



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: County Planning Commission

FROM: Alice McCurdy, Deputy Director
Development Review South
568-2518

DATE: January 10, 2012

RE: Cavaletto Tree Farm Residential Housing Project

At the hearing on December 5, 2011, your Commission raised questions regarding construction traffic, the functionality of the 16 proposed for-sale apartments as affordable units, and roadway connections with adjacent neighborhoods to the north and south. The purpose of this memorandum is to provide information in response to these and other issues raised at the hearing.

Construction Traffic

In response to comments from the Commission as well as concerns expressed by surrounding residents, the project has been revised to have all construction traffic access the site directly from Patterson Avenue using the existing paved road at the southeast corner of the property. Routine construction traffic would utilize right-turn in and right-turn out movements, while larger construction equipment and deliveries requiring wider turning radii would make left-turn movements into the site with the assistance of traffic flag personnel. In discussions with Public Works staff, they have confirmed that the use of this access point for construction traffic is acceptable. A Road Encroachment Permit would be required, which would ensure adequate review of the required Traffic Control Plan, including the provision for flag crews at all times when the larger vehicles are turning into the site. Temporary stop signs in the east-west direction and flag crew present at the intersection of the construction access road and Las Perlas Drive would also be appropriate according to Public Works staff in order to provide for adequate public safety of passing motorists and pedestrians. However, they noted that the intersection of Las Perlas Drive and Tree Farm Lane (once completed) would not likely warrant a four-way stop controlled intersection on a permanent basis due to the low level of traffic flow. A two-way stop controlled intersection (with stop signs along Tree Farm Lane) would be appropriate and acceptable, as would a roundabout, which according to Public Works staff, would have the added benefit of slowing traffic along Las Perlas Drive.

Affordable Housing

Questions were once again raised regarding the adequacy and functionality of the 16 for-sale apartments as affordable units. The updated parameters governing these units, as currently proposed by the applicant, include:

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

P&D has discussed the most recent proposal with staff from the County Community Services Department (CSD) who oversee the affordable housing implementation program. Since their initial review of this proposal, as outlined in a memo submitted for the December 5, 2011 PC Hearing, the applicant has added the income eligibility requirement to the list of parameters governing these units. This change would ensure that the units would be affordable to the target workforce population for the initial unit sales since there would be an initial income certification and the sales price would be set based on the County's housing formula. However, the annual 2.5% appreciation would be incongruous with the income eligibility requirements over time since the average median income does not increase by any set amount each year, if at all. Therefore, implementation of the annual appreciation would not guarantee that these units would remain affordable to the desired target population for subsequent sales. The only way to ensure long-term affordability would be to eliminate the annual appreciation and base each sale on the County's affordable housing formula in effect at the time. In summary, according to CSD staff, these units should not be considered as affordable housing units despite the parameters proposed by the applicant. However, as discussed at prior hearings, the applicant is satisfying the minimum affordable housing requirements by providing eight rental units under the State Density Bonus Program priced at the very low income category. Thus, the 16 for-sale units have been proposed by the applicant in an attempt to bridge the gap between what is minimally required and what was envisioned in terms of the number of affordable units when the rezone and general plan amendment were initiated by the Board of Supervisors in 2006.

Neighborhood Roadway Connections

At the last hearing, residents of the adjacent Cathedral Oaks Village neighborhood voiced opposition to the proposed roadway connection through their subdivision connecting the Tree Farm property with Avenida Pequena. While some were opposed to use of that road for anything other than emergency access, others were accepting of a limited number of residences using that road but opposed to it being available for use by the rest of the Tree Farm project. They were especially concerned because of fears that closure of Merida Drive would result in

more residents utilizing the private roadway off of Avenida Pequena for entering and exiting the site than just the owners of the 17 large estate lots.

Your Commission suggested that staff review the conditions of approval of the adjacent subdivisions to determine if there is any information from those prior approvals on the roadway connections with the project site. A review of these subdivisions did not uncover any significant new information. As previously stated, the Cathedral Oaks Village subdivision approved in 1972 included an offer of dedication of a road that would connect Avenida Pequena with the project site. At the time, it was presumed that the Cathedral Oaks Village development would be the first phase of a larger residential development project that would extend into the Cavaletto property as well as the Cathedral Point property to the east. This is evidenced by a rezone that included the Cavaletto property and the COVA property in 1971, rezoning the former to a combination of 10-R-1 and DR-3, and the latter to DR-3. Hence, the road was identified as a future road on the approved Tract Map presumably for access to residential development within the Cavaletto site once those other areas were developed. However, subsequent phases of development within the Cavaletto site never came to fruition. At the time of approval and recordation of the tract map for the Cathedral Oaks Village project (TM 11,504), the County did not accept the offer of dedication. However, the offer of dedication is still valid.

The County Fire Department requires full secondary access for all housing developments with more than 30 residential units. With completion of this project, Tree Farm Lane would connect with Patterson Avenue which would serve as the primary route of ingress and egress for the project. While Tree Farm Lane would also intersect with Las Perlas Drive, this is not considered adequate secondary access because it relies on the same road (Tree Farm Lane) as for the primary access point. Therefore, for the project to be approved, either the connection with Merida Drive or Avenida Pequena need to be established, or both. From a community planning and emergency access perspective, the more roadway connections and linkages through and between neighborhoods the better. More connections function to naturally disperse traffic rather than funneling it through one or two roadways. Furthermore, more roadway connections also provide greater options for emergency access in the event that one or more roadways are obstructed. More connectivity also serves to strengthen communities by enhancing walkability and providing for a sense of place and social cohesion. According to the LEED for Neighborhood Development principles, street connectivity is an important cross-cutting strategy for neighborhood sustainability since it also improves access to parks, schools, transit, businesses, jobs, and shopping.

With that in mind, staff recommends that both connections – Avenida Pequena and Merida Drive – be established in order to enhance connectivity and ensure a dispersal of traffic through the surrounding neighborhoods. Staff still maintains that the Tree Farm Lane connection with Patterson Avenue would offer the most direct route for most residents entering and exiting the site. The timing of the connections (i.e. delaying the opening of Merida Drive until Tree Farm Lane is connected with Patterson Avenue), combined with various physical measures to slow traffic (e.g. stop sign along Merida Drive and speed humps, crosswalks, and/or other traffic calming devices) and deter residents from driving through the adjacent neighborhoods as a

means of accessing Patterson Avenue, would help to ensure that surrounding residents are not adversely affected by increased traffic on neighborhood streets.

Recommended Actions

With the revisions to the project proposed by the applicant and the changes to the conditions of approval previously identified by the Commission and County staff, staff's recommendation is as follows:

Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for the project specified in Attachment A of the staff memorandum dated January 10, 2012, including CEQA findings.
2. Recommend that the Board of Supervisors certify the Environmental Impact Report (11EIR-00000-00002) and adopt the mitigation monitoring program contained in the conditions of approval included as Attachment B to the staff memorandum dated January 10, 2012.
3. Recommend that the Board of Supervisors approve an amendment to the land use designation for APNs 069-100-006, -051, -054, and -057 from A-I-5 to RES-4.6 (draft resolution included as Attachment E to the staff report dated September 30, 2011) and an amendment to the zoning map for the subject parcels from AG-I-5 to DR-4.6 (draft ordinance amendment included as Attachment F to the staff report dated September 30, 2011);
4. Recommend that the Board of Supervisors approve the project (01GPA-00000-00009, 01RZN-00000-00015, 08DVP-00000-00012, 09TRM-00000-00001, and 09RDN-00000-00001) subject to the conditions included as Attachment B to the staff memorandum dated January 10, 2012.
5. Recommend that the Board of Supervisors accept the offer of dedication of Parcel C of Tract No. 11,504 in order to accommodate a road between Avenida Pequena and the Tree Farm project site.
6. Determine that the land exchange between the County and the applicant is consistent with the Comprehensive Plan, including the Goleta Community Plan; and transmit the consistency report required by Government Code Section 65402(a) to Claude Garciacelay, and the Board of Supervisors. The staff report, dated September 30, 2011, and the Planning Commission's action letter shall constitute the required report.
7. Determine that acceptance of the offer of dedication of the parcel to serve as the northerly access road connecting the project site with Avenida Pequena is

consistent with the Comprehensive Plan, including the Goleta Community Plan; and transmit the consistency report required by Government Code Section 65402(a) to Jeff Havlik and the Board of Supervisors. The staff memo, dated November 28, 2011, and the Planning Commission's action letter shall constitute the required report.

Attachments:

Attachment A: Revised Findings for Approval

Attachment B: Revised Conditions of Approval

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:

1.1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (11EIR-00000-00002) was presented to the Planning Commission and all voting members of the Planning Commission have reviewed and considered the information contained in the Final EIR (11EIR-00000-00002) and its appendices prior to recommending approval of the project. In addition, all voting members of the Planning Commission have reviewed and considered testimony and additional information presented at or prior to public hearing on October 19, 2011. The Final EIR reflects the independent judgment and analysis of the Planning Commission and is adequate for this proposal.

1.1.2 FULL DISCLOSURE

The Planning Commission recommends that the Board of Supervisors finds and certifies that the Final EIR (11EIR-00000-00002) constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Planning Commission further recommends that the Board of Supervisors finds and certifies that the Final EIR has been completed in compliance with CEQA.

1.1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Planning Commission located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.1.4 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL

The Final EIR (11EIR-00000-00002) identifies several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the Final EIR (11EIR-00000-00002) feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

Aesthetics: The project would result in a significant but mitigable impact associated with the introduction of night lighting into the residential community. Exterior lighting has the potential to significantly degrade night sky conditions and result in spillover and glare onto adjacent properties.

Mitigation to reduce this impact includes limitations on exterior lighting to ensure only low-intensity, low glare, and hooded lighting is used to prevent spillover. The Planning Commission recommends that the Board of Supervisors finds that this mitigation is adequate to reduce this impact to an insignificant level.

Air Quality: Construction of 134 new residential units and associated infrastructure would generate temporary increases in localized air pollutant emissions, including fugitive dust (PM₁₀) and ozone precursors such as Nitrogen Oxide (NO_x) and reactive organic compounds (ROC). Due to the County's non-attainment status for the state PM₁₀ standard, impacts would be significant but mitigable. Mitigation to reduce this impact to a less than significant level includes the application of dust control measures during construction, minimizing the use of diesel vehicles and equipment, and promoting carpooling of construction workers to minimize vehicle trips. The Planning Commission recommends that the Board of Supervisors finds that this mitigation is adequate to reduce this impact to an insignificant level.

Biological Resources: Important biological resources on the site are primarily associated with the riparian corridor along San Jose Creek, including an associated oak woodland habitat adjacent to the creek. Construction within the riparian habitat adjacent to the creek would be limited to drainage improvements as well as potential future construction of the bridge for the bike path. Potential impacts associated with habitat removal and disturbance would occur if site construction occurs during the nesting season. Further, given the use of the riparian corridor by wildlife species, exterior night lighting could potentially disrupt the normal behavior of some wildlife species. The drainage improvements and bridge (if constructed) would result in the loss of approximately 1,700 square feet of riparian habitat. Mitigation to reduce these impacts includes preconstruction surveys for bird nests, restoration of degraded or removed habitat, coordination with other agencies (e.g. CDFG, US ACOE, and RWQCB) to satisfy any requirements they may have, exterior lighting restrictions in open space areas adjacent to the creek, and checking old buildings for bird and bat nesting/roosting before demolition or reconstruction.

The introduction of invasive or exotic plant species to the site could impact native plant species in the vicinity of the riparian corridor or nearby to the site. Impacts would be mitigated to a less than significant level by restrictions placed on the landscape plan to prevent the use of particular plant species. The project would result in the removal of or significant disturbance to approximately 16 trees of biological value. Mitigation to reduce this impact to a less than significant level includes replacement planting with appropriate ratios and implementation of protection measures to avoid trees during construction.

The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce these impacts to insignificant levels.

Cultural Resources: There are several archaeological sites recorded in the general vicinity of the project site. However, Phase 1 and Extended Phase 1 surveys of the site failed to identify any archaeological remains within the project site. Nonetheless, given the known presence of cultural resources in the vicinity of the project and the proximity of the project to San Jose Creek, there remains the possibility that unknown cultural resources could be impacted during grading and construction activities associated with the development project. Impacts would be reduced by requiring contractors to stop or redirect work in the event archaeological remains are encountered during grading and evaluating any finds in accordance with County archaeological guidelines and, in the case of human remains, treating human remains in accordance with state requirements. The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce this impact to an insignificant level.

Fire Protection: The project would be located adjacent to the Kellogg Open Space, which supports dense vegetation associated with the San Jose Creek riparian corridor. As a result, the project would increase the fire hazard risk to proposed residential structures within 100 feet of the riparian area. This is considered a potentially significant but mitigable impact. Mitigation to reduce this impact includes vegetation management within the 100-foot creek buffer, including vegetation clearance requirements around existing and new structures within 100 feet of the riparian vegetation. The Planning Commission recommends that the Board of Supervisors finds that this mitigation measure is adequate to reduce this impact to an insignificant level.

Geologic Resources: The development project may be subject to potential geologic hazards due to collapsible-compressible soils and seismic settlement. This significant impact would be mitigated by adherence to recommendations of a geotechnical investigation, including standard practices for these soil conditions such as over-excavation and compaction of soils and moisture conditioning. Due to the highly erodible alluvial soils on the project site, grading associated with the project would increase soil erosion on the project site and impact San Jose Creek with increased sedimentation. Further, the increase in impervious surfaces on the project site would accelerate surface runoff during rain events, thereby increasing the potential for soil erosion if the runoff is not properly controlled and conveyed. Mitigation to reduce these impacts includes implementation of a Storm Water Pollution Prevention Plan (SWPPP) during construction, revegetating graded areas upon completion of grading to minimize slope failure and erosion potential, and properly designing and constructing the on-site detention basin to retain and infiltrate

runoff on-site and minimize the potential for erosion and sedimentation affecting San Jose Creek. The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce these impacts to insignificant levels.

Hazardous Materials/Risk of Upset: The project site was historically used as an orchard and more recently as a Christmas tree farm, which potentially utilized agricultural chemicals to promote production. Chemicals that remain in the soil could be released during grading activities, exposing nearby receptors to contaminated soils. In addition, a dump site previously used for trash and orchard waste as well as backfill material from an unknown source could have contributed contaminants into the soil. Grading could result in significant impacts to affected workers and residents associated with the release of contaminants. Mitigation to reduce these impacts to less than significant levels includes testing the soil prior to grading activities and remediating the soil if testing indicates that concentrations exceed their respective screening levels. Development of the project would require the demolition of existing structures that may contain asbestos and lead based paint. Demolition of these structures could expose workers to hazards. This significant impact would be reduced by surveying the structures for asbestos and lead based paint and following any recommendations for proper abatement and disposal depending on the results of the surveys. The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce these impacts to insignificant levels.

Historic Resources: The project involves the demolition of existing structures that are considered significant historic resources due to their potential eligibility for designation as County historic landmarks. This is considered a significant but mitigable impact. Mitigation to reduce this impact includes documenting the historic structures, retaining and restoring the existing barn, and developing an interpretive plan and display for the public on the historic themes of the structures and history of agriculture in the Goleta Valley and the specific contributions of the Cavaletto family. The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce this impact to an insignificant level.

Land Use: The project would change the character of the site from largely undeveloped and open, historically farmed land to single- and multi-family residential development. This would present potential compatibility issues with surrounding development. Mitigation to reduce this impact includes ensuring that the development is designed in a manner that avoids potential privacy impacts and requiring review and approval of the development by the South County Board of Architectural Review. Mitigation measures applied to address other impacts, including aesthetics, air quality, hazardous materials,

noise, and transportation/circulation would also reduce long-term compatibility conflicts with surrounding residential development. The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce land use impacts to insignificant levels.

Noise: Construction activities associated with development of the residential project would temporarily impact sensitive noise receptors within 1,600 feet of the project site, potentially exposing nearby residents to noise levels in excess of County thresholds. Mitigation to reduce this impact includes restricting noise-generating construction to between the hours of 8am and 5pm on weekdays only, shielding any stationary construction equipment and siting it as far away as possible from nearby sensitive noise receptors, using electrical power to run air compressors and power tools, providing a notice to nearby property owners prior to construction activities, and establishing a noise complaint line for local residents to use to submit complaints associated with construction noise. Development of residential units along Patterson Avenue could expose future residents to noise levels exceeding County standards. Mitigation to reduce this impact includes retaining an acoustical engineer during final project design to incorporate construction and design specifications that would result in attenuation of noises affecting future residents. The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce these temporary and long-term impacts to insignificant levels.

Public Facilities – Solid Waste: Solid waste generated during construction of the project would potentially exceed the County threshold of 350 tons, resulting in a significant but mitigable impact. Mitigation would include preparation and implementation of a Solid Waste Management Plan during construction, which would include sorting and recycling of construction waste. Long-term waste generated by project residents would similarly exceed the County's standard of 196 tons per year. Implementing a recycling program on-site, including curbside recycling for project residents, would reduce this impact to a less than significant level. The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce these impacts to insignificant levels.

Transportation/Circulation: Project construction and equipment staging would temporarily increase truck traffic in the surrounding neighborhoods. Construction traffic and parking has the potential to significantly impact the normal use of the sidewalk and adjacent street parking. Mitigations to reduce this temporary impact includes a requirement for on-site construction parking and equipment staging/storage and using traffic control monitors when construction activities are affecting public roadways. The proposed project would generate an estimated 1,081 average daily trips and 110 PM peak hour

trips (PHTs) upon buildout, which would be distributed to various roadways and intersections in the vicinity of the project site. The South Patterson Avenue/U.S. Highway 101 southbound on-ramp would be significantly impacted by the proposed project and would degrade from a level of service (LOS) C to LOS D under the project-specific scenario (or LOS E under the cumulative scenario), as the project would send 51 PHTs to that intersection. Mitigation to reduce this impact to a less than significant level includes adding a second left-turn lane onto the onramp from South Patterson Avenue by restriping the overcrossing, and adding ramp metering. In addition, the applicant would be required to pay traffic impact fees to the City of Goleta in order to offset the project's cumulative impact. The project would result in additional traffic and new roadway connections to access the site that could affect the safety of residents in the existing neighborhood and future residents of the project. Required mitigation to reduce this impact includes limiting landscaping at the entrance of the project site from North Patterson Avenue to low-growing vegetation to maintain adequate sight distances, and extending the sidewalks along the private road that serves the estate lots in the northern portion of the site to Avenida Pequena. In addition, recommended mitigation measures to further reduce this impact and reduce project-generated traffic from affecting nearby residential streets includes extending Tree Farm Lane to Patterson Avenue as part of the initial phase, adding a stop sign at the intersection of Tree Farm Lane and Merida Drive, and monitoring traffic conditions on Agana Drive and Merida Drive after Phases I and II to determine if any traffic calming measures are warranted.

The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce these impacts to insignificant levels.

Water Resources/Flooding: The project would involve the disturbance of approximately 22 acres during construction, which would disturb soils and potentially increase runoff, erosion, and sediment loads. This would result in a significant but mitigable impact on water quality. Mitigation to reduce this impact includes the implementation of erosion and sediment and contaminant control measures during grading and construction, and ensuring that concrete and construction equipment washout and storage locations are sited to prevent discharge into area storm drains or San Jose Creek. The project would alter existing drainage patterns and increase storm water runoff by significantly increasing the amount of impervious surfaces on the project site. This would result in potentially significant long-term water quality impacts. Mitigation to reduce this impact include implementation of a Storm Water Quality Management Plan (SWQMP) that includes a combination of structural and non-structural best management practices (BMPs) designed to prevent the entry of pollutants into the storm drain system or area drainages, labeling storm drains to increase awareness of storm water pollution, requiring the use

of vegetated buffer strips and other forms of biofiltration to allow for infiltration and filtration of pollutants in runoff before they can enter the storm drain system or San Jose Creek, and incorporating pervious surfaces where possible to reduce surface runoff and allow for infiltration. The Planning Commission recommends that the Board of Supervisors finds that these mitigation measures are adequate to reduce these impacts to insignificant levels.

1.1.5 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE

The Final EIR (11EIR-00000-00002), prepared for the project evaluated a no project alternative, a reconfigured/land exchange alternative, an altered phasing alternative, and an increased open space/historic preservation (i.e. reduced development) alternative as methods of reducing or eliminating potentially significant environmental impacts. The Planning Commission recommends that the Board of Supervisors finds that the following alternatives are infeasible for the reasons stated:

1. **No Project Alternative.** The No Project Alternative is considered infeasible because it does not meet any of the basic objectives of the project, specifically as they relate to developing a variety of housing types at different densities that meet a multitude of housing needs and produce an economically viable project, providing on-site rental units that are affordable by design, and incorporating LEED Neighborhood Design elements to create a walkable, environmentally advanced design for a new residential community.
2. **Altered Phasing Alternative.** The Altered Phasing Alternative is economically infeasible because it frontloads the expensive infrastructure improvements (i.e. connecting Tree Farm Lane to Patterson Avenue) and subsidized affordable units before the developer has an opportunity to generate revenue from the sale of individual market rate units. This revenue is necessary in order to fund and obtain financing for these elements of the project. In addition, it is infeasible to defer construction of the common area facilities to a later phase because these facilities are necessary to market the residential unit and to provide necessary amenities for the new residents. Further, the drainage improvements proposed as part of the initial phase, including namely the retention basin, need to be constructed as part of the initial improvements in order to provide adequate drainage and flood control for new development within the site. Deferring these improvements until the final phase would not be feasible. Lastly, this alternative does not reduce any of the significant impacts of the project since ultimate buildout of the project would be unchanged, though it does reduce adverse traffic impacts to neighboring residents to the south by providing a direct connection to

Patterson Avenue for project residents as part of the initial phase of development.

The other two alternatives (Reconfigured/Land Exchange Alternative and Increased Open Space/Historic Preservation Alternative) do not fully meet the objectives of the project in terms of “developing a variety of housing types at different densities that meet a multitude of housing needs and produce an economically viable project.” However, they do meet most of the other project objectives and while not as profitable as the proposed project, are nevertheless feasible alternatives. While not infeasible, these alternatives are not necessary to avoid or substantially lessen any of the significant effects of the project. Mitigation measures have been identified to reduce the significant impacts generated by the project such that the proposed project, as mitigated, would not result in any significant and unavoidable impacts.

1.1.6 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(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 AMENDMENT TO THE DEVELOPMENT CODE, LCP AND ZONING MAP (REZONE) FINDINGS

Findings required for all Amendments to the County Land Use and Development Code, the Local Coastal Program, and the County Zoning Map. 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:

2.1.1 The request is in the interests of the general community welfare.

The project site is surrounded by residential development and provides an opportunity for positive infill development. With a net increase of 132 residential units, including 24 affordable units, the project helps to address the region’s housing shortages. The range of housing types and sizes will help to

meet a multitude of needs and apply to a diversity of income levels. The development of housing with a variety of types and densities is identified as a goal of the community (Policy LUR-GV-5 of the Goleta Community Plan). The project helps to maintain the existing urban boundary line by providing housing in an urban infill site, which is another recognized goal of the community rather than pushing development out to the urban fringes or extending the urban boundary. Overall, the request to rezone the property from agriculture to residential is in the interests of the general community welfare.

2.1.2 The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code. If the Amendment involves an Amendment to the Local Coastal Program, then the request shall also be found to be consistent with the Coastal Land Use Plan.

As discussed in Section 6.2 and 6.3 of the staff report dated September 30, 2011, herein incorporated by reference, the project is consistent with the Comprehensive Plan, including the Goleta Community Plan, and the Land Use Development Code (with the waiver requests permitted under the State Density Bonus Program). The project site is outside of the coastal zone and therefore does not involve a request to amend the Local Coastal Program.

2.1.3 The request is consistent with good zoning and planning practices.

The project site represents an urban infill site surrounded by residential development. Rezoning the property from agriculture to residential to accommodate a total of 135 residential units with an 18% affordable housing component is consistent with good zoning and planning practices. The Goleta Community Plan identified this site as suitable for short to medium term agricultural preservation, as opposed to long term protection. The site has not been in active agricultural production since 2003 and given its location adjacent to existing residential development, close to urban commercial centers and major arterial roads and the highway, the site is an excellent candidate for residential development to meet the region's housing shortages.

2.2 GENERAL PLAN AMENDMENT FINDINGS

Government Code Section 65358(a) requires a general plan amendment to be in the public interest.

The project site is surrounded by residential development and provides an opportunity for urban infill development. With a net increase of 132 residential units, including 24 affordable units, the project helps to address the region's housing needs. The range of housing types and sizes will help to meet a variety of needs and will apply to a diversity of income levels. The development of housing with a variety of types and densities is identified as a

goal of the community (Policy LUR-GV-5 of the Goleta Community Plan) and affordable housing is identified as being in the public interest in the Board-adopted 2009-2014 Housing Element. The project helps to maintain the existing urban boundary line by providing housing in an urban infill site, which is another recognized goal of the community rather than pushing development out to the urban fringes or extending the urban boundary. Granting of the easement to the County for the purposes of establishing a portion of the San Jose Creek Bike Path would also be in the public interest. Overall, the request to amend the land use designation of the property from agriculture to residential is in the public interest.

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:

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 project site is approximately 26 acres and is surrounded by residential development of varying densities. The project site is located adjacent to major arterial roadways and close to employment and shopping districts. The project site represents an infill development opportunity within an existing residential neighborhood. The project is adequate in terms of its location and physical characteristics to support a total of 135 residential units.

2. Adverse impacts will be mitigated to the maximum extent feasible.

There are no significant unavoidable impacts that would result from development of the project. All required mitigation measures identified in the EIR to reduce significant impacts to less than significant levels have been incorporated as project conditions of approval. In addition, recommended mitigation measures that were identified in the EIR to further reduce impacts have been similarly incorporated as conditions of project approval where appropriate. As a result, all adverse impacts have been reduced to the maximum extent feasible, consistent with this finding.

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

Streets and highways will be adequate to carry the type and quantity of traffic generated by the project. The project includes a condition of approval that requires upgrades to the Patterson Avenue/U.S. Highway 101 southbound onramp intersection, including restriping the overpass to add a second left-

turn lane and adding metering to the on-ramp as required by Caltrans. With implementation of these improvements, all affected roadways and intersections would remain within acceptable capacity. The roadway improvements internal to the site have been designed to meet County standards for access and traffic movement, including adequate road widths, turning radii, and pedestrian improvements. In addition, the project has been conditioned to provide direct vehicular access to Patterson Avenue as part of the initial phase of development in order to provide project residents with an additional means of accessing Patterson Avenue without adversely impacting the neighborhood streets to the south. Therefore, this finding can be made.

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

The project would be served by the Goleta Water District and Goleta Sanitary District for water and sewer service, respectively. The project site would be annexed into the Goleta Sanitary District's service boundary prior to development. The project has been designed to meet County Fire Department standards for emergency access and County Public Works requirements for roadways. As a result, adequate services exist to serve the project consistent with this finding.

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 has been designed to be compatible with surrounding development. Review and approval of the project design by the South County Board of Architectural Review, including the final layout and architectural designs for proposed residences and landscaping, will help to ensure neighborhood compatibility and protect neighbor privacy. The provision of approximately four acres of open space for use by the residents will ensure that sufficient parkland exists in the neighborhood to support the increased residential population, without degrading the quality and availability of existing open space and parkland for existing community residents. Required improvements to the Patterson Avenue/U.S. Highway 101 southbound intersection will ensure that the project does not impact the comfort and convenience of area residents by improving the operating capacity of that intersection and reducing queuing along Patterson Avenue north of intersection. In addition, connecting Tree Farm Lane to Patterson Avenue as part of the initial phase of development and adding a stop sign at Merida Avenue will help to ensure that project traffic does not burden neighborhood streets to the south of the project site. Lastly, dedicating an easement to the County for the purposes of constructing the bridge across San Jose Creek will help to improve community access through the area and provide an alternative to vehicle use for moving about the neighborhood and reaching points south

of the highway. This will help to incrementally reduce congestion on the roadways and offset the addition of 1,081 net new average daily trips generated by the project. As a result of these various elements and requirements of the project, this finding can be made.

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

The State Density Bonus Program entitles the applicant to two incentives/waivers given the number of affordable units proposed to be constructed as part of the project. As such, the applicant has requested waivers to setback and open space standards required for the Design Residential (DR) zone, as permitted under the State Density Bonus Program. The project complies with other applicable requirements of the DR zone, including building height and parking spaces. As discussed in Section 6.2 of the staff report dated September 30, 2011, herein incorporated by reference, the project as conditioned is consistent with all applicable policies and standards of the Comprehensive Plan, including the Goleta Community Plan. Therefore, this finding can be made.

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 not within a rural area of the County and therefore this finding does not apply.

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 through the property that would be affected by the project. The project includes the dedication of an easement to the County for the purposes of establishing a bridge across San Jose Creek for use as part of the San Jose Creek Bike Path. As a result, this finding can be made.

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.

There is no previously approved Preliminary Development Plan associated with this project. Therefore, this finding can be made.

2.4 DEVELOPMENT PLAN MODIFICATION FINDINGS

A. Findings required for all Development Plan Modifications. In compliance with Subsection 35.82.080.H.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 that includes a modification to the zone development standards, the review authority shall first find that the modification is justified.

The applicant has requested modifications to the common open space requirement and setbacks for the DR zone district in order to accommodate the proposed project at the approximate density initiated by the Board of Supervisors in 2006. The DR zone district requires that 40% of the net site area be reserved as common open space. The applicant is requesting that this development standard be modified to 38%. The standard setbacks in the DR zone are 20 feet for the front yard and 10 feet for the side and rear yards. The applicant is seeking a modification to front, rear, and side setbacks to accommodate minor encroachments for the residential structures throughout portions of the site. Side and rear setbacks would be reduced by up to 5 feet in many places, while front setbacks would be reduced by up to a maximum of approximately six feet. These setback encroachments and minor reduction in the amount of common open space are justified in that they allow for the additional density on the project site that is granted through participation in the State Bonus Density Program. The setback modifications primarily affect the interior areas of the project site and allow for greater separation from adjoining development by pulling the future residences closer to the new internal streets. The setback modifications are also justified in that they permit a more flexible site design by staggering residences so as to avoid a uniform appearance that is often found with a standard subdivision or Planned Unit Development, while still achieving the desired density. The minor reduction in common open space is justified in that it allows the project to accommodate the increased density and provide a variety of housing types that target a range of income levels. The project site contains nearly four acres of parkland for the project residents, in addition to additional common areas spread throughout the site. The common open space area is considered adequate to serve the future residential population. The project site also would have connections with public open space adjacent to the project site to expand the amenities available to the residents. Together, these factors justify the requested modifications.

2.5 GOLETA COMMUNITY PLAN OVERLAY FINDINGS

Pursuant to Section 35.28.210 of the County Land Use & Development Code, in addition to any findings that are otherwise required by the County Land Use & Development Code for the approval of a permit for

development, project approval within a community or area plan overlay zone shall require that the review authority also first find that the project complies with all applicable requirements of the applicable community or area plan.

The proposed Tentative Tract Map and corresponding Development Plan are consistent with the policies and development standards of the County's Comprehensive Plan including the Goleta Community Plan as discussed in Section 6.0 of this staff report dated September 30, 2011, incorporated herein by reference. Therefore, this finding can be made.

2.6 TENTATIVE MAP FINDINGS

Findings for all Tentative Maps.

2.6.1 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.

Many of the homes within the subdivision are oriented in such a way as to provide for passive heating and cooling with appropriate siting and sizing of windows and awnings. There is area surrounding many of the residences for planting to allow for passive or cooling and surrounding trees will provide for natural cooling for the residences. Solar array panels or photo voltaic cells may also be feasible in the future subject to obtaining the necessary permits.

2.6.2 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.

The proposed Tract Map and corresponding Development Plan are consistent with the policies of the County's Comprehensive Plan including the Goleta Community Plan as discussed in Section 6.2 in this staff report dated September 30, 2011, incorporated herein by reference.

In compliance with the Subdivision Map Act, the review authority shall deny the Cavaletto Tree Farm Housing Project (Case No. 09TRM-00000-00001) if it makes any of the following Subdivision Map Act Findings:

2.6.3 State Government Code §66474. The following findings shall be cause for disapproval of a Tentative Parcel Map/Tract Map:

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

The proposed Vesting Tract Map and corresponding Development Plan are consistent with the policies of the County's Comprehensive Plan including the Goleta Community Plan as discussed in Section 6.2 in this staff report dated September 30, 2011, incorporated herein by reference.

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

The design and improvements of the proposed subdivision are consistent with applicable policies of the Comprehensive Plan, including the Goleta Community Plan, as discussed in Section 6.2 of the staff report dated September 30, 2011, herein incorporated by reference.

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

The site consists of 26 acres of generally level terrain surrounded by residential development. Significant constraints on the site are limited to the riparian corridor and associated oak woodland on the west end of the project site and an inactive fault line running west to east within the northern portion of the site. Overall, the site is suitable for the residential development proposed.

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

The site is surrounded by residential development of varying densities, including condominium complexes and single family dwellings. The project has been designed with varying densities throughout the site in order to effectively tie the project in with surrounding development. The proposed effective density of 5.2 units per acre (inclusive of affordable units and density bonus market rate units) is slightly higher than some of the surrounding development which has a density of 3.3 units per acre. However, the project is consistent with the density of a condominium project immediately north of the project site. The site is physically suited for the density proposed, and can accommodate the proposed density while still providing several acres of open space, common area facilities including a pool, and all of the necessary interior roadways and sidewalks.

- 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 subdivision and associated residential development and

infrastructure improvements would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. No residential development is proposed within the 50-foot creek buffer and the only development affecting the riparian corridor includes drainage improvements and a potential future bridge across the creek to accommodate the San Jose Creek Bike Path. Mitigation measures have been incorporated as conditions of project approval to ensure any impacts resulting from the project are reduced to insignificant levels.

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

The proposed subdivision and associated development and infrastructure are not likely to cause serious public health problems. The EIR identifies significant but mitigable impacts with respect to hazards associated with possible contaminated soil. No other significant public health problems have been identified. Mitigation measures have been incorporated as conditions of project approval requiring testing and, if necessary, remediation of contaminated soil.

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 through the property that would be affected by the subdivision project.

2.6.4 State Government Code §66474.4. The legislative body of a county shall deny approval of a tentative map or parcel map if it finds that the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and 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.

The subject parcel is not currently in an agricultural preserve contract.

2.6.5 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 proposed residential development has received a letter from the Goleta Sanitary District indicating that there is sufficient capacity to serve the proposed project.

2.6.6 Pursuant to Chapter 21-8 of the Santa Barbara County Code, the following, among others, shall be cause for disapproval of a tentative map including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:

- A. Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the Office of the County Recorder, provided, however, that the Director of Public Works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final subdivision map by the County Recorder, unless the Director of Public Works shall approve such grants. If the Director of Public Works does not grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the Director of Public Works to grant such approvals may be made in writing to the Board of Supervisors, which may overrule the Director of Public Works and grant such requested approvals in whole or in part.**

Easements and public rights-of-ways within the project site would be consistent with this finding.

- B. 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 site would have adequate ingress and egress via public streets and would not be landlocked.

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

The project site is relatively flat and grading as part of the project would not create any steep cut or fill slopes that would be unsafe or unattractive to view.

- D. Grading or construction work on any proposed street or lot. 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;**

No grading or construction would be permitted as part of the project until recordation of the Vesting Tentative Map and the issuance of applicable follow-up Zoning Clearances.

E. Potential creation of hazard to life or property from floods, fire, or other catastrophe;

The project site is surrounded by residential development within the urban boundaries of the Goleta Valley. The project would meet all County Fire Department standards for access and defensibility. New structural development is located outside of the flood zone and the project would not create hazards to life or property from floods, fire, or other catastrophes.

F. Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation;

As discussed in Section 6.2 of the staff report dated September 30, 2011, herein incorporated by reference, the project as conditioned conforms to the County's Comprehensive Plan, including the Goleta Community Plan. There are no state highways adjacent to the project site that would be affected by the development.

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

There are no lots created as a result of the project that have a depth to width ratio in excess of 3 to 1.

H. Subdivision designs with lots backing up to watercourses.

San Jose Creek is located along the western boundary of the project site. However, no residential development is located within the buffer area of San Jose Creek. The common open space runs along the creek's riparian corridor, but San Jose Creek does not run through the backyards of any of the residential lots.

2.6.7 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.

As discussed in Section 6.2 of the staff report dated September 30, 2011, herein incorporated by reference, the project as conditioned conforms to the County's Comprehensive Plan, including the Goleta Community Plan. As discussed in Section 6.3 of the staff report dated September 30, 2011, herein incorporated by reference, the project as conditioned conforms to applicable requirements of the County Land Use & Development Code, with the requested incentives as permitted under the State Density Bonus Program. The Vesting Tentative Map is consistent with the requirements of Chapter 21 of the Santa Barbara County Code, as well as the requirements of the State Subdivision Map Act and California Government Code Section 66410 *et seq.*

2.7 ROAD NAMING FINDINGS

Section 35.76 of the Land Use Development Code, Road Name Selection, states that the objective of regulated road naming is to ensure that proposed road names are pleasant sounding; easy to read (so that the public, and children in particular, can readily pronounce the name in an emergency); and add to the pride of home and community. In order to meet that objective, the following criteria were adopted and must be met in order to approve renaming of a road:

- a. **Road names shall not be duplicated within the area served by the same United States post office or police or fire department. No name should duplicate another road name used elsewhere in the County. Similar sounding names are considered duplicates regardless of spelling.**

The proposed road names "Tree Farm Lane," "Noel Court," and "Christmas Tree Lane" do not occur within the area served by the local post office or by emergency response personnel. The Santa Barbara County Fire Department issued a letter (included in Attachment B) approving "Harvest Road" and the Santa Barbara County Public Safety Sheriff's Dispatch staff is not aware of a duplicate road name within Santa Barbara County.

- b. **Roads shall not be named after surnames of living persons.**

The proposed road names do not reference a surname of any living persons.

- c. **Roads may be named after family surnames prominent in Santa Barbara County history, even if family members still reside in the area.**

The proposed road names do not reference a surname.

- d. **Road names shall have less than 24 letters, including punctuation, spacing, and road classification (e.g., lane, way, street).**

The proposed road names contain fewer than 24 letters each, including spacing and the road classification.

e. Road names shall be easy to pronounce and spell.

The proposed road names are easy to pronounce and spell.

f. Road names shall be grammatically correct whether in English or a foreign language.

The proposed road names are grammatically correct.

g. Road names shall include an appropriate road classification (e.g., street, lane, way, etc.)

The proposed road names include the applicable road classification.

ATTACHMENT B: CONDITIONS OF APPROVAL

PROJECT DESCRIPTION

1. This Tentative Tract Map and Development Plan are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibit #1, dated October 19, 2011, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

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

Comprehensive Plan Map Amendment and Rezone

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

Vesting Tentative Tract Map

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

Development Plan

The Development Plan includes 135 housing units, including one existing dwelling unit to be retained. The two other dwelling units that currently exist onsite are to be demolished. The residential component of the project include one existing single family dwelling, 80 new detached dwelling units and 54 new attached dwelling units, for a total of 135 housing units. Of the 135 housing units, 24 are to be designated affordable rental units, one of which would be an onsite manager’s unit. One hundred and twenty of the units constitute the base zone density under the proposed DR 4.6 zone district and the project application includes a request for a 13% density bonus (15 additional dwelling units). The development is to be governed by Homeowner Covenants, Conditions and Restrictions (CC&Rs).

The project includes 54 attached units, approximately 19 of which are proposed to be affordable rental units at the moderate income level, four at the low income level, and one unit designated for a manager unit of the rentals. The project also includes 80 detached homes in four sub-areas of the site composed of 43 courtyard homes, 20 small lot homes and 17 medium-sized lot homes. The design of the single family dwelling units will be one of four unit types, with two- or three-car garages and private outdoor space. The market rate units will range in size from approximately 1,394 square feet to 3,800 square feet. The affordable units will range in size from approximately 695 to 910 square feet. In addition, the existing single family home on APN 069-100- 006 will be retained. The project will provide five housing types with a variety of architectural styles including American farmhouse, cottage, craftsman, Monterey, and California ranch, contemporary and/or traditional. The five housing types are summarized below.

Housing Types

Housing Type	Unit #	Building Details
Garden Apartments	24	Rental units <ul style="list-style-type: none"> • 4 Buildings • 6-Plexes • 750 – 900 sf units
Townhomes	30	10 Townhome Buildings – 3 units per building <ul style="list-style-type: none"> • Plan A1 – 1,384 sf units (10 total) • Plan A2 – 1,880 sf units (10 total) • Plan A3 - 1,950 sf units (10 total)
Courtyard Homes	43	<ul style="list-style-type: none"> • Plan B1 – 1,485 sf units (19 total) • Plan B2 – 1,725 sf units (10 total) • Plan B3 – 1,975 sf units (14 total)
Estate Lots (Type C)	20	20 Single Family Dwellings <ul style="list-style-type: none"> • Plan C1 – 2,900 sf (4 total) • Plan C2 – 3,100 sf (7 total) • Plan C3 – 3,300 sf (9 total)
Estate Lots (Type D)	17	17 Single Family Dwellings <ul style="list-style-type: none"> • Plan D1 – 3,400 sf (5 total) • Plan D2 – 3,600 sf (4 total) • Plan D3 – 3,800 sf (7 total)

		• Carriage House – 1,500 sf (1 total)
--	--	---------------------------------------

New residential units will be two stories and include maximum building heights between 25 and 26 feet from finished grade (up to a maximum of approximately 33 feet from existing grade). The building coverage for the residential units will be approximately 19% of the proposed net site area. While the detention basin will be located within 10 feet of San Jose Creek’s riparian area for functional purposes, all new residential structures will be located over 100 feet from riparian areas. The common area facilities will be setback at least 50 feet from the top-of-bank of San Jose Creek, with the exception of the existing barn which will be reconstructed in place.

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

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

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

Construction. The project will be constructed in four phases, working from west to east. Phase I will include a total of 25 units (two triplexes, four courtyard homes, 10 Type C estate homes and five Type D estate homes), all of the common area facilities, Tree Farm Lane in between Las Perlas and Merida drives, Noel Court and a portion of Christmas Tree Lane. Phase II would include a total of 44 units (two triplexes, 16 courtyard homes, 10 Type C estate homes, and 12 Type D estate homes, including the carriage house) and the remainder of Christmas Tree Lane. Phase III would include a total of 30 units (six triplexes and 12 courtyard homes). Phase IV would include a total of 35 units (11 courtyard homes and the 24 affordable units) along with the connection of Tree Farm Lane to Patterson Avenue. Rough grading (balanced cut and fill) for the entire site is proposed as part of Phase I of the development. Total grading quantities include approximately 40,000 cubic yards of cut and 40,000 cubic yards of fill. Grading associated with the structural development of each phase is estimated as follows:

- Phase I requires approximately 20,100 cubic yards of cut and 5,300 cubic yards of fill. Approximately 3,100 cubic yards of export to Phase II will be stockpiled or concurrently graded and another estimated 11,700 cubic yards will be exported and stockpiled on Phase IV.
- Phase II requires approximately 5,700 cubic yards of cut and 8,800 cubic yards of fill, with approximately 3,100 cubic yards imported from Phase I.
- Phase III will require approximately 10,200 cubic yards of cut and 1,400 cubic yards of embankment fill, with the excess exported to Phase IV to either be stockpiled or graded concurrently with Phase III.
- Phase IV will require approximately 3,900 cubic yards of cut and 24,000 cubic yards of fill, including the proposed Patterson Avenue embankment.

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

Roads/Circulation. One new public road with sidewalks on both sides will be constructed in an east/west direction between Patterson Avenue and Las Perlas Drive, continuing west where it would intersect with a new roundabout from Las Perlas Drive to connect with Merida Drive. New private roads will be constructed for internal circulation, and the existing road through the adjacent Cathedral Oaks Village will be improved and extended to the northeast part of the site. Patterson Avenue frontage improvements would be constructed, including sidewalks and left and right turn lanes at the new project intersection. No new structural development is proposed for the area designated for a future County Class I bike path and trail. However, the project includes an easement for a public bridge and path in the southwest corner of the site that would reestablish community access to the adjacent Kellogg Open Space from the eastern side of San Jose Creek and provide a critical connection for the future Class I bike path.

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

Drainage Improvements. An existing open trapezoidal drainage ditch crosses the east side of the property, receiving storm flows from an open channel north of the site and routing them to a 54-inch diameter storm drain inlet near the south property boundary. As part of the site development, these flows will be contained within a 54-inch storm drain to be located within a 15-foot wide Santa Barbara County Flood Control District easement. Site runoff will not be connected to this storm drain, rather runoff from the eastern lots will be directed to the streets and routed westward via a storm drain system along the proposed Tree Farm Lane. The storm drain will be sized per Santa Barbara County Flood Control District

standards, eventually becoming a 60-inch diameter pipe that will discharge to San Jose Creek in the southwestern corner of the project site. The outlet will be designed to Flood Control District standards, with the outlet discharging onto an outlet apron of riprap to prevent discharge erosion problems.

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

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

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

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

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

MITIGATION MEASURES FROM 11EIR-00000-00002

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

PLAN REQUIREMENTS: The Applicant shall develop a Lighting Plan for SBAR approval incorporating these requirements and showing locations, ~~and heights,~~ and provide cut sheets 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: Planning and Development compliance monitoring staff and SBAR shall review a Lighting Plan for compliance with this measure prior to Final Building Inspection Clearance to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan

3. **AQ-1 Construction Emissions Control Measures.** SBCAPCD requires that the following construction emissions control measures be implemented on all projects involving earthmoving activities regardless of size or duration:
- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
 - Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
 - If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
 - Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
 - After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.
- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

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

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

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

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

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

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

PLAN REQUIREMENTS AND TIMING. A nighttime light survey shall be conducted to

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

MONITORING. Planning and Development shall site inspect all exterior light fixtures after installation to ensure compliance.

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

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

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

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

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

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

8. **BIO-5(a) Habitat Restoration.** The applicant shall restore riparian habitat at a minimum ratio of 1:1 for temporary loss and 3:1 for permanent loss. For the current anticipated loss of riparian habitat, the restoration amount would be 900 square feet for temporary losses and 780 square feet for permanent losses, for a total of 1,680 square feet (0.0386 acres) of restoration. Restoration should occur within the temporarily disturbed area adjacent to the reconstructed storm drain outlet, with the additional restoration activity to occur within either the bioswale, detention basin, or other adjacent sections of the creek in need of restoration or enhancement. The Applicant shall submit for P&D approval a Restoration Plan for these areas prepared by a P&D-qualified biologist and including the following components:

- a. Restoration plantings will replicate the habitat disturbed (or in the case of disturbed habitats dominated by non-native species, replaced with suitable native species). All plantings shall have a minimum 80% survival by species and shall attain 75% cover of baseline at the end of three years and 90% cover of baseline after 5 years of project life. No woody invasives shall be present and herbaceous invasive species shall not exceed 5 percent cover.
- ~~a. Restoration plantings shall be with native riparian species such as willows, cattails, sedges, bulrush, spikerushes, mulefat, sycamores, or cottonwoods at a sufficient density to achieve 80% canopy coverage at the end of three years.~~
- b. Native twining vines (such as California Wild Rose [*Rosa californica*], Wild Blackberry [*Rubus ursinus*], Creek clematis [*Clematis ligusticifolia*]) shall be planted at the edge of the riprap mat to aid in providing some cover for this area.
- c. Species shall be from locally obtained plants and seed stock. “Local” shall be defined as from the southern coastal plain of Santa Barbara County with preferences from South Coast watersheds, particularly the San Jose Creek watershed. Any deviation from approved prescriptions for revegetation, including materials to be used and methods of application, shall be reviewed and approved by the County of Santa Barbara.
- d. The Restoration Plan shall include the locations, amounts, size, and types of plants to be used.
- e. Planting and weed control methods, irrigation methods and timing shall be discussed in the Restoration Plan. All planting shall be done after the first rains of the winter season (generally October 1-February 1) to take advantage of the availability of water, dormancy of foliage, and rooting period to ensure optimum survival.
- f. ~~The new plantings shall be regularly irrigated until established and shall be weaned off of irrigation over a period of two to three years.~~ Irrigation shall be provided when natural moisture conditions are inadequate to ensure survival of plants. Irrigation shall be provided, if needed, for a period of at least 2 years from planting and shall be phased out during the fall/winter of the 2nd year unless conditions dictate otherwise.
- g. Non-native, weedy species (to include vinca, Arundo, Cape Ivy, and Kikuyu) that are considered to be problematic shall be identified in the Restoration Plan and shall be removed from the restoration area and areas immediately adjacent to it during installation and periodically removed from the restoration area during the maintenance period to aid in meeting the success criteria.
- h. To protect the restoration site from damage during establishment, the restoration area shall be fenced and staked a minimum of every six feet or as necessary to keep the fencing from collapsing.

PLAN REQUIREMENTS AND TIMING. A Restoration Plan shall be submitted to P&D prior to Zoning Clearance. The Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for a minimum of three years. An annual monitoring plan shall be submitted 12, 24, and 36 months after installation describing the condition of the restoration area relative to the success criteria. The restoration areas shall attain at least 80% ground canopy coverage with native plants at the end of the restoration monitoring period, which shall be no less than three years. In the

event that 80% canopy coverage is not achieved by the end of three years, the monitoring plan shall discuss what actions are necessary to achieve success, including replanting of the restoration site, and the applicant will continue to monitor the restoration for an additional two years.

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

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

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

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

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

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

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

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

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

- No grading or development shall occur within five feet from the driplines of preserved oak trees that occur in the construction area except those specifically detailed on the site plans and approved by the County.
- All oak trees to be preserved within 25 feet of proposed ground disturbances shall be temporarily fenced with chain-link or other material satisfactory to the County throughout all grading and construction activities. The fencing shall be at least three feet high, installed six feet outside the dripline of each oak tree, shall be staked to prevent collapse, and shall contain signs identifying the protection area placed in 15-foot intervals.
- Fencing/staking/signage shall be maintained throughout all grading and construction activities.
- No construction equipment shall be parked, stored or operated within six feet of any specimen oak tree dripline except as otherwise specifically detailed on the site plans and approved by the County.
- No fill soil, rocks, or construction materials shall be stored or placed within six feet of the dripline of an oak tree (pervious paving and other materials are allowed, as approved by the County).
- No artificial surface, pervious or impervious, shall be placed within six feet of the dripline of any oak tree, except for project access roads.
- Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a County approved arborist/oak tree consultant.
- Any trenching required within the dripline or sensitive root zone of any specimen tree shall be done by hand. In addition, trenching in the protected zone needs to preserve roots over 1 inch by tunneling.
- All work within the dripline of a preserved oak shall be done under the direction of a County approved arborist/biologist.
- No permanent irrigation shall occur within the dripline of any existing oak tree.
- Any construction activity required within three feet of a specimen oak tree's dripline shall be done with hand tools.
- Limbing shall be done prior to grading and under the direction of a County approved arborist/oak tree consultant.
- Where encroachment into the dripline is specifically permitted, all curbs, walls, and other structures shall be set back no less than 3 feet from the trunk.
- Site drainage shall be checked to ensure that no ponding at the base of any oak tree occurs.
- All trees to be protected located within 25 feet of buildings shall be protected from stucco and/or paint during construction.

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

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

12. **CR-1 Stop Work at Encounter.** The Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Applicant shall retain and fund an archaeologist and a Native American representative approved by the County of Santa Barbara Planning and Development Department to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines.

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

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

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

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

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

14. **CR-3 Archaeological Reporting.** The results of all archaeological investigations shall be reported to the County of Santa Barbara Planning and Development Department as an addendum to the Phase 1 Archaeological Survey prepared by Heather Macfarlane and the Extended Phase 1 Archaeological Testing Program prepared by H.E.A.R.T or as a formal technical report.

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

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

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

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

PLAN REQUIREMENTS: The vegetation management plan shall be provided to the SBCFD and the County for review and approval. **TIMING:** The plan shall be approved prior to zoning clearance.

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

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

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

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

submitted for review and approval by Planning and Development prior to issuance of grading and building permits.

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

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

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

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

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

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

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

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

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

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

provided by the Owner/Applicant. Long term maintenance requirements shall be specified in Homeowner Association CC&Rs.

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

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

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

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

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

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

21. **HAZ-2 Soil Sampling and Remediation Plans.** Soil samples shall be collected by the applicant in the vicinity of the dump site and the backfilled area and shall be tested for volatile organic compounds (VOCs), semi-VOCs, total petroleum hydrocarbons, polychlorinated biphenyls, metals, pesticides, herbicides, and asbestos prior to the commencement of construction activities. A work plan detailing the sampling protocols to be followed, as well as the number of samples to be taken and the chemical analysis required, shall be completed and submitted to the County of Santa Barbara Fire Department and P&D. Upon approval of the work plan by the Fire Department, the work plan shall be implemented

and the results of the soil sampling shall be forwarded to the Fire Department with a copy to P&D. The Fire Department shall review the data to determine if any additional investigation or remedial activities are deemed necessary. No work shall resume in that area until the Fire Department has provided written authorization that the area does not warrant any additional action. If the results of the soil samples indicate concentrations that exceed their respective threshold levels, contaminants shall be remediated to the satisfaction of the Fire Department within these parameters:

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

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

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

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

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

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

23. **HAZ-3(b) Asbestos Abatement.** Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant and as required by the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Use of building setbacks from existing development and/or landscaping to increase privacy and reduce potential nuisance noise impacts;

- Adherence to single story elements for components of the development closest to existing neighborhoods;
- Ensuring that any proposed balconies and proposed second story windows do not present privacy issues such as having line of sight views into rear yards and other private areas of adjacent existing development.

PLAN REQUIREMENTS AND TIMING. Project plans shall be submitted to Planning and Development (P&D) for BAR review and approval prior to approval of zoning clearance.

MONITORING. P&D shall review and approve the plans prior to approval of zoning clearance. Permit Compliance shall conduct site inspections.

29. **N-1(a) Construction Timing.** Construction activity and equipment maintenance shall be limited to the hours between 8-7:30 and 5-4:30 P.M., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Non-noise generating construction activities such as interior painting are not subject to these restrictions.

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

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

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

PLAN REQUIREMENTS AND TIMING: Construction plans shall specify the use of appropriate temporary shielding between noise-generating construction equipment and sensitive receptors. Equipment and shielding shall remain in the designated location throughout construction activities.

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

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

PLAN REQUIREMENTS AND TIMING: The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

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

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

owners and occupants of parcels within 1,600 feet of the site of the noise generating construction.

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

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

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

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

Violations may result in suspension of permits.

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

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

- Orientation of non-sensitive uses such as parking/garages and roadways closest to the noise source.
- Orientation of buildings such that the first row of buildings has 90% linear coverage parallel to the noise source.
- Windows and sliding glass doors facing the noise source with a minimum Standard Transmission Class (STC) of 39 that are properly installed, weather stripped, and insulated.
- Exterior doors facing the noise source with a minimum STC of 39 and insulated in conformance with Title 24 requirements.

- Exterior wall facing material designed for a minimum STC of 39 (this can typically be achieved by adding absorptive insulation [i.e., fiberglass batts] in the wall cavity).
- Roof or attic vents either facing away from the noise source or baffled.
- Air conditioning or a mechanical ventilation system so that windows and doors may remain closed.

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

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

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

- a. Estimated weight of total materials expected to be utilized for project during construction.
- b. Estimated weight, by material type, to be discarded during construction.
- c. Estimated weight, by material type, to be recycled or reused during construction.
- d. Names and locations of markets for Construction and Demolition (C&D) waste recycling and disposal, i.e., where permittee plans on sending all component materials taken offsite during construction.
- e. Estimated number of separate bins required for recycling construction materials and cleared brush during grading and construction activities. (All demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal [e.g., separate bins for concrete and asphalt, wood, metal, drywall and brush] and to take advantage of decreased prices for recycling these materials.)
- f. Development of a Source Reduction Element (SRE) describing the recommended program(s) and the estimated reduction of the solid waste before it is created. For example, the SRE may include a description of value-engineering building techniques employed to keep excess cutoffs to a minimum (including increased spacing of joists and studs, in-line framing, reduced header sizes, and modular roof design).

- g. Ensure that at least a 75% diversion rate is achieved throughout the construction period.

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

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

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

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

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

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

37. **T-1(a) Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of adjacent road right of ways. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice

shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Zoning Clearance for each phase of development. **TIMING:** A copy of the written notice shall be submitted to P&D permit processing staff prior to issuance of Zoning Clearance. This restriction shall be maintained throughout construction.

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

38. **T-1(b) Traffic Control Monitor.** The applicant shall ensure that a traffic control monitor (flag person) is on public roadways as needed during construction. Additional traffic control monitors shall be posted on Agana and Merida drives specifically between 7:30 and 8:30 AM on weekdays.

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

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

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

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

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

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

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

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

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

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

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

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

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

MONITORING: P&D shall verify that low growth vegetation is implemented on all landscape plans prior to zoning clearance. Permit compliance staff shall conduct site

inspections to verify landscaping is properly maintained. P&D and Public Works shall review and approve frontage improvement prior to zoning clearance.

43. **T-3(b) Sidewalks.** The sidewalks proposed along the new private road connection that serves the estate lots in the northern portion of the site shall be extended to Avenida Pequena.

PLAN REQUIREMENTS AND TIMING: The applicant shall demonstrate sidewalk extensions on all site plans which are to be submitted for review and approval by P&D and Public Works prior to zoning clearance.

MONITORING: P&D and Public Works shall review and approve sidewalk extensions prior to zoning clearance.

44. **T-3(c) Merida Drive/Agana Drive Intersection.** The Merida Drive/Agana Drive intersection shall be controlled by a stop sign on the north leg of the intersection.

PLAN REQUIREMENTS AND TIMING: All site plans shall include a stop sign on the north leg of Merida Drive/Agana Drive intersection. Site plans shall be submitted for review and approval of P&D and Public Works prior to zoning clearance.

MONITORING: P&D and Public Works shall review and approve stop sign prior to zoning clearance.

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

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

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

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

PLAN REQUIREMENTS AND TIMING: Plans for Phase 1 of project development shall show Tree Farm Lane extending to Patterson Avenue and include all necessary work to construct the road and connection to Patterson Avenue. The road shall be operational and open to carry traffic prior to Final Building Inspection Clearance for Phase I.

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

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

- a. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
- b. Apply concrete, asphalt, and seal coat only during dry weather.
- c. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
- d. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

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

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

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

48. **WR-1(b) Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site daily. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all applicable permits.

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

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

49. **WR-1(c) Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) within the designated development envelope to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all land use, grading, and building permits.

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

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

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

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

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

MONITORING: The Owner/Applicant shall demonstrate to Public Works, Water Resources Division that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all

items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.

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

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

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

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

52. **WR-2(c) Storm Water Retention-Biofiltration System.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces, the Owner/Applicant shall construct a permanent biofiltration system to treat storm water runoff from the site. Biofiltration includes vegetated swales, channels, buffer strips, retention, rain gardens, and shall be designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method. The biofiltration system shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the filtration properties and the plants selected are adequate to reduce concentrations of the target pollutants. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofiltration system. Invasive plants shall not be used. Biofilters shall not replace existing riparian vegetation or native vegetation unless otherwise approved by P&D.

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

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

system. Performance security must be submitted to P&D permit processing planner prior to issuance of land use permit.

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

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

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

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

54. **WR-2(e) Storm Water Retention-Parking Area BMPs.** The parking area and associated driveways shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas), designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once per year. Long term maintenance shall be the responsibility of the HOA. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of land use permit. BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year and retain proof of inspections.

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

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

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

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

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

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

56. ~~**GHG-1(b) Electric Vehicle Parking.** On site parking areas shall be designed to accommodate electric vehicle charging stations.~~

~~**PLAN REQUIREMENTS AND TIMING:** The project plans should reflect the recommended parking provisions.~~

~~**MONITORING:** P&D compliance monitoring staff should review plans prior to issuance of land use permit to ensure that the development is in compliance with the recommended parking provisions.~~

57. **GHG-1(c) Design Elements.** The Owner/Applicant shall incorporate the following energy-conserving techniques into project design, ~~unless they can demonstrate infeasibility of individual components to P&D~~ to the extent feasible.

- a. Use of light colored water-based paint and roofing materials;
- b. Use of passive solar cooling/heating;
- c. Use of natural lighting;
- d. Energy efficient appliances and lighting;
- e. Use of on-demand water heaters;
- f. Use of concrete or other non-pollutant materials for parking lots instead of asphalt;
- g. Installation of sidewalks and bikepaths;
- h. Installation of covered bus stops to encourage use of mass transportation;
- i. Use of solar heating for the community pool;
- j. Use of landscaping to shade structures and parking lots.

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

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

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

TENTATIVE MAP CONDITIONS

58. **Map-01 Maps-Info.** Prior to recordation of the vesting tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Final Map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
59. **Map-01a Maps-Future Lots.** Any lot created by the recordation of this Vesting Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.
60. **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the Final Map, the Owner/Applicant shall submit a Final Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
61. **Map-06 Title to Common Space.** Title to the common areas (common open space, common area facilities, and private streets shall be held by a non-profit association of all homeowners within the project areas or other non-profit entity on such reasonable terms and conditions as the Board of Supervisors may prescribe. The reasonable terms and conditions may include restricting the rights to develop the property to the uses described in the approved project. If the common open space is conveyed to a group other than the homeowners association, the rights to develop such property with uses other than those described in the approved project shall be conveyed to the County of Santa Barbara.

62. **Map-07 CCR Maintenance.** The Applicant shall record Codes Covenants and Restrictions (CC&Rs) which provide for shared maintenance responsibilities by all owners for the:

- a. Retention basin and appurtenant landscaping and access;
- b. Common area landscaping / irrigation;
- c. Plantings / irrigation required for creek restoration and tree replacement;
- d. Storm Water Quality Management Plan components.

The CC&Rs shall also include responsibilities for all owners to maintain the property in compliance with all conditions of approval of the project, including:

- a. Approved landscaping; and
- b. Restrictions on tree removal.

The CC&R language is subject to approvals from Flood Control, Project Clean Water, P&D, and County Counsel. In addition, the Owner/Applicant shall record a buyer notification that reads as follows: "IMPORTANT: BUYER NOTIFICATION: The Home Owners Association shall obtain County approval for amendments to any CC&R provision related to the retention basin, common area landscaping, plantings and irrigation required for creek restoration and tree replacement, and the Storm Water Quality Management Plan requirements. All owners shall maintain property in compliance with all conditions of approval for the project."

63. **Hous-01 Agreement to Provide Affordable Housing.** The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing and a Restrictive Covenant and Preemptive Right with the County of Santa Barbara based on the County's model documents. These shall specify affordability terms described in condition ~~64~~⁵. In addition, the Agreement and Covenant shall include the following provisions:

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

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

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

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

64. **Hous-03 Rental Density Bonus Projects.** The Owner/Applicant shall provide ~~24 low-8 very low income dwelling units (18% of project units)~~ available for rent at prices ~~affordable to households earning 60% of Area Median Income (AMI)~~ consistent with the provisions of Government Code § 65915-65918 (Density Bonus).

Plan Requirements: The applicant shall enter into and record an Agreement to Provide and Rental Restrictive Covenant and Preemptive Right based upon the County's model document which shall be subject to review and approval by Planning & Development, County Community Services Department (CSD), and County Counsel. This document shall specify affordability consistent with the terms described above and shall include provisions describing marketing of rental of units and requiring County approval of proposed leases. Income eligibility of prospective renters shall be determined by the County or its designee, however, CSD may choose to authorize applicant to conduct income certifications at the discretion of CSD subject to review and monitoring by CSD. The maximum rental rate for the affordable units shall not exceed the maximum levels established by the Board of Supervisors, consistent with the provisions of the Housing Element. The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing, which shall include a model Restrictive Covenant and Preemptive Right. The Covenant shall be executed and recorded by each purchaser of an affordable unit. The agreement and covenant shall be based on the County's model documents, as they may be amended from time to time and subject to review and approval by P&D, County Housing and Community Development, and County Counsel.

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

65. **Map-08 Water and Sewer Connections.** If, prior to the Board action to approve the recording of the Final Map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the County or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the County Surveyor an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted, or letters from the County Health Department

and P&D Building & Safety stating that the lots in the subdivision will be served by an approved potable source of water and an approved private sewage disposal system.

66. **Map-10 Public Utility Easements.** Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the Final Map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.
67. **Map-14 Annexation.** Prior to recordation, the property shall be annexed to the Goleta Sanitary District.
68. **Rules-19 Maps/LLA Revisions.** If the unrecorded Tentative Map is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Tentative Map.
69. **Rules-06 Recorded Map Required.** Tentative Map 14,760 shall be recorded prior to approval of any permits for development, including grading.
70. **Rules-36 Map/LLA Expiration.** This Tentative Map shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.

DEVELOPMENT PLAN CONDITIONS

71. **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibit #1, dated October 19, 2011.
72. **Rules-14 Final DVP Expiration.** Final Development Plans shall expire five years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.

PROJECT SPECIFIC CONDITIONS

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

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

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

74. **Rules-23 Processing Fees Required.** Prior to issuance of Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
75. **DIMF-24a DIMF Fees-Library.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for libraries. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. [LUDC §35.84.030].
The total Library DIMF amount is assessed at \$54,336. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet.
TIMING: Library DIMFs shall be paid to Planning & Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.
76. **DIMF-24b DIMF Fees-Public Administration.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for public administration. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. [LUDC §35.84.030].
The total Public Administration DIMF amount is assessed at \$232,068. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet.
TIMING: Public Administration DIMFs shall be paid to Planning & Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.
77. **DIMF-24c DIMF Fees-Sheriff.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the County Sheriff. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. [LUDC §35.84.030].
The total County Sheriff DIMF amount is assessed at \$62,112. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet. **TIMING:** County Sheriff DIMFs shall be paid to Planning & Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.
78. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire

Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law.

The total Fire DIMF amount assessed is \$163,652. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet.

TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.

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

The total Parks fee amount is assessed at \$1,339,464. This is based on a project type of 108 net new single family dwellings and 24 apartments and a project size of 316,841 square feet.

TIMING: Parks Quimby fees shall be paid to the County Parks Department prior to Land Use Clearance for the single family dwellings. Parks DIMFs fees shall be paid to the County Parks Department prior to Final Building Inspection Clearance for the 24 apartments.

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

The total DIMF amount for Transportation is assessed at \$1,451,669. This is based on a project type of 108 net new single family dwellings and 24 other dwellings and a project size of 316,841 square feet.

TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Land Use Permit Issuance.

81. **Rules-26 Performance Security Required.** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation, stormwater BMPs, and riparian habitat and oak tree restoration. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for five years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, stormwater BMPs, and riparian habitat and oak tree restoration per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved elements have been satisfactorily maintained. If they have not been maintained, P&D may retain the applicable maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, stormwater BMPs, and riparian habitat and oak tree restoration P&D may use the security to complete the work.

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

82. Rules-29 Other Dept Conditions. Compliance with Departmental/Division letters required as follows:

- a. Air Pollution Control District dated July 29, 2011;
- b. County Surveyor dated July 22, 2009;
- c. Environmental Health Services Division dated August 5, 2011;
- d. Fire Department dated September 24, 2009;
- e. County Flood Control dated June 18, 2009;
- f. Parks Department dated ~~September 12~~November 10, 2011;
- g. Project Clean Water dated April 25, 2008;
- h. Transportation Division dated September 30, 2011.

83. Rules-30 Plans Requirements. The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

84. Rules-31 Mitigation Monitoring Required. The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:

- a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
- b. Pay fees prior to approval of Zoning Clearance for Phase I development as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
- c. Note the following on each page of grading and building plans “This project is subject to Mitigation and Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from EIR #11EIR-00000-00002”;
- d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

85. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

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

87. **Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

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

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

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

income certification for the initial sales. All subsequent sales shall be overseen by the Owner/Applicant or successors in interest and reported to P&D as described above.

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

89. Construction Traffic. All construction traffic shall utilize the existing driveway connection with Patterson Avenue for entering and exiting the site. The driveway shall be improved as necessary to accommodate right-turn in and right-turn out traffic for routine construction traffic, and left-turn in for larger equipment and deliveries. The access point shall be gated to preclude non-construction vehicles from utilizing the access point. Flag crews shall be on hand and present for the arrival and departure of all larger equipment and deliveries. In addition, flag crew shall be stationed at Las Perlas Drive to control construction traffic crossing Las Perlas Drive to the west side of the project site.