROVIDED PARKING
60 Assisted Living/Memory Care Beds - 1 space/3 beds - 1 space/3 employees	20 17	20 17
Senior Community Center - 50 Seniors - 1 space/10 seniors - 1 space/2 employees	5 6	5 6
2,400 s.f. Housing Authority Office Space - 1 space/300 s.f.	8	8
60 Senior Apartments - 1 space/unit	60	60
27 Employee/Family Apartments - 1 space/1 bedroom - 1 space/2 bedroom - 2 spaces/3 bedroom -	7 10 20	8 10 20
Guest Parking for 87 Units - 1 space/5 units	18	18
<b>PROJECT TOTAL</b>	<b>171</b>	<b>172</b>

**Project Lighting**

Numerous 8-foot tall, post-mounted light fixtures would be located throughout the project's parking areas. Bollard style lighting would be used to illuminate area walkways, providing safe travel for residents, staff and guests to each of the buildings from adjacent parking areas. A Dark Sky lighting plan has been prepared for the project which highlights the type of lighting that would be used in the project.

**Public Services**

The project site would be served by the Santa Ynez River Water Conservation District – Improvement District #1, the Santa Ynez Community Service District and the County Fire

Protection District. In order to address increased bus ridership due to project development, and to minimize project trip generation, installation of a new Santa Ynez Valley Transit (SYVT) bus stop/shelter on Hwy 246 will be provided.

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

II. **MITIGATION MEASURES from NEGATIVE DECLARATION  
14NGD-00000-00007**

3. **Aest-04 BAR Required:** The applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and lighting plan) shall be compatible with vicinity development.

**PLAN REQUIREMENTS AND TIMING:** The applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

**MONITORING:** The applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

4. **Aest-10 Lighting:** The applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The applicant shall install timers or otherwise ensure lights are dimmed after 9 p.m.

**PLAN REQUIREMENTS:** Prior to zoning clearance issuance, the applicant shall develop a Lighting Plan for P&D & BAR approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows 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:** Prior to Final Building Inspection Clearance, permit compliance monitoring staff shall inspect to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

5. **Bio-01b Tree Protection Plan – Construction Component.** The Owner / Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect native oak trees which could potentially be damaged as a result of construction related activities. The Owner Applicant shall comply with and specify the following as notes on the TPP and Grading and Building Plans:

1. Fencing of all trees to be protected at least six feet outside the dripline with chain-link or other material satisfactory to P&D (e.g. temporary orange construction fencing).

- Fencing at least 3 ft. in high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-ft intervals on the fencing.
2. Fencing/staking/signage shall be maintained throughout all grading and construction activities.
  3. All trees located within 25 ft of buildings shall be protected from stucco and/or paint during construction.
  4. No irrigation is permitted within 6 ft of the dripline of any protected tree unless specifically authorized.
  5. The following shall be completed only by hand and under the direction of a P&D approved arborist/biologist:
    - a. Any trenching required within the dripline or sensitive root zone of any specimen.
    - b. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction.
    - c. Tree trimming.
  6. Special equipment: If the use of hand tools is deemed infeasible by P&D, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff and under the direction of a P&D approved biologist.
  7. The following are not permitted:
    - a. Cutting any roots of one inch in diameter or greater.
    - b. Tree removal and trimming.
  8. Grading shall be designed to avoid ponding and ensure proper drainage within driplines of oak trees.

**PLAN REQUIREMENTS:** The Owner/Applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. **TIMING:** The Owner/Applicant shall comply with this measure prior to issuance of zoning clearance. Plan components shall be included on all plans prior to the issuance of grading permits. The Owner/Applicant shall install tree protection measures onsite prior to issuance of grading/building permits and pre-construction meeting.

**MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to Final Building Inspection Clearance.

6. **Geo-02 Erosion and Sediment Control Plan.** Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall

submit an Erosion and Sediment Control Plan (ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The Erosion and Sediment control plan shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 ([www.countysb.org/government/county\\_ordinance\\_code](http://www.countysb.org/government/county_ordinance_code) Chapter 14 14-9 and 14-29 – refer to Erosion and Sediment Control Plan Requirements.)

**PLAN REQUIREMENTS:** The grading and erosion and sediment control plan(s) shall be submitted for review and approved by P&D prior to approval of Land Use Permits/Zoning Clearances. The plan shall be designed to address erosion and sediment control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING:** The plan shall be implemented prior to the commencement of and throughout grading/construction.

**MONITORING:** P&D staff shall perform site inspections throughout the construction phase.

7. **Noise-04 Equipment Shielding-Construction.** Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded with appropriate acoustic shielding to P&D's satisfaction.

**PLAN REQUIREMENTS:** The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. **TIMING:** Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.

**MONITORING:** The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.

8. **Noise-02 Construction Hours:** The Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting (depending on compressor noise levels) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

**PLAN REQUIREMENTS:** The Applicant shall provide and post 2 signs stating these restrictions at construction site entries. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction.

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

9. **SolidW-02 Solid Waste-Recycle.** The Applicant and their contractors and subcontractors shall separate demolition and excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). The Applicant shall provide separate onsite bins as needed for recycling.

**PLAN REQUIREMENTS:** The Applicant shall print this requirement on all grading and construction plans. Owner shall provide P&D with receipts for recycled materials or for separate bins. **TIMING:** Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to Final Building Inspection Clearance.

**MONITORING:** The Applicant shall provide P&D compliance staff with receipts prior to Final Building Inspection Clearance.

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

**PLAN REQUIREMENTS:** All plans shall contain notes that the site is to remain trash-free throughout construction. **TIMING:** Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

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

11. **SolidW-01 Solid Waste-SRSWMP.** The Owner/Applicant/Permittee shall develop and implement a Source Reduction and Solid Waste Management Plan (SRSWMP) describing proposals to reduce the amount of waste generated during construction and throughout the life of the project and enumerating the estimated reduction in solid waste disposed at each phase of project development and operation.

**PLAN REQUIREMENTS:** The plan shall include but not limited to:

1. Construction Source Reduction:
  - a. A description of how fill will be used on the construction site, instead of landfilling,
  - b. A program to purchase materials that have recycled content for project construction.
2. Construction Solid Waste Reduction:
  - a. Recycling and composting programs including separating excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). Provide separate onsite bins as needed for recycling.
3. Operation Solid Waste Reduction Examples:
  - a. Specify space and/or bins for storage of recyclable materials within the project site  
AND
  - b. Establish a recyclable material pickup area.
  - c. A green waste source reduction program, including the creation of common open space composting areas, and the use of mulching mowers in all common open space lawns.
  - d. Participate in a curbside recycling program (may require establishment of private pick-up depending on availability of County sponsored programs). 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 owner to contract with the Community

Environmental Council or some other recycling service acceptable to P&D to implement a project-wide recycling program.

**TIMING:** The Owner/Applicant shall (1) submit a SRSWMP to P&D permit processing staff for review and approval prior to issuance of zoning clearance, (2) include the recycling area 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 SRSWMP are in place as required prior to Final Building Clearance.

**12. WatCons-01 Water Conservation-Outdoor.** To improve water conservation, the Owner/Applicant shall include the following in Landscape and Irrigation Plans to be approved by P&D:

1. Landscaping that reduces water use:
  - a. Landscape with primarily native/drought tolerant species.
  - b. Group plant material by water needs.
  - c. Turf shall constitute less than 20% of the total landscaped area.
  - d. No turf shall be allowed on slopes of over 4%.
  - e. Extensive mulching (2" minimum) shall be used in all landscaped areas to reduce evaporation.
2. Irrigation that reduces water use:
  - a. Install drip irrigation or other water-conserving irrigation.
  - b. Install soil moisture sensing devices to prevent unnecessary irrigation.
  - c. Install separate landscape meters (plumbing permit required).
  - d. Use reclaimed water for all irrigation;

**PLAN REQUIREMENTS:** The Owner/Applicant shall submit a landscape and irrigation plan to P&D for review and approval prior to issuance of zoning clearance permit. **TIMING:** The Owner/Applicant shall implement all aspects of the landscape and irrigation plan in accordance with the Landscape and Performance Security Conditions.

**MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required conserving landscape and irrigation features are installed prior to Final Building Inspection Clearance, and landscape and irrigation features are maintained per approved landscape plans. Any part of irrigation plan requiring a plumbing permit shall be inspected by building inspectors.

**13. NPDES-21 Storm Water Retention-Parking Area Cleaning.** 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 develop and implement a parking lot cleaning program. The program shall include the following elements: removal of litter; spot cleaning of oil, fuel, and other automotive leaks; vacuum sweeping on a monthly basis; inspection and cleaning of storm drain inlets and catch basins before November 1 and in January of each year; and posting of signs prohibiting littering, oil changing, and other automotive repairs. Debris removed from the catch basins shall be analyzed and disposed of accordingly. **PLAN REQUIREMENTS/TIMING:** The Applicant shall submit the parking lot clean-up program to P&D for review and approval prior to zoning clearance issuance.

**MONITORING:** P&D compliance monitoring staff shall site inspect for installation and periodically inspect for maintenance throughout the life of the project. The Owner is responsible for annual maintenance inspections of the parking lot clean-up program. The Owner 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.

- 14. NPDES-22 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 Santa Barbara County Storm Water Technical Guide or other approved method shall be installed to intercept and remove pollutants and retain run-off 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 storm water controls, and shall maintain annual maintenance records. The BMPs shall be described and detailed in the Storm Water Control Plan and 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/year. Long term maintenance shall be the responsibility of the Landowner. A maintenance program shall be specified in the CC&Rs or in a maintenance program submitted by the landowner and recorded with the Clerk of the Board. 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 zoning clearance. 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 zoning clearance.

**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.

- 15. NPDES-26-Trash Container Req.** To meet NPDES requirements, all trash container areas must (1) divert drainage from adjoining paved areas, and (2) be protected and regularly maintained to prevent off-site transport of trash. **PLAN REQUIREMENTS:** The Owner/Applicant shall incorporate these trash container area requirements into project design and depict on plans, including detail plans as needed. **TIMING:** P&D planners shall ensure plan compliance prior to issuance of zoning clearance. The Owner shall maintain these requirements for the life of the project.

**MONITORING:** The Owner/Applicant shall demonstrate to compliance monitoring staff that the trash enclosure was constructed consistent with NPDES requirements prior to Final Building Inspection Clearance. P&D compliance monitoring staff and Public Works-Water Resources Division staff will periodically inspect thereafter to ensure proper maintenance. The Owner shall make the site available to P&D for periodic inspections of the trash areas 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.

**16. WatConv-01 Sediment and Contamination Containment.** The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

1. 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.
2. Apply concrete, asphalt, and seal coat only during dry weather.
3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
4. 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.

**17. WatConv-03 Erosion and Sediment Control Re-vegetation.** Within 30 days of completion of grading activities, the Owner/Applicant shall use hydro-seed, straw blankets, geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until landscape 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 use hydro-seed, straw blankets, geotextile binding fabrics or other P&D approved methods as necessary within 30 days of completion of grading activities.

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

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

19. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site daily. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all zoning clearance, 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.

20. **WatConv-07 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.

**TIMING:** Prior to issuance of land use permits/zoning clearance for grading and construction activities, 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 permits or zoning clearance for grading and construction activities. P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

### III. PROJECT SPECIFIC CONDITIONS

21. **Bio-08 Fish and Wildlife.** No alteration to stream channels or banks shall be permitted (no zoning clearance shall be issued) until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Wildlife and/or federal agencies for any planned alteration to stream channels or banks. **PLAN REQUIREMENTS:** This condition shall be printed on all grading and building plans. **TIMING:** Prior to zoning clearance issuance for grading and/or construction activities, the applicant shall demonstrate to P&D receipt of all authorizations as described above.

22. **Bio-15 Outlet Structures.** Outlet structures for energy dissipation shall minimize disturbance to the natural drainage and avoid the use of unnatural materials, such as concrete, grouted rock, and asphalt rubble. Where hard bank materials must be used, natural rock, gabions, crib wall or other more natural means of energy dissipation shall be preferred. Rock grouting shall only be used if no other feasible alternative is available as determined by P&D and Flood Control. **PLAN REQUIREMENTS:** Plans shall be submitted for review and approval by P&D and Flood Control. **TIMING:** Plans shall be submitted prior to approval of Land Use Permit for grading. Structures shall be installed during grading operations.

**MONITORING:** P&D compliance monitoring staff and/or Building & Safety inspectors shall ensure construction according to plans.

23. **Bio-21 Use Natives.** Landscaping within the bio-treatment area shall be with native plants and seed stock from locally obtained sources in accordance with the Jurisdictional Delineation Report (Brett D. Hartman, PhD, July 22, 2013) prepared for the project.

**PLAN REQUIREMENTS:** The Owner/Applicant shall incorporate this requirement into a landscape plan to be prepared by a P&D approved landscape architect or arborist. **TIMING:** Landscaping shall be installed prior to Final Building Inspection Clearance.

**MONITORING:** The landscape architect or arborist shall verify to P&D compliance monitoring staff, in writing, using receipts, etc, the use of native seed stock on the property prior to Final Building Inspection Clearance.

24. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans.

**MONITORING:** P&D permit processing planner shall check plans prior to zoning clearance issuance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

25. **Landscp-01 Landscape and Irrigation Plan.** The Owner/Applicant shall have a licensed landscape professional prepare a Landscape and Irrigation Plan for the project.

**PLAN REQUIREMENTS:** The plan shall include the following:

1. An agreement by the Owner to install required landscaping & water-conserving irrigation systems prior to final clearance.
2. An agreement by the Owner to maintain required landscaping for the life of the project.
3. Securities posted by the Owner for installation and maintenance securities per requirements in the Performance Securities condition.
4. All project landscaping shall consist of drought-tolerant native and/or low-water use/Mediterranean type species.
5. Project landscaping shall be compatible with the character of the surroundings and the architectural style of the structure.
6. Plan shall include clinging vines and/or vertical planting on trash enclosure walls and any other masonry walls, as determined by P&D, to soften the visual effects of the structures & to discourage graffiti.

**TIMING:** The Owner/Applicant shall (1) submit 4 copies of the Plan to P&D processing planner for review & approval prior to zoning clearance issuance, (2) enter into an agreement with the County to install required landscaping & water-conserving irrigation systems and maintain required landscaping for the life of the project, (3) Post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years, (4) Install landscape and irrigation prior to Final Building Inspection Clearance.

**MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved plan are in place as required prior to Final Building Clearance. Compliance staff will release installation security upon satisfactory installation of all items in approved plans. The Owner shall demonstrate to compliance staff that the landscaping and irrigation have been established and maintained according to plans and

agreements for a period of 3 years, and have achieved the original goals of this condition. Compliance staff signature is required to release the installation security upon satisfactory installation of all items in the approved plans and maintenance security upon satisfactory completion of maintenance. If requirements have not been met, the plants or improvements shall be replaced and/or maintained (fed, repaired, trimmed) and the security held for another year. If the Applicant fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property per approved plans.

- 26. Parking-02 Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. 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 grading and zoning clearance permits. **TIMING:** A copy of the written notice shall be submitted to P&D permit processing staff prior to issuance of a land use permit or 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.

- 27. Traf-04 Bus Stop Improvements.** In order to address increased bus ridership due to project development and minimize project trip generation, a new Santa Ynez Valley Transit bus shelter shall be provided. **PLAN REQUIREMENTS:** The bus shelter improvements shall be shown on plans submitted for project grading, zoning, and building permits, and are subject to review and approval by Caltrans, and the Santa Ynez Valley Transit. **TIMING:** Improvements shall be installed prior to Final Building Inspection Clearance.

**MONITORING:** P&D compliance monitoring staff shall field verify installation as to plan.

- 28. NPDES-15 Storm Water Retention-Pervious Parking.** To reduce runoff from impervious areas and allow for infiltration, the Owner/Applicant shall incorporate pervious materials or surfaces into the project design. **PLAN REQUIREMENTS:** The Owner/Applicant shall demonstrate use of pervious materials or surfaces on building, drainage and landscape plans as applicable.

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

- 29. NPDES-16 Storm Water Retention-Roof Runoff Collection.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall install a roof runoff collection and disposal system to infiltrate storm water runoff. Runoff shall be directed to either a subsurface infiltration trench, french drains, planter boxes, landscaped areas or connected to the site's irrigation system. An overflow or high flow bypass system will be provided. **PLAN REQUIREMENTS:** The Owner/Applicant shall include the roof runoff collection and disposal system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and any special roof design elements on building and roofing detail plans, depicted graphically.

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

#### IV. CONDITIONS UNIQUE TO TENTATIVE MAPS

30. **Map-01 Maps-Info.** Prior to recordation of the 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 parcel 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.
31. **Map-01a Maps-Future Lots.** Any lot created by the recordation of this 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.
32. **Map-01b Maps-Not Retroactive.** If land use permits or zoning clearances are obtained prior to recordation, tentative map conditions will not apply retroactively to the previously issued permit.
33. **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the parcel map, the Owner/Applicant shall submit a Parcel 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.
34. **Map-06 Title to Common Space.** Title to the common open space and recreational amenities located on parcel 2 and parcel 3 shall be held by the Housing Authority of the County of Santa Barbara, or other non-profit individual or 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 Housing Authority of the County of Santa Barbara, 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. The maintenance of the common open space and recreational amenities shall be the responsibility of the Housing Authority of the County of Santa Barbara, or other non-profit individual or entity holding title to the common open space and recreational amenities.
35. **Special Condition: Access Easement – Common Open Space.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by County Counsel and Planning and Development to reserve a reciprocal common open space access easement over all three parcels at the time the final map is recorded. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.
36. **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.

37. **Map-09 Access Easement.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve a reciprocal access easement over all three parcels at the time the final map is recorded. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.
38. **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 Parcel map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.
39. **Map-11 Electrical Utilities.** Electrical utilities shall be installed underground.
40. **Map-12 Interference Removal.** Prior to Recordation, any obstruction within a utility easement which would interfere with the intended use of the easement, shall be removed by the subdivider at subdivider's expense.
41. **Map-14 Annexation.** Prior to recordation, the property shall be annexed into the Santa Ynez Community Services District service area.
42. **Rules-19 Maps/LLA Revisions.** If the unrecorded Tentative Parcel 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 Parcel Map.

#### V. COUNTY RULES AND REGULATIONS/LEGAL REQUIREMENTS

43. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
44. **Rules-04 Additional Approvals Required.** Approval of the Tentative Parcel Map and Development Plans are subject to the Board of Supervisors approving the required General Plan Amendment and Rezone.
45. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
46. **Rules-06 Recorded Map Required.** Tentative Parcel Map 14,794 shall be recorded prior to issuance of any permits for development, including grading.

47. **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plans. 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 May 14, 2014.
48. **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.
49. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with County LUDC.
50. **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.
51. **Rules-18 DVP Revisions.** The approval by the Board of Supervisors of a revised Final Development Plan shall automatically supersede any previously approved Final Development Plan upon the effective date of the revised permit.
52. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.
53. **Rules-23 Processing Fees Required.** Prior to issuance of a land use permit or zoning clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
54. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Fire DIMF amount is currently estimated to be \$21,948.20. This is based on a project type of Residential and non-retail commercial, and a project size of 109,741 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.
55. **DIMF-24e DIMF Fees-Parks.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be \$44,196. This is based on 87 residential units. **TIMING:** Parks DIMFs shall be paid to the County Parks Department prior to Final Building Permit Inspection.
56. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total DIMF amount for Transportation is currently estimated to be \$26,950. This is based on 49 newly generated peak hour trips (49 PHT's x

\$550/PHT). **TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection.

- 57. Bio-22 Fish and Wildlife Fees.** The Owner/Applicant shall provide Planning and Development with a check payable to the “County of Santa Barbara” within 10 days of project approval as required by California Fish and Wildlife Code Section 711.4 for that Department’s review of the Mitigated Negative Declaration (14NGD-00000-00007) associated with the project.
- 58. 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 landscaping and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. 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 three 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 plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscaping & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscaping and irrigation, P&D may use the security to complete the work.
- 59. Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
1. Air Pollution Control District dated January 3, 2013
  2. Environmental Health Services Division dated April 9, 2014
  3. Fire Department dated January 4, 2013
  4. Flood control Water Agency dated December 19, 2012
  5. Public Works Project Clean Water dated January 31, 2013
  6. Parks Department dated May 13, 2014
  7. Transportation Division dated April 17, 2014
- 60. 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.
- 61. 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:
1. 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;
  2. Pay fees prior to approval of Land Use Permit or Zoning Clearance 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;

3. Note the following on each page of grading and building plans “This project is subject to Mitigation and/or 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 the Mitigated Negative Declaration, 14NGD-00000-00007.
  4. 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.
- 62. Rules-32 Contractor and Subcontractor Notification.** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
- 63. 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.
- 64. 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.